



Health and Safety

POLICY

8030.1

CHILD ABUSE/NEGLECT

The Westbury Public School District shall comply with the Connecticut General Statutes regarding Child Abuse/Neglect by requiring mandated reporters, including, but not limited to, school nurses, school medical advisor, school psychologist, school guidance counselors, principals, supervisors, school teachers and school social workers to make an oral report of suspected abuse/neglect to the Commissioner of the Department of Children and Families (via the Child Protection Careline 1-800-842-2288) or a law enforcement agency. The oral report shall be made within 24 hours of suspecting or believing that a child has been abused or neglected. A written report (W-136) should follow within 24 hours to the local Department of Children and Families. If there is immediate physical danger or threat to the student, the Police Department is to be called. Notification of a child abuse/neglect report is to be given to the Principal. A copy of the W-136 form should be filed in the school nurse's office.

All employees under the provisions of the Connecticut Statutes on Child Abuse/Neglect, Sec. 17a-101, et seq., who are required to report, shall be fined not more than five hundred dollars if they fail to make such report. Any person who knowingly makes a false report of child abuse/neglect, shall be fined, if convicted, not more than \$2,000 or imprisoned not more than one year or both.

Immunity from civil or criminal liability is granted to people who make required reports in good faith.

ABUSE BY SCHOOL EMPLOYEE

Whenever an investigation by the Department of Children and Families/Police, pursuant to Connecticut General Statutes Sec. 17a-101i, produces evidence that a child has been abused by a public school employee in a position requiring a certificate, the superintendent must suspend such school employee with pay and continuation of benefits. Such suspension shall remain in effect until the Board of Education acts pursuant to Section 10-151 of the General Statutes, as amended.

Health and Safety

POLICY

8030.2

CHILD ABUSE/NEGLECT - Continued

Legal Reference: Connecticut General Statutes

17a-101

Protection of children from abuse.
Reports required of certain essential persons.
When a child may be removed from surroundings without a court order.

PA-95-169:

Reporting and investigation of child abuse.

Adopted by the Board of Education on August 13, 1997
Policy to be Reviewed Prior to August 2000.

CHILD ABUSE/NEGLECT

CITY OF WATERBURY - REPORTING OF CHILD ABUSE/NEGLECT

This regulation is intended to safeguard children whose health and welfare may be adversely affected through injury and neglect, and to ensure a nurturing and safe environment. Reports should be made where there is reasonable cause to suspect or believe that any child under the age of eighteen:

1. Has had physical injury or injuries inflicted upon himself (other than by accidental means) by a person responsible for the child's health, welfare, or care, or by a person given access to the child.
2. Has injuries which are at variance with the explanation given of their occurrence.
3. Is in a condition which is the result of maltreatment such as, but not limited to, malnutrition, sexual exploitation, deprivation of necessities, emotional maltreatment or cruel punishment.
4. Has been neglected in one or more of the following ways:
 - a. Has been abandoned.
 - b. Is being denied proper care and attention, physically, medically, educationally, emotionally, or morally.
 - c. Is being permitted to live under conditions, circumstances, or association injurious to the child's well-being.
 - d. Is in danger of being abused even though one does not have reasonable cause to suspect or believe any such abuse has actually occurred.

IN SCHOOL PROCEDURE FOR REPORTING

The school employees who has reasonable cause to suspect that a child has been abused, shall make an oral report to the Commissioner of the Department of Children and Families (via the Child Protection Hotline 1-800-842-2288).

CHILD ABUSE/NEGLECT - Continued

2. If the employee is uncertain regarding the validity of the suspicion, the employee is advised to seek assistance (participating in oral report and completion of W-136 form) from support personnel (school nurse, school guidance counselor, principal, school psychologist, school social worker or the Department of Children and Families (via the Child Protection Hotline 1-800-842-2288). NO PERSON IN ANY HIGHER LEVEL OF AUTHORITY HAS ANY LEGAL RIGHT TO VETO A CHILD ABUSE/NEGLECT REFERRAL TO THE DEPARTMENT OF CHILDREN AND FAMILIES. Despite advice to the contrary, an employee who believes that the suspicion is grounded, is required to report. No employee shall discharge, or in any manner discriminate or retaliate against, any employee who in good faith makes a report, testifies or is about to testify in any proceeding involving child abuse/neglect. An employer who violates this provision may be assessed a civil penalty of not more than \$2,500 and other penalties as the court deems appropriate [see Section 17a-101e (a)].

3. Immunity from civil or criminal liability is granted to people who make required reports in good faith. Anyone who knowingly makes a false report of child abuse/neglect may be fined up to \$2,000 or imprisoned for not more than one year, or both.
4. The principal is to be informed when a child abuse/neglect report is to be made to the Department of Children and Families. A copy of the written report will be made and filed in the nurse's office in the health file, due to the medical and confidential status of these reports. (A staff member who needs access to the copy of the W-136 form, must sign an access form in the nurse's office).

