

Students

Child Abuse and Neglect

The Milford Board of Education recognizes its obligation to cause reports of suspected abuse to be filed with applicable state agencies and to cooperate with such agencies in such investigations they may undertake in response to reports of suspected abuse.

Connecticut General Statutes Section 17a-101 defines the following personnel who are or may be working in the Milford public schools as “mandated reporters”: any licensed physician, registered nurse, licensed practical nurse, psychologist, school teacher, school principal, school guidance counselor, school paraprofessional, social worker, police officer, physical therapist, occupational therapist, licensed substance abuse counselor, or licensed sexual assault counselor. Connecticut General Statutes Section 17a-101a requires that any mandated reporter who has reasonable cause to suspect or believe that a child has been abused or neglected or is being placed at imminent risk of serious physical harm by a caregiver must report or cause an oral report to be submitted within 24 hours to the Department of Children and Families (DCF) via the child protection careline, 1-800-842-2288, or a law enforcement agency, followed by a written report to DCF within 48 hours.

Legal Reference: Connecticut General Statutes

17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order.

17a-102 Report of danger of abuse.

17a-103 Reports by others.

17a-101a Concerning Reporting, Investigation and Prosecution of Child Abuse and the Termination of Parental Rights

46a-11b

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MILFORD PUBLIC SCHOOLS
Milford, Connecticut

Students

CHILD ABUSE AND NEGLECT

Reports must be made where there is reasonable cause to suspect or believe that any child under the age of eighteen:

1. Has had physical injury inflicted upon him/her, 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 by a responsible person.
2. Has injuries which are at variance with the explanation given of their occurrence.
3. Has been placed or is placed at imminent risk of serious physical harm by an act or failure to act (neglect) on the part of a person responsible for the child's care or by a person given access to the child by a responsible person. Such neglect can include abandonment, denial of proper care and attention, or permitting the child to live under conditions injurious to the child's physical, educational, or emotional well being.

It is not the responsibility of the reporter to determine if abuse or neglect has actually occurred. Any doubt on the part of the reporter should be resolved in favor of making the report to DCF.

Signs of Abuse and Neglect

Abuse and neglect can present itself in a variety of circumstances. Among them are:

- physical injury or injuries inflicted upon a student other than by accidental means;
- injury at variance with the history given of such injury;
- maltreatment such as malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment;
- non-accidental physical injury;
- injury which is at variance with the history given of such injury, inflicted upon a student by a person responsible for such student's health, welfare or care or by a person given access to such student by a responsible person;
- imminent risk of serious harm to a student by an act or failure to act on the part of a person responsible for such student's health, welfare or care;
- neglected, i.e., abandoned or denied proper care and attention, physically, educationally, emotionally, or morally, and;
- living under conditions, circumstances or associations injurious to his or her well being.

Reporting Procedure

1. School principal (or his/her designee) confers with the school nurse, psychologist, social worker or other appropriate personnel. The purpose of the consultative process among designated team members is to ensure appropriate support, advocacy, management and safety for the child, as well as support for the reporter. The consultative process must never be used to dissuade a concerned staff member from reporting a reasonable suspicion.

When a child reports an injury or when there is reasonable cause to suspect or believe that a child has been abused or neglected because the child has a visible injury, school staff are allowed to

5141.4 (b)

Reporting Procedure (continued)

make reasonable inquiry of the child regarding the suspected or actual injury. Such inquiry usually consists of an interview with the child and appropriate health assessment by personnel qualified to recognize and evaluate the historical, behavioral and physical indicators of abuse and neglect. It is the responsibility of the designated intervention team to determine on a case-by-case basis if it is appropriate to:

- interview the student;
- assess the student's health status; and
- confer with the parent or guardian to obtain further information related to the student's health status.

If an interview with the student is determined appropriate, the interview should be conducted by the school principal, a school nurse or by support personnel (e.g., school social worker, school psychologist or school guidance counselor). If no qualified health professional or support personnel is available in the school or from a nearby school to assist the reporter in determining reasonable suspicion or to assess the physical and emotional status of the child, the principal may wish to seek advice from DCF and other community experts.

If physical assessment of the child is indicated, it must be performed by the school nurse or school medical advisor. Physical assessment is determined to be appropriate when:

- a child has, by word or action, identified a particular injury, the extent of which can only be determined by removing the child's clothing;
- the examination is necessary to determine if medical attention is required; and
- every attempt shall be made to help the child to understand that compliance with the request to conduct a physical examination is voluntary and that no adverse consequences will result from refusal to comply with the request.

