

## **STUDENTS**

**# 5141.4 (a)**  
**Administrative Regulation**

### **REPORTING OF CHILD ABUSE**

a. **What Must be Reported**

A report must be made when any mandated reporter of the Board of Education, in his/her professional capacity, has reasonable cause to suspect or to believe that a child under the age of eighteen:

1. Is in danger of being abused;
2. Has had non-accidental physical injuries or physical injuries which are at variance with the history given for them, inflicted by a person responsible for the child's health, welfare or care, or by a person given access to such child by a responsible person;
3. Has been neglected; or
4. Has been placed in imminent risk of serious harm.

b. **Reporting Procedures for Statutory Mandated Reporters**

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

1. When an employee of the Board of Education suspects or believes that a child has been abused, neglected, or has been placed in imminent risk of serious harm, the following steps shall be taken:
  - (a) The employee shall immediately, upon having reasonable cause to suspect or believe that a child has been abused, neglected, or placed in imminent danger of serious harm, and in no case later than twelve (12) hours after having such a suspicion or belief, make an oral report by telephone or in person to the Commissioner of Children and Families or the local law enforcement agency.
  - (b) The employee shall also immediately make an oral report to the Superintendent or the Superintendent's designee.
  - (c) If a report prepared in accordance with Section (a) above concerns suspected 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.
  - (d) 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.

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## **# 5141.4 (b) Administrative Regulation**

### **b. Reporting Procedures for Statutory Mandated Reporters (continued)**

- (e) The employee shall immediately, submit a written report to the Superintendent or the Superintendent's designee.
- (f) If a report prepared in accordance with Section (c) above, concerns suspected abuse or neglect by a school employee who possesses a certificate, permit or authorization issued by the State Board of Education, the Superintendent shall submit a copy of the written report to the Commissioner of Education, or his/her representative.

### **c. 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.

1. When an employee who is not a statutory mandated reporter suspects or believes that a child has been abused, neglected, or placed in imminent danger of serious harm, the following steps shall be taken:
  - (a) The employee shall immediately, upon having reasonable cause to suspect or believe that a child has been abused, neglected, or placed in imminent danger of serious harm, and in no case later than 12 hours after having such a suspicion or belief, make an oral report by telephone or in person to the Director of Special Services, (or Principal) to be followed by an immediate written report to the Superintendent, or his/her designee.
  - (b) The Superintendent, or his/her designee, shall immediately, upon suspecting or believing that a child has been abused, neglected, or placed in imminent risk of serious harm, and in no case later than 12 hours after having such a suspicion or belief, make an oral report by telephone or in person to the Commissioner of Children and Families or the local law enforcement agency.
  - (c) In cases involving suspected 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.
  - (d) Within 48 hours of making an oral report, the Superintendent, or his/her designee, shall submit a copy of the written report to the Commissioner of Children and Families, or his/her representative, containing all of the required information.

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## **# 5141.4 (c) Administrative Regulation**

### **c. Reporting Procedures for Employees Other Than Statutory Mandated Reporters (continued)**

- (e) If a report, prepared in accordance with section (c) above, concerns suspected abuse or neglect by a school employee possessing a State Board of Education issued certificate, permit or authorization, the Superintendent shall submit a written report to the Commissioner of Education, or his/her representative.

### **d. Contents of Reports**

Any report made pursuant to this policy shall contain the following information, if known:

1. The names and addresses of the child and his/her parents or other persons responsible for his/her care;
2. The age of the child;
3. The gender of the child;
4. The nature and the extent of the child's injury or injuries, maltreatment or neglect;
5. The approximate date and time the injury or injuries, maltreatment or neglect occurred;
6. Information concerning any previous injury or injuries to, or maltreatment or neglect of, the child or his/her siblings;
7. The circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;
8. The name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect; and
9. Whatever action, if any, was taken to treat, provide shelter or otherwise assist, the child.

### **e. Investigation of the Report**

If the suspected abuser is a school employee, the Superintendent shall thoroughly investigate the report. To the extent feasible, this investigation shall be coordinated with the Commissioner of Children and Families 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

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## # 5141.4 (d) Administrative Regulation

### e. **Investigation of the Report** (continued)

shall endeavor to obtain, when possible, the consent of parents or guardians or other persons responsible for the care of the child, to interview the 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 or the alleged abusers.

