

PROCEDURES FOR REPORTING SUSPECTED CHILD ABUSE AND NEGLECT

General Statement of Purpose

Because the school offers a setting in which students are observed on a daily basis overextended periods of time, school personnel are in a unique position to identify abused or neglected children.

In order to protect children whose health and welfare may be adversely affected by injury or neglect, the following procedures have been established for identifying suspected child abuse or neglect.

As mandated by law, these procedures will be followed by all school employees in reporting suspected child abuse/neglect to state authorities.

Connecticut Statutes on Child Abuse and Neglect - Sec 17-38a

a)The public policy of this state is: To protect children whose health and welfare maybe adversely affected through injury and neglect; to strengthen the family and to make the home safe for children by enhancing the parental capacity for good child care; to provide a temporary or permanent nurturing and safe environment for children when necessary; and for these purposes to require the reporting of suspected child abuse, investigation of such reports by a social agency, and the provision of services, where needed, to such child and family.

b)Any physician or surgeon registered under the provisions of Chapter 370 or 371, any resident physician or intern in any hospital in this state whether or not so registered, and any registered nurse, licensed practical nurse, medical examiner, dentist, psychologist, school teacher, school principal, school guidance counselor, social worker, paraprofessional, police officer, clergyman, osteopath, optometrist, chiropractor, podiatrist, mental health professional or any person paid for caring for children in a day care center who has had reasonable cause to suspect or believe that any child under the age of 18 has had physical injury or injuries inflicted upon him by a person responsible for such child's or youth's health, welfare or care, or by a person given access to such child by such responsible person, other than by accidental means or has injuries which are at variance with the history given of them, or is in a condition which is the result of maltreatment such as, but not limited to malnutrition, sexual abuse, sexual exploitation, deprivation of necessities, emotional maltreatment, or cruel punishment, or has been neglected as defined by section 46b-120 shall report or cause a report to be made in accordance with the provisions of subsection (c).When the attendance of the person who has such reasonable cause to suspect abuse/neglect with respect to such child is pursuant to the performance of services as a member of the staff of hospital, school, social welfare

agency or any other institution such person shall notify the person in charge of such institution, or his designated agency, that such a report has been made .Any person required to report under the provisions of this section who fails to make such report shall be fined not more than five hundred dollars.

c)An oral report shall be made immediately by telephone or otherwise, to the State Commissioner of Children and Families or his representative, or the local police department or the state police to be followed within seventy-two hours by a written report to the Commissioner of Children and Families or his representative.

IMMUNITY FROM LIABILITY- SEC 17-38a (h)

Any person, institution or agency which, in good faith, makes the report required by this section shall be immune from any liability, civil or criminal, which might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceedings which result from such report.

CHILD ABUSE DEFINITIONS:46b-120 formerly 51-301

CHILD: under 16 years of age

YOUTH: between the age of 16 years and 18 years

PHYSICAL INJURY: impairment of physical condition

ABUSED: a child or youth who...

- a) has had physical injury or injuries inflicted upon him other than by accidental means,
- or
- b) has injuries which are at variance with the history given,
- or
- c) is in a condition which is the result of maltreatment such as:
 - malnutrition
 - sexual molestation
 - deprivation of necessities
 - emotional maltreatment
 - cruel punishment

NEGLECTED: a child or youth who...

- a) has been abandoned, or
- b) is being denied proper care and attention, physically, educationally, emotionally or morally
- c) is being permitted to live under conditions, circumstances, or associations injurious to his well being
- d) has been abused

UNCARED FOR: a child or youth who...

- a) is homeless
- b) whose home cannot provide the specialized care which his physical, emotional or mental condition requires.

Cases of suspected child abuse and/or neglect are investigated by the State of Connecticut Department of Children and Families. Each case is evaluated to determine the necessity of treatment of the family and correction of the presenting problem rather than criminal prosecution.

The law provides for immunity from any civil liability or criminal penalty to all who participate in good faith in 1) the making of a report, 2) in the investigation, or 3) in any judicial proceedings resulting from such a report.