The nurse or medical advisor may determine that it is appropriate to have a witness (preferably of the same sex/gender as the child) present during the physical assessment, although guidelines should allow for professional judgment in individual situations. The witness can be in the proximity of the examining area, that is, able to hear the interaction rather than in direct sight of the student in order to protect the student's privacy. Physical assessment may not be necessary if sufficient information is already available to determine that immediate referral to a medical facility for further assessment or treatment is warranted.

2. The mandated reporter (i.e., teacher, guidance counselor, etc.) phones report of suspected abuse immediately to the Commissioner of the Department of Children and Family Services at 1-800-842-2288 or a law enforcement agency.
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;

5141.4 (c)

Reporting Procedure (continued)

- 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(s) of the person suspected to be responsible for causing such injury or injuries, maltreatment or neglect;
 - whatever action, if any, was taken to treat, provide shelter or otherwise assist the child; and
 - the name and address of the person reporting the suspected abuse or neglect.
4. The person who makes the oral report within 24 hours must follow-up with a written report to DCF (136) within 48 hours.
 5. Principal (or his/her designee) notifies the Director of Pupil Personnel Services (or his/her designee) after the oral and written reports are made to DCF.
 6. Director of Pupil Personnel Services maintains the school system's central file on cases of suspected abuse. A copy of form DCF-136 shall be filed with the Director of Pupil Personnel Services by the mandated reporter.
 7. The Board of Education shall not 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 or neglect on the basis of such report or testimony.
 8. No employee of the Board of Education shall disclose the name of the person making a report of suspected abuse or neglect except to DCF, appropriate law enforcement personnel, or, in the event of an emergency, to other persons to the limited extent necessary to protect the health and safety of the child. Records containing the name of the person reporting suspected abuse or neglect shall be kept confidential to the extent permitted and required by law.

DCF Investigation

As part of the investigative process, the DCF social worker and social work 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:

- There is probable cause to believe that a suspected child abuse/neglect victim is in need of emergency medical services; or

- A child, who is a suspected sexual abuse victim will return upon leaving school to the care of the suspected perpetrator; or
 - There is probable cause to believe that a suspected abuse victim will be in imminent danger if returned home.
1. DCF and/or police personnel will be required to contact the building administrator or designee to request an in-school interview and schedule an appropriate time for the interview.

5141.4 (d)

DCF Investigation (continued)

2. DCF and/or police personnel will be required to provide the building administrator or designee with appropriate identification upon arrival at the school office.
3. The school will provide an appropriate, private location for the DCF and/or police personnel to interview the child.
4. The building administrator or designee must be present at the interview of the child by the DCF and/or police personnel as a witness.
5. DCF and/or police personnel may have access to school records without obtaining permission of the child's parent(s)/guardian(s) as part of this investigation to the limited extent necessary to protect the health and safety of the child who is the subject of the investigation.
6. DCF and/or police personnel are responsible for informing the parent(s)/guardian(s) prior to the in-school interview as appropriate.
7. If during the interview/investigation, DCF and/or police personnel request a physical assessment or removal of clothing of the child, such assessment will be performed only by the school nurse or school medical advisor.
8. Cooperation with DCF and/or police personnel request to interview the student in school will be provided whether or not the report of suspected child abuse or neglect was initiated by the school.
9. DCF and/or police personnel will not be permitted to removed a child from the school Building without parent permission in the absence of appropriate documentation indicating that DCF has acquired temporary physical custody of the child in question. In the event that the school is presented with a request from DCF and/or police personnel to remove a child from school without parental permission, the principal or designee will examine the documentation presented and make a copy for the child's file.

Retention of Child Beyond School Hours

1. If a DCF and/or police personnel do not arrive as scheduled or prior to school dismissal, the child may be retained beyond the end of the school day if there is reasonable suspicion that the child:
 - a. is in the need of further medical evaluation
 - b. is a victim of sexual abuse and will return to the care of the suspected perpetrator

c. is in the imminent danger of further harm if returned home

2. If the child is retained, diligent attempts must be made by the principal or his/her designee to contact the parent(s)/guardian(s).
3. The Director of Pupil Personnel & Special Education Services will be informed of the situation.