IT SHOULD BE NOTED:

- a. It is not necessary to know or prove child abuse/neglect. It is sufficient that the suspicion of abuse/neglect has occurred or may occur.
- b. Reports should be made as soon as the child abuse/neglect is suspected even though the incident may not be a recent one.
- c. Mandated reporters are asked to give their name when they make a report to the Department of Children and Families. This greatly aids in the investigation of the report. However, reporters may request anonymity.

REGULATIONS

CHILD ABUSE/NEGLECT - Continued

This means that the Department of Children and Families would not disclose their name or identity unless mandated to do so by Connecticut General Statutes (Sections 17a-28 and 17a-101). Information not disclosed upon request includes the name of the reporter or any identifying information regarding the source of the report (e.g. school personnel, medical facility).

The Department of Children and Families will advise all reporters that the Department cannot maintain the anonymity of the reporter under the following circumstances:

- When court activity to protect a child requires the Department to call the reporter as a witness.
- In any report resulting in criminal prosecution, when the Department is mandated to share the case record and all information with the state's attorney or designee.

Unless the reporter has authorized disclosure, in all cases in which a parent or legal representative wishes to review the case record, the Department of Children and Families shall protect the identity of the reporter by eliminating all references to the reporter's name or any identifying information.

- d. Non-mandated reporters who are the primary source of the child abuse disclosure should make the referral. Assistance (pertaining to oral report and completion of W-136 form) from support personnel (leadline nurse, principal, school psychologist, school social worker) will be provided. The report of suspected Child Abuse/Neglect forms (W-136), must be completed and signed by the reporter.

WHAT MUST BE REPORTED

Mandated reporters are required to report when they have reasonable cause to suspect that a child under the age of 18 is in danger of being abused, has had non-accidental physical injury, or injury which is at variance with the history given of such injury inflicted upon him, by a person responsible for the child's health, welfare or care, or a person given access to the child by the responsible person, or has been neglected.

REGULATIONS

CHILD ABUSE/NEGLECT - Continued

Mandated reporters must report orally to the Department of Children and Families or a law enforcement agency within 24 hours of suspecting that a child has been abused, neglected or is in danger of being abused.

When making a report, a mandated reporter is required to provide the following information, *if known*:

- names and addresses of the child and his parents or responsible caregiver,
- gender of the child and age of the child,
- nature and extent of injury(ies), maltreatment or neglect,
- approximate date and time the injury, maltreatment or neglect occurred,
- the circumstances in which it became known to the reporter,
- information about previous injury, maltreatment or neglect of the child or siblings,
- name of the person suspected to have caused the injury, maltreatment or neglect,
- any other information the reporter believes would be helpful,
- any action taken to treat or help the child,
- if the oral report does not include the above information, then a written report must be submitted to the Department of Children and Families within 48 hours.

FOLLOW-UP PROCEDURE FOR THE SCHOOL STAFF

If the alleged perpetrator of the abuse/neglect does not reside in the home with the child, the principal will notify the parent that a referral has been made.

If the alleged perpetrator of the abuse/neglect is in the home and/or in the judgment of the principal, the parent may punish the child for revealing the abuse, the decision regarding parent contact should be made in consultation with the Department of Children and Families worker to ensure the safety of the child.

In cases of child sexual abuse the decision regarding the parent or guardian contact should be made in consultation with the Department of Children and Families in order to ensure the safety of the child.

REGULATIONS

CHILD ABUSE/NEGLECT - Continued

PROCEDURE AND HANDLING ABUSE DISCLOSURES AS RELATED TO SEXUAL ABUSE PROGRAM PRESENTATIONS

When a student discloses or is about to disclose child or sexual abuse to a Sexual Assault Crisis Service counselor presenting school programs, that counselor shall immediately notify the principal, and the Sexual Assault Counselor makes the Department of Children and Families referral.

Removal of Clothing

In the event that visual confirmation of injury or neglect is necessary, only the school nurse or school physician may request or remove the child's clothing. Neither a school nurse or a school physician may remove or insist that a child remove clothing to coach emergency medical treatment, except in those circumstances where there is a need for child remove clothing when the following three conditions exist:

1. A child by word or action, has identified a particular injury, the extent of which can only be determined by removing the child's clothing.
2. The examination is necessary to determine whether medical attention is required and not merely to confirm suspected abuse.
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.

In addition to the school nurse or school physician, a staff member of the same gender as the child will be present during such an examination.

REPORTING OF CHILD ABUSE BY SCHOOL EMPLOYEES

Any mandated reporter or employee who has reasonable cause to suspect that a child has been abused by a school employee, must report the abuse to the Department of Children and Families (via the Child Protection Hotline 1-800-842-2288).

REGULATIONS

CHILD ABUSE/NEGLECT - Continued

1. The building principal shall immediately notify the child's parents or guardian, and make an oral report immediately by telephone or otherwise to the Commissioner of Children and Families (via the Child Protection Hotline 1-800-842-2288). This report must be followed with a written report to the Department of Children and Families and a copy to the school nurse. The nurse shall be available as a support for principal and parent when needed. In the case of a certified employee, the person in charge of the school must also send a written report to the Superintendent and the Commissioner of Education or his representative.

