

## Students

### Reporting of Child Abuse, Neglect and Sexual Assault

Connecticut General Statutes 17a-101, as amended by PA 96-246, PA 00-220, PA 02-106, PA 11-93, and PA 15-205 requires all school employees, including but not limited to administrators, teachers, paraprofessionals, nurses, psychologists and social workers, and coaches of intramural or interscholastic athletics, or any other person, who in the performance of his/her duties, has regular contact with students and who provides services to District students as mandated reporters. Mandated reporters are required to report if they suspect or believe that a child has been abused or neglected (CGS 17a-101a) may be abused or has been placed in imminent risk of serious harm or has been sexually assaulted. The District shall not discharge or in any manner discriminate or retaliate against any mandated school employee who in good faith makes a report pursuant to CGS 17a-101 or is involved in any proceedings pertaining to the alleged child abuse or neglect, or sexual assault.

### Reporting of Alleged Child Abuse

1. Suspected abuse believed to be caused by a person, in accordance with CGS 17a-101, requires a mandated reporter to report it by telephone or in person as soon as possible but no later than twelve (12) hours to the Department of Children and Families or to the local or state police.
2. This is to be followed no later than 48 hours with a written report to the Commissioner of the Department of Children and Families and the local or state police. The Board directs mandated reporters to inform the building principal immediately after a report has been made and the principal in turn will notify the Superintendent.
3. The report shall contain the names and addresses of the child and his/her parents, or other persons responsible for his/her care, if known; age of child; gender of the child; the nature and extent of his/her injuries; maltreatment or neglect, together with any evidence of previous injury or maltreatment to the child or his/her siblings; the name of the person suspected to have caused injury or maltreatment or neglect and any other information which the reporter believes might be helpful in establishing the cause of the injury or injuries and protecting the child; the approximate date and time the injury or injuries, maltreatment or neglect occurred; information concerning any previous injury or injuries to, or maltreatment or neglect of the child or his/her siblings; the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter; the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect; the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect; any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and whatever action, if any was taken, to treat, provide shelter or otherwise assist the child.
4. The Board of Education will post the telephone number of the Department of Children and Families' child abuse hotline, Careline, and the Internet web address that provides information about the Careline in each District school in a conspicuous location frequented by students. Such posting shall be in various languages most appropriate for the students enrolled in the school.

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### Reporting of Child Abuse, Neglect and Sexual Assault (continued)

#### Reporting of Alleged Child Abuse Inflicted by School Employee

As the result of increased awareness of child abuse in our society, CGS 17a-101 requires mandated reporters to report child abuse, neglect and sexual assault by school employees.

1. In cases where the mandated reporter suspects or believes such injury has been inflicted by a school employee, he/she shall report that suspicion as soon as possible but no later than twelve (12) hours orally or in person to the Department of Children and Families (DCF) followed within 48 hours with a written report.
2. The Superintendent or supervising agent may be notified immediately after the oral report has been made and shall also receive a copy of the written report. The Commissioner of Children and Families or his/her designee, is required to notify the head of a school, except when that person is the alleged perpetrator.
3. The Superintendent or supervising agent shall immediately notify the child's parent or other person responsible for the child's care that a report has been made; and immediately notify the policy department of the alleged abuse.
4. The written report to the Commissioner of the Department of Children and Families or his/her representative, concerning a certified school employee, shall also be sent by the Superintendent to the Commissioner of Education or his/her representative.
5. The report shall contain the names and addresses of the child and his/her parents, or other persons responsible for his/her care, if known; age of child; gender of the child; the nature and extent of his/her injuries; maltreatment or neglect, together with any evidence of previous injury or maltreatment to the child or his/her siblings; the name of the person suspected to have caused injury or maltreatment or neglect and any other information which the reporter believes might be helpful in establishing the cause of the injury or injuries and protecting the child; the approximate date and time the injury or injuries, maltreatment or neglect occurred; information concerning any previous injury or injuries to, or maltreatment or neglect of the child or his/her siblings; the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter; the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment, neglect or sexual assault; the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect; any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment, neglect or sexual assault of a child; and whatever action, if any was taken, to treat, provide shelter or otherwise assist the child.