Reporting Procedures:

Initial Inquiry

1. School staff members may initially question the child to determine if the child's injuries resulted from other than accidental means. However, in no case should the child be subjected to undue pressure in order to validate the suspicion of abuse/neglect. Validation of suspected child abuse/neglect is the responsibility of the Department of Children and Families.

Any doubt about reporting a suspected situation is to be resolved in favor of the child and the report made immediately.

The school nurse should examine the student when there may be evidence of physical abuse and a statement written by the nurse. This statement would be sent to DCF with the CYS-136 form.

2. The school social worker, school nurse, guidance counselor, or school psychologist, are available to assist other mandated reporters in the referral process. It should be especially noted that:
 - a) It is not necessary for us to know or prove child abuse/neglect. It is sufficient that we only suspect that 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) Reports should be made as early in the day as possible.
- d) Mandated reporters are encouraged not to make anonymous reports.

THE ORAL REPORT

- 3. The oral report to DCF (797-4040) should be made immediately. The staff member who first becomes aware of the abuse/neglect is responsible to make the oral report or ensure that a report has been made to the Department of Children and Families. For reports made outside business hours (8:30 - 4:30) the 24 hour CARE LINE number may be used (1-800-842-2288).

INFORMING ADMINISTRATION

- 4. In addition to reporting orally to DCF, the mandated reporter shall also inform the school principal that a case of suspected child abuse/neglect has been reported. The obligation to report cases of suspected child abuse/neglect is not discretionary and the principal shall assure that cases are duly reported if this has not already been done. PLEASE NOTE: NO PERSON IN ANY HIGHER LEVEL OF AUTHORITY HAS ANY LEGAL RIGHT TO VETO A CHILD ABUSE/NEGLECT REFERRAL TO DCF.

NOTIFYING THE PARENT

- 5. In cases of child neglect, the principal or a designee will have the responsibility of notifying the pupil's parents and/or guardian that an incident has been reported to DCF.

In cases of physical abuse, consultation with DCF must occur before deciding who has the responsibility of notification of parents.

In all cases of sexual abuse, DCF will have the responsibility of initial notification of parents.

THE WRITTEN REPORT

- 6. The mandated reporter is responsible for writing or causing the written report to be submitted within 72 hours of the oral report. (CYS-136 forms)

are available in all school offices). Mail forms to DCF, 131 West Street, Danbury, CT 06810. The yellow copy is retained for school files. (Additional supplies of CYS-136 forms may be ordered by calling the CARE LINE number (1-800-842-2288).

In situations when DCF accepts the referral as an inquiry only, the oral reporter should complete the Inquiry Form in order that the school will have a record of the contact. Inquiry forms are also available in the school office.

NOTIFICATION OF CENTRAL OFFICE AND RECORD KEEPING

7. The principal of each school should maintain a file of all referrals and inquiry forms made to Protective Service from that school. A photo copy of each referral or inquiry form is to be sent to the Director of Pupil Personnel who will maintain a central file of all referrals made from all schools. The confidentiality of these records will be strictly maintained.

INVESTIGATION PROCEDURES

Whether or not the report of suspected child abuse/neglect was initiated by the school, the victim may be questioned by the DCF social worker. Connecticut State Law (17-38f) requires: "cooperation in relation to prevention, identification, and treatment of child abuse and neglect. All law enforcement officers, courts of competent jurisdiction, school personnel, and all appropriate state agencies providing human services in relation to preventing, identifying, and treating child abuse and neglect shall cooperate toward the prevention, identification and treatment of child abuse and neglect."

- a. The building administrator is notified as to the time of the scheduled interview.
- b. In cases of school initiated referrals, the student maybe interviewed in the school by the DCF social worker while in the presence of a school professional (administrator, guidance counselor, school nurse, school psychologist, school social worker).

For cases in which the school has not initiated the referral, the student may be interviewed in the school while in the presence of a school professional when it is the only opportunity for the DCF social worker to meet the abused child.

- c. Since the child in question is a student in our school system, DCF should be invited to meet with the parents in the schools with the school

Social worker, psychologist or guidance counselor present and school-based counseling services offered to the family if appropriate. Cooperation between school and DCF can be the key to effective intervention with troubled families. When the school is seen as offering help in the situation, parents may be less resistant and the child can be more successful in school.

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