2. When the child is in pending imminent danger, the police need to be called immediately.

3. All oral and written reports of suspected abuse or neglect must contain, if known:
 - the names and addresses of the child and his parents or other person responsible for his care;
 - the age of the child;
 - the gender of the child;
 - the nature and extent of the child's injury or injuries, maltreatment or neglect;
 - 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 siblings;
 - the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;
 - the name of the person responsible for causing such injury or injuries, maltreatment or neglect; and
 - whatever action, if any, was taken to treat, provide shelter or otherwise assist the child (see 17a - 101d).

PLEASE NOTE: Under this law, a "child" refers to a person under the age of eighteen (18) years.

4. Whenever an investigation pursuant to the Department of Children and Families/Police (17a -101j), produces evidence that a child has been abused by a public school employee in a position requiring a certificate, the superintendent must suspend such school employee with pay and continuation of benefits. Such

REGULATIONS

Health and Safety

REGULATIONS

REGULATIONS

CHILD ABUSE/NEGLECT - Continued

CHILD ABUSE/NEGLECT - Continued

suspension shall remain in effect until the Board of Education acts pursuant to Section 10-151 of the General Statutes, as amended. Within seventy-two hours after such suspension the superintendent shall notify the local or regional Board of Education and the Commissioner of Education or his representative of the reasons for and conditions of the suspension [see Section 17a-101i (a)].

- 5. If the Department of Children and Families/Police investigation indicates there are findings of abuse, the Department of Children and Families/Police will notify the superintendent. Immediate action must be taken to protect the child.

ROLE OF DEPARTMENT OF CHILDREN AND FAMILIES

Need for In School Interview

If an interview in the school setting may be necessary in order to protect the child, the Department of Children and Families must be notified as early in the school day as possible. The Department of Children and Families will advise school personnel whether the child must be interviewed in the school. The Department of Children and Families must obtain consent of the parent, guardian or person responsible for the child's care for any interview with a child unless the alleged perpetrator is such person or a member of the household. When consent is not required, the interview must be conducted in the presence of a disinterested party, such as a teacher, pupil services specialist or principal. The latter does not apply if a disinterested adult is not accessible after a reasonable search, and an immediate interview is necessary. (see Section 17a-101h).

If the Department of Children and Families determines that a school interview is appropriate, the Department of Children and Families social worker will notify the principal prior to the school visit. The Department of Children and Families worker will provide identification to the principal upon request. Should the Department of Children and Families social worker not arrive as scheduled and school personnel decide that the retention of the child beyond the school's day be necessary to protect the child's physical well-being, the principal must attempt to notify the parents of this child. If in the principal's judgment, the child is in imminent danger and cannot be returned home, the child should be taken to the Police Department or a hospital emergency room if medical attention is required.

- 2. Removal from the Home and/or School

If the Department of Children and Families has probable cause to believe that the child is suffering from serious physical illness or injury or is in immediate danger from his/her surroundings and that immediate removal from such surroundings is necessary to assure the child's safety, the Department of Children and Families may remove through "96 hour hold", a court order, or authorize a law enforcement official to remove the child from such surroundings without the consent of the child's parent or guardian. If removal of the child from the school is determined to be necessary, the Department of Children and Families shall inform the principal of the removal. If the Department of Children and Families does not have a court order or written authorization to impose the "96 hour hold", the child will not be released to the Department of Children and Families.

- 3. A written report (W-136) is sent to the Department of Children and Families Regional office within forty-eight (48) hours and is signed by the reporter. A copy is kept in the nurse's confidential file. The Department of Children and Families will notify the reporter as to disposition of the case immediately after action is taken.

EMERGENCY CARE

If a school nurse or school medical advisor is not readily available and there is a need for emergency first aid, other public school personnel who have completed a course in first aid may render emergency first aid to the child. (A person providing such aid is not liable for civil damages for any personal injuries which result from acts or omission in rendering first aid).

Transportation for a child to a hospital in an emergency situation that may be a result of abuse or neglect will be provided to the same extent as it would be provided to any other child in need of emergency services. (The Department of Children and Families will not provide transportation unless they take legal custody of child).

REGULATIONS

CHILD ABUSE/NEGLECT - Continued

PROCEDURES FOR USE WITH THE MENTALLY RETARDED BETWEEN 18-21 YEARS OF AGE

In case of suspected abuse or neglect of mentally retarded adults between 18-21 years of age, oral and written reports of suspected abuse will be made to the Office of Protection and Advocacy for the Persons with Disability. Call the Department of Abuse Number 1-800-842-7303.

In-house procedures for working with the Office of Protection and Advocacy for the Handicapped follow those for the Department of Children and Families.

EVALUATION:

These regulations will be reviewed and updated at least every 3rd year to incorporate changes in knowledge, personnel, student and family needs, community resources, and the law.

THE EDUCATIONAL COMPONENT:

The Waterbury Board of Education will disseminate and explain the district's policy and procedures on child abuse and neglect to school employees and will provide school staff with on-going education to the recognition and reporting of suspected child abuse and neglect.

Adopted by the Board of Education on August 13, 1997.
Policy to be Reviewed Prior to August 2000.