5141.4 (e)

Signs of Abuse or Neglect (continued)

REPORTING BY SCHOOL PERSONNEL OF SUSPECTED ABUSE OR NEGLECT OF A PERSON WITH MENTAL RETARDATION TO THE OFFICE OF PROTECTION AND ADVOCACY FOR PERSONS WITH DISABILITIES

Signs of Abuse or Neglect

Abuse means:

- Willful infliction of physical pain or injury; or
- Willful deprivation by a caretaker of services which are necessary to the person's health or safety.

Neglect means:

- a situation where a person with mental retardation is living alone is not able to provide the services necessary to maintain his or her physical or mental health; or
- is not receiving necessary services from the caretaker.

Note: A caretaker means a person who has responsibility for the care of a person with mental retardation. This caretaker role can arise as a result of a family relationship or by the voluntary assumption for the care of the person with mental retardation, by contract or by order of a court of competent jurisdiction. Neither a guardian nor a conservator need to be a caretaker.

Reporting Procedures

A mandated reporter who has reasonable cause to suspect or believe that any person with mental retardation has been abused or neglected must report it to the office of Policy and Advocacy for Persons with Disabilities, 60B Weston Street, Hartford, Connecticut 06120-1551, (860) 297-4300 or 1-800-842-7303. For school district employees this would mean a student eighteen years of age or older who is being provided an educational program through the school district.

The report must be made within five calendar days of suspecting the abuse or neglect. It is acceptable for the mandated reporter to have another make the report. The report shall be followed up by a written report within five additional calendar days.

Other public school employees having reasonable cause to believe that a person with mental retardation is being abused or has been abused or neglected may report such information, in any reasonable manner, to the Director of the office of Policy and Advocacy.

No public school employee reporting suspected abuse or neglect shall be subject to reprisal or discharge from the school district because of his or her reporting.

Contents of the Report

All oral and written reports of suspected abuse or neglect of a person with mental retardation should contain, if known:

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Reporting of Child Abuse by School Employees

- 1) the name and address of the student;
- 2) a statement from the person making the report indicating his or her belief that such student is mentally retarded;
- 3) information supporting the supposition that such student is substantially unable to protect himself or herself from abuse or neglect;
- 4) information regarding the nature and extent of the abuse or neglect;
- 5) any other information which might be helpful in an investigation of the case and the protection of such student; and,
- 6) the name and address of the person reporting the suspected abuse or neglect.

Any school employee, whether certified or non-certified, who has reasonable cause to suspect that a child has been abused by a school employee must report the abuse immediately.

1. If the school employee reporting the suspected abuse is not a mandated reporter, that school employee should report the suspected abuse directly to the building principal or his/her designee. The building principal or his/her designee telephones the report of suspected abuse immediately to the Commissioner of the Department of Children and Families or a law enforcement agency, completes and submits a DCF 136 form, and notifies the Superintendent.
2. If the school employee reporting the suspected abuse is a mandated reporter, the mandated reporter phones the report of suspected abuse immediately to the Commissioner of the Department of Children and Families or a law enforcement agency, notifies the building principal or his/her designee and the Superintendent and submits a written report to the principal or his/her designee using a DCF 136 form.
3. The Superintendent or his/her designee shall immediately notify the parent that a report has been made. The Superintendent or his/her designee shall immediately begin to investigate the report, and normally should complete the investigation within two schools days. If the Superintendent or his/her designee finds evidence of child abuse by a school employee, whether certified or non-certified, he or she must immediately notify the child's parent or guardian.
4. If after investigation, DCF notifies the Superintendent that it has reasonable cause to believe that a child has been abused by a certified school employee, the Superintendent shall suspend such

employee with pay and continuation of benefits, as required by State law. Non-certified staff may be suspended either with or without pay and continuation of benefits in the discretion of the Superintendent. Such suspension shall remain in effect until the Board of Education acts pursuant to section 10-151 of the Connecticut General Statutes.

5. Within seventy-two (72) hours after the suspension of a certified school employee, the Superintendent shall notify the Milford Board of Education and the Commissioner of Education or his representative, of the reasons for and conditions of the suspension.
6. If the contract of a certified school employee is terminated as a result of an Investigation of child abuse, the Superintendent shall notify the Commissioner of Education, or his representative, within seventy-two (72) hours after such termination.

5141.4 (g)

Reporting of Child Abuse by School Employees

Legal References: Connecticut General Statutes
17a-100 III treatment of children
17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order.
17a-102 Report of danger of abuse.
17a-106 Cooperation in relation to prevention, identification and treatment of child abuse/neglect.
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