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.

1. **Evidence of Abuse by Certain School Employees.** After an investigation has been completed, if the Commissioner of Children and Families, based upon the results of such investigation, has reasonable cause to believe that a child has been abused by an employee in a position requiring a certificate, permit or authorization issued by the State Board of Education, the Commissioner shall notify the Superintendent of such finding and shall provide records, whether or not created by the Department of Children and Families, concerning such investigation to the Superintendent, who shall suspend the employee, if not previously suspended, with pay and without diminution or termination of benefits. Within 72 hours after such suspension, the Superintendent shall notify the Board of Education and the Commissioner of Education, or his/her representative, of the reasons for the conditions of suspension. The Superintendent shall disclose records received from the Department of Children and Families to the Commissioner of Education and the Board of Education, or its attorney, for the purposes of review of employment status, certification, permit or authorization. Any decision of the Superintendent concerning such suspension shall remain in effect until the Board of Education acts, pursuant to the provisions of Connecticut General Statutes.

Regardless of the outcome of any investigation by DCF 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 certified, permit or authorized school staff member.

If the contract of employment of a certified school employee holding a certificate, permit or authorization issued by the State Board of Education 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/her representative, within 72 hours of such termination.

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## # 5141.4 (e) Administrative Regulation

- e. **Investigation of the Report** (continued)
2. **Evidence of Abuse by Other School Staff.** If the investigation by the Superintendent and/or Commissioner of Children and Families did produce evidence 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.
- f. **Delegation of Authority by Superintendent.** The Superintendent may appoint a designee for the purposes of receiving and making reports, notifying and receiving notification, or investigating reports pursuant to this policy.
- g. **Special Reporting Procedures Concerning Suspected Abuse or Neglect of Mentally Retarded Persons.** In addition to the reporting procedures set forth above, Connecticut General Statutes require that certain school personnel, including teachers, licensed nurses, psychologists and social workers, report any suspected abuse or neglect of mentally retarded persons over the age of 18. It is policy of the Board of Education to require ALL EMPLOYEES of the Board of Education to comply with the following procedures in connection with the suspected abuse or neglect, as defined below, of any mentally retarded person over the age of 18.
1. **Definitions.** For the purposes of this policy:
- “**Abuse**” means the 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 mentally retard person either is living alone or is not able to provide for him/herself the services which are necessary to maintain his/her physical and mental health, or is not receiving such necessary services from the caretaker.
2. **Reporting Procedures.** If an employee has reasonable cause to suspect that a mentally retarded person has been abused or neglected, he/she shall, within five calendar days, make an oral report to the Director of the Office of Protection and Advocacy for Persons with Disabilities, to be followed by a written report within five additional calendar days, or shall immediately notify the Superintendent in order for the Superintendent to make such oral and written reports to the Office of Protection and Advocacy. In the event that an employee makes a report to the Office of Protection and Advocacy, the employee shall immediately notify the Superintendent.

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3. **Contents of Report.** Any such report shall contain the following information:
- (a) The name and address of the allegedly abused or neglected person;
  - (b) A statement from the reporter indicating a belief that the person is mentally retarded, together with information indicating that the person is unable to protect himself or herself from abuse or neglect;
  - (c) Information concerning the nature and extent of the abuse or neglect; and
  - (d) Any additional information, which the reporter believes, would be helpful in investigating the report or in protecting the mentally retarded person.
4. **Investigation of Report.** If the suspected abuser is a school employee, the Superintendent shall thoroughly investigate the report following the procedures regarding the investigation of reports of child abuse set forth in paragraph e above.

If the investigation by the Superintendent and/or the Office of Protection and Advocacy produces evidence that a mentally retarded person has been abused by a school employee, the Superintendent and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment.

- g. **Disciplinary Action for Failure to Follow Policy.** Any employee who fails to comply with the requirements of this policy shall be subject to discipline, up to and including termination of employment.
- i. **Non-Discrimination Policy.** The Board of Education shall not discharge or in any manner discriminate or retaliate against any employee who, in good faith, makes a report pursuant to this policy or testifies or is about to testify in any proceeding involving abuse or neglect.