

Series 5000 – Students

1. Elementary and Secondary

D. Welfare

(1) School Medical Advisor

(j) Child Abuse and Neglect

Scope of Regulation

This regulation applies not only to employees who are required by law to report suspected child abuse and/or neglect, but to all employees of the Board of Education.

Definitions

For the purpose of this policy:

“Abused” means that a child (a) has had physical injury or injuries inflicted upon him or her other than by accidental means, or (b) has injuries which are at variance with the history given of them, or (c) is in a condition which is the result of maltreatment, such as, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment.

“Neglected” means that a child (a) has been abandoned, or (b) is being denied proper care and attention, physically, educationally, emotionally or morally, or (c) is being permitted to live under conditions, circumstances or associations injurious to his well-being, or (d) has been abused. “**Statutory mandated reporter**” means an individual required by Connecticut General Statute Section 17a-101 to report suspected abuse and/or neglect of children. In the public school context, the term “statutory mandated reporter” includes teachers, school administrators, school counselors, school coaches, paraprofessionals, registered and licensed practical nurses, psychologists, social workers, licensed behavior analysts, mental health professionals, certified alcohol and drug counselors and any other licensed professional counselor.

What Must be Reported

A report must be made when any employee of the Board of Education in the ordinary course of such person’s employment or profession has reasonable cause to suspect or believe that a child under the age of eighteen:

- a) has been abused or neglected;
- b) has had non-accidental physical injury, or injury which is at variance with the history given for such injury, inflicted upon him/her; or
- c) is placed at imminent risk of serious harm.

Reporting Procedures for Statutory Mandated Reporters

The following procedures apply only to statutory mandated reporters, as defined above:

When an employee of the Board of Education who is a statutory mandated reporter and who, in the ordinary course of the person's employment, has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, the following steps shall be taken:

- (1) The employee shall make an oral report as soon as practicable, but not later than twelve hours after having reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk or serious harm. Such oral report shall be made by telephone or in person to the Commission of Children and Families or the local law enforcement agency.
- (2) The employee shall also make an oral report as soon as possible to the Superintendent of Schools or the Superintendent's designee.
- (3) In cases involving suspected or believed abuse or neglect by a school employee, the Superintendent or his/her designee shall immediately notify the child's parent or guardian that such a report has been made.
- (4) Within 48 hours of making an oral report, the employee shall submit a written report to the Commissioner of Children and Families or his/ her representative containing all of the required information.
- (5) The employee shall immediately submit a copy of the written report to the Superintendent or the Superintendent's designee.
- (6) If the report concerns suspected abuse or neglect by a school employee holding a certificate, authorization or permit issued by the State Department of Education, the Superintendent shall submit a copy of the written report to the Commission of Education or his/her representative.

Reporting Procedures for Employees Other than Statutory Mandated Reporters

The following procedures apply only to employees who are not statutory mandated reporters, as defined above:

- a) When an employee who is not a statutory mandated reporter and who, in the ordinary course of the person's employment or profession, has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, the following steps shall be taken.
 - (1) The employee shall make an oral report as soon as practicable, but not later than twelve hours after the employee has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm. Such oral report shall be made by telephone or in person to the Superintendent of Schools or his/her designee, to be followed by an immediate written report to the Superintendent or his/her designee.
 - (2) If the Superintendent of his/her designee determines that there is reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, he/she shall cause reports to be made in accordance with the procedures set forth for statutory mandated reports, set forth above.

- b) Nothing in this regulation shall be construed to preclude an employee reporting suspected child abuse and/or neglect from reporting the same directly to the Commissioner of Children and Families.

Contents of Reports

Any oral or written report made pursuant to this regulation shall contain the following information, if known:

- a) the names and addresses of the child and his/her parents or other person responsible for his/her care;
- b) the age of the child;
- c) the gender of the child;
- d) the nature and extent of the child's injury or injuries, maltreatment or neglect;
- e) the approximate date and time the injury or injuries maltreatment or neglect occurred;
- f) information concerning any previous injury or injuries to, or maltreatment or neglect came to be known to the reporter;
- g) the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;
- h) the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect; and
- i) whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.

a. Investigation of the Report

If the suspected abuser is a school employee, the Superintendent shall thoroughly investigate the report. Recognizing the fact that the Department of Children and Families (DCF) is the lead agency for the investigation of child abuse and neglect reports, the Superintendent's investigation shall be coordinated with DCF and/or the police in order to minimize the number of interviews of any child and to share information with other persons authorized to conduct an investigation of child abuse and neglect. When investigating a report, the Superintendent shall endeavor to obtain, when possible, the consent of parents or guardians or other persons responsible for the care of the child to an interview with a child, except in those cases in which there is reason to believe that the parents or guardians or other persons responsible for the care of such child are the perpetrators of the alleged abuse, or where DCF has indicated that obtaining such consent will interfere with its investigation.

1. The investigation shall include an opportunity for the suspected abuser to be heard with respect to the allegations contained within the report. During the course of an investigation of suspected abuse by a school employee, the Superintendent may suspend the employee with pay or may place the employee on administrative leave with pay, pending the outcome of the investigation. Evidence of Abuse by a School Employee Holding a Certificate, Authorization or Permit Issued by the State Department of Education

If, upon completion of the investigation by the Commissioner of Children and Families ("Commissioner"), the Superintendent has received a report from the Commissioner that he or she has reasonable cause to believe that a child has been abused by a school employee

who holds a certificate, permit, or authorization issued by the State Department of Education, and that the Commissioner has recommended that such employee be placed on the child and abuse and neglect registry, the Superintendent shall make a written request to the Commissioner that he or she provide all records, whether or not created by DCF, concerning such investigation to the Superintendent. In addition, the Superintendent shall suspend the employee, if not previously suspended, with pay and without discrimination or termination of benefits.

Within seventy-two (72) hours after such suspension, the Superintendent shall notify the Board of Education and the Commissioner of Education, or his or her representative, of the reasons for and the conditions of the suspension. The Superintendent shall disclose records received from DCF to the Commissioner of Education and the Board of Education or its attorney for purposes of review of employment status or the status of such employee's certificate, permit or authorization. For certified personnel, such suspension shall remain in effect until the Board of Education acts pursuant to the provisions of Connecticut General Statute Section 10-151.

Regardless of the outcome of any investigation by the Commissioner of Children and Families and/or the police, the Superintendent and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment, in accordance with the provisions of any applicable statute, if the Superintendent's investigation produces evidence that a child has been abused by a school staff member who holds a certificate, permit or authorization issued by the State Department of Education.

If the contract of employment of such certified school employee is terminated as a result of an investigation into reports of child abuse and neglect, the Superintendent shall notify the Commissioner of Education, or his or her representative, within seventy-two (72) hours after each termination.

b. Evidence of Abuse by Other School Staff

If the investigation by the Superintendent and/or the Commissioner of Children and Families produces evident that a child has been abused by a non-certified school staff member, the Superintendent and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment.

Legal References: Connecticut General Statutes
Section 10-151
Section 17a-101 et seq.
Section 17a-103