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### Reporting of Child Abuse, Neglect and Sexual Assault (continued)

#### Reporting of Alleged Child Abuse Inflicted by School Employee (continued)

6. The Superintendent is obligated to immediately begin the investigation of the report with the Department of Children and Families or by a law enforcement agency. The Superintendent may request assistance from the local police or state police in the investigation.
7. A person reporting child abuse, neglect or sexual assault shall provide any person authorized to conduct an investigation into such claim with all information related to the investigation that is in the possession or control of the person reporting child abuse, neglect or sexual assault, except as expressly prohibited by state or federal law.
8. If the Superintendent finds evidence of child abuse or sexual assault by a school employee, he/she must immediately notify the child's parent guardian, the local or state police, the Commissioner of the Department of Children and Families or his/her representative, and, in the case of an investigation of a school employee possessing a State Board of Education issued certificate, permit or authorization, the Commissioner of Education or his/her representative.
9. When an investigation produces such evidence, and the employee in question is in a position requiring a certificate, permit or authorization issued by the State Board of Education, the Superintendent must suspend the employee with pay and without diminution or termination of benefits, and provided the Superintendent notifies the Board of Education of the reasons for the suspension within 72 hours thereafter.
10. The suspension remains in effect until the Board takes action, where applicable, pursuant to CGS 10-151 (Teacher Tenure Act).
11. The Superintendent must report suspected child abuse or sexual assault by a school employee possessing a certificate, permit or authorization issued by the State Board of Education to the Commissioner of Education or his/her representative. If the contract of employment of a school employee possessing said certificate, permit or authorization is terminated or if the employee resigns as a result of an investigation which reveals that child abuse has occurred, the Superintendent shall notify the Commissioner of Education within 72 hours of such termination or resignation.
12. The District shall maintain records of allegations, investigations and reports that a child has been abused, neglected or sexually assaulted by a school employee. Such records will be maintained in the District's Central Office. The records shall include any reports made to the Department of Children and Families. Such Department is to have access to all such records.

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### Reporting of Child Abuse, Neglect and Sexual Assault

#### Reporting of Alleged Child Abuse Inflicted by School Employee (continued)

13. The Board shall provide to the Commissioner of Children and Families, upon request for the purposes of an investigation by the Commissioner of Children and Families of suspected child abuse or neglect by a teacher employed by the Board, any records maintained or kept in District files. Such records shall include, but not be limited to supervisory records, reports of competence, personal character and efficiency maintained in such teacher's personnel file with reference to evaluation of performance as a professional employee of such board of education, and records of the personal misconduct of such teacher. (*"Teacher" includes each certified professional employee below the rank of Superintendent employed by a Board of Education in a position requiring a certificate issued by the State Board of Education.*)
14. The Board of Education shall permit and give priority to any investigation conducted by the Commissioner of Children and Families or the appropriate local law enforcement agency that a child has been abused or neglected. The Board shall conduct its own investigation and take any disciplinary action, in accordance with the provisions of Section 17a-101i of the general statutes, as amended, upon notice from the Commissioner or the appropriate local law enforcement agency that the Board's investigation will not interfere with the investigation of the Commissioner or such local law enforcement agency.
15. The Department of Children and Families will review, at least annually, with the State Department of Education all records and information relating to reports and investigations that a child has been abused and neglected by a school employee, in the Department of Children and Families' possession to ensure that records and information are being shared properly.

#### Establishment of the Confidential Rapid Response Team

Not later than January 1, 2016, the Board of Education shall establish a confidential rapid response team to coordinate with DCF to (1) ensure prompt reporting of suspected child abuse or neglect; or 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, or 4<sup>th</sup> degree sexual assault; 1<sup>st</sup> degree aggravated sexual assault; or 3<sup>rd</sup> degree sexual assault with a firearm of a student not enrolled in adult education by a school employee and (2) provide immediate access to information and individuals relevant to DCF's investigation of such cases.

The confidential rapid response team shall consist of (1) a local teacher and the Superintendent, (2) a local police officer, and (3) any other person the Board of Education deems appropriate.

DCF, along with a multidisciplinary team, is required to take immediate action to investigate and address each report of child abuse, neglect or sexual abuse in any school.

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### Reporting of Child Abuse, Neglect and Sexual Assault (continued)

#### Identification of Problem

The following are indicators of possible abuse and neglect:

- A. Bruising, burns, injuries of suspicious origin
- B. Ongoing malnutrition
- C. Chronic Illnesses
- D. Excessive absenteeism
- E. Sub-Standard Cleanliness
- F. Inadequate Clothing
- G. Excessive cuts, scrapes, and broken bones
- H. Any mention by the student or others of episodes of physical or sexual abuse as well as neglect, including lack of supervision
- I. Gross neglect of child's physical needs
- J. Lack of medical treatment for the sick child.

#### Emergency Health Care and Reasonable Inquiry

When reasonable cause to suspect or believe that a child has been abused or neglected exists or when a child has a visible injury, school personnel may take reasonable inquiry of a child regarding such suspicion or visible injury.

School personnel, except for a school nurse or a School Medical Advisor, may not remove or insist that a child remove clothing to confirm suspected cause or neglect, except in those circumstances where immediate action is required or in the case of apparent need for emergency medical treatment. A School Medical Advisor or school nurse may request that a child remove clothing when the following condition exists:

1. A child has identified a particular injury, the extent of which can only be determined by removing the child's clothing, and
2. The examination is necessary to determine whether medical attention is required and not merely to confirm suspected abuse, and
3. The request is made in such a manner that the child clearly understands that compliance with the request is optional and that no adverse consequences will result from a refusal to comply.

## **Students**

### **Reporting of Child Abuse, Neglect and Sexual Assault** (continued)

#### **Investigation of Reports of Suspected Child Abuse/Neglect in the School Setting**

As part of the investigative process, the DCF social worker and social worker's supervisor may determine, based upon the nature of the referral, that an interview with the child needs to be conducted in the school setting. Interviewing in the school setting will be limited to emergency situations such as the following:

1. There is probable cause to believe that a suspected child abuse/neglect victim is in need of emergency medical services; or
2. A child, who is a suspected sexual abuse victim will return upon leaving school to the care of the suspected perpetrator; or
3. There is probable cause to believe that a suspected abuse victim will be in imminent danger if returned home.

School personnel who believe that an interview in the school setting may be necessary in order to protect the child, must notify DCF as early in the day as possible to provide both DCF and the education agency ample time to coordinate activities and actions as may be appropriate. Upon receipt of such notice, DCF will advise school personnel whether the child must be interviewed in the school.

If school personnel decide to retain the child after the scheduled school day in order to ensure that DCF or local or state police be involved, school personnel must attempt to notify the parents/guardians of the retention at school of the child.

DCF shall be solely responsible for noticing the parent/guardian of the interview, if such notification has not already taken place. DCF shall also be responsible for notifying the parent/guardian of any activities or actions taken by DCF following the interview.

#### **Training**

All District employees are required to complete a training program pertaining to the accurate and prompt reporting of abuse, neglect and sexual assault, made available by the Commissioner of Children and Families. In addition, all employees must complete a refresher program at least once every three years.

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### Reporting of Child Abuse, Neglect and Sexual Assault (continued)

#### Foster Care

Upon request of the Board of Education, the Department of Children and Families shall provide the name, date of birth and school of origin for each child in the custody of the Department of Children and Families who has been placed in foster care and is attending a District school.

Legal Reference: Connecticut General Statutes

10-220a Inservice training. Professional development committees. Institutes for educators. Cooperating teacher program, regulations (as amended by PA 11-93)

10-221d Criminal history records check of school personnel. Fingerprinting. Termination or dismissal (as amended by PA 11-93)

10-221s Investigations of child abuse and neglect. Disciplinary action. (as amended by PA 16-188)

17a-28 Definitions. Confidentiality of and access to records; exceptions. Procedure for aggrieved persons. Regulations (as amended by PA 11-93)

17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order. (as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168 and PA 11-93)

17a-101a Report of abuse or neglect by mandated reports, as amended by PA 11-93.

17a-102 Report of danger of abuse. (as amended by PA 02-106 & PA 02-138)

17a-106 Cooperation in relation to prevention, identification and treatment of child abuse/neglect.

10-151 Teacher Tenure Act

P.A. 11-93 An Act Concerning the Response of School Districts and the Departments of Education and Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children in a School District

PA 14-186 An Act Concerning the Department of Children and Families and the Protection of Children

PA 15-205 An Act Protecting School Children

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MARLBOROUGH PUBLIC SCHOOLS  
 Marlborough, Connecticut