

**BRIDGEPORT BOARD OF EDUCATION
45 LYON TERRACE
BRIDGEPORT, CT 06604**

OFFICIAL CHILD ABUSE/ NEGLECT POLICY

The Bridgeport Board of Education (“Board of Education”) recognizes that child abuse and neglect represent a continuum of health and developmental problems that profoundly affect children and, in turn, society. Furthermore, the Board of Education recognizes the importance of these issues to students, families, school personnel and other members of the community as children are less available for learning when they are experiencing abuse or neglect.

The Board is committed to ensuring that all mandated reporters who have reasonable cause to suspect or believe that a child has been abused or neglected report or cause a report to be made to the Department of Children and Families (DCF) and other appropriate officials. Accordingly, the Board directs all personnel who work with students to act in accordance with this policy which has been established by the Superintendent of Schools. If at any time, a staff member is uncertain about what his or her responsibilities are regarding reporting abuse and/or neglect, he or she should contact his or her immediate supervisor and if the issue involves his or her immediate supervisor then the Director of Social Work. In addition, state law requires that all school personnel cooperate toward the prevention, identification and investigation of child abuse and neglect.

The Bridgeport Board of Education will be responsible for disseminating and explaining the district’s policy and procedures to school personnel. Copies of the policy will be distributed at the start of association with the Board of Education. All personnel must sign a form acknowledging their receipt of this policy.

Approved by the Board of Education
_____, 2010

THE EDUCATIONAL COMPONENT

The goal of the educational component is to prepare school personnel to recognize and intervene in child abuse/neglect situations as early as possible in order to prevent harm, or further harm, to the child and to collaborate with community health and social agencies in reporting and dealing with these cases. The Board of Education will educate school staff about this abuse and neglect policy and its requirements at orientation for new hires. In addition, the Board of Education will provide ongoing education to returning staff.

PROCEDURES REGARDING SUSPECTED CHILD ABUSE/ NEGLECT

I. REPORTING PROCEDURES

A. Who Must Report?

The following personnel are mandated reporters per Connecticut statute: any registered nurse, licensed practical nurse, school teacher, school principal, school guidance counselor, school paraprofessional, school coach, social worker, and any person who is a licensed professional counselor. *See* C.G.S. § 17a-101(b).

For purposes of this Policy and consistent with its intent to protect students from child abuse and neglect, all Board of Education personnel, including independent contractors and volunteers, shall adhere to the procedures set forth herein and report suspected abuse or neglect to his or her supervisor if his or her supervisor is a mandated reporter. If his or her supervisor is not a mandated reporter or his or her supervisor is the subject of the referral, such reports shall be made to the Assistant Superintendent for Youth Development. Nothing in this Policy shall be construed to preclude staff who are not defined as mandated reporters within the Connecticut statute from making reports to DCF. If a concerned staff member, who is not a mandated reporter, makes a report to DCF regarding a Bridgeport student, he or she shall inform his or her supervisor that he or she made such a report and provide copies of the supporting documentation. If the report involves a concerned staff member's supervisor, then the concerned staff member shall directly inform the Assistant Superintendent for Youth Development of the report.

B. When Must a Report be Made?

A mandated reporter must report or cause a report to be made when, in the ordinary course of employment or association with the Board, he or she has *reasonable cause to suspect or believe* that a child under the age of eighteen (18) years: (1) has been abused or neglected; (2) has had a non-accidental physical injury or injury which is inconsistent with the reported history of such injury; or (3) is placed at imminent risk of serious harm. *See* C.G.S. §17a-101a.

i. Abuse

A child who is suspected of having been *abused* means a child who: (1) has been inflicted with physical injury or injuries other than by accidental means; (2) has injuries at variance with the history given of them; or (3) is in a condition that is the result of maltreatment including, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment. C.G.S. § 46b-120(3).

Some examples of warning signs that a child may be abused:

- bruises or burns, the explanation of which is inconsistent with these types of injuries
- a reluctance to change clothes for gym class or to participate in physical activities
- arriving at school early and staying late
- knowledge of sexual behavior that is advanced for the child's age.

ii. Neglect

A child who is suspected of being *neglected* is a child who: (1) has been abandoned; (2) is being denied proper care and attention, physically, educationally, emotionally or morally; (3) is being permitted to live under conditions or circumstances injurious to the well-being of the child or youth; or (4) has been abused. C.G.S. § 46b-120(8).

Educational neglect occurs when a parent of a child, age seven through fifteen, interferes with the ability of the child to consistently receive a program of educational services provided by the school system or through home instruction in accordance with State Department of Education procedures.

Medical neglect is the refusal or failure on the part of the person responsible for the child's care to seek, obtain, and/or maintain those services for necessary medical, dental, or mental health care. Note that failure to provide the child with immunizations or routine well child care in and of itself does not constitute medical neglect.

Emotional and Moral Neglect is the denial of proper care and attention to the child, emotionally and/or morally, by the person responsible for the child's care that may result in the child's maladaptive functioning. It includes behaviors such as

- encouraging the child to steal or engage in other illegal activities
- encouraging the child to use drugs and/or alcohol
- recognizing the child's need but failing to provide the child with emotional nurturance
- having inappropriate expectations of the child given the child's developmental level.

C. Procedure Involving Abuse or Neglect by Non-School Personnel

1. If the reporter determines that there is *reasonable cause to suspect or believe* that a child under age eighteen (18) has been abused or neglected or placed in imminent risk of serious harm then the reporter will make an oral report as soon as possible but within twelve (12) hours to Connecticut Department of Children and Families (DCF) Child Abuse and Neglect Hotline (“Hotline”) (1-800-842-2288). *See* C.G.S. §17a-101b(a). Since incidents of abuse and neglect often constitute a crime, if necessary, the reporter shall also call the Bridgeport Police Department when there is belief that a crime has been committed.
2. To the extent that the reporter needs guidance to determine whether his or her suspicion should be reported, he or she should confer with a member of the support staff which includes a school social worker, school counselor, school psychologist, or school nurse for assistance in determining whether a DCF report is warranted.
3. No person of any level of authority has the right to veto a decision to report or otherwise order a mandated reporter not to report. In addition, as a mandatory reporter, the concerned staff member is responsible for making a report or causing a report to be made when he or she has *reasonable cause to suspect or believe* that a child has been abused or neglected. *See* C.G.S. §17a-101b(a). Therefore, if after conferring with a support staff person who does not agree that a report should be made, the reporter still feels that there is reasonable cause to suspect or believe that abuse or neglect has occurred, then the concerned staff member shall make the oral and written report.
4. The reporter will inform the building principal of his or her decision to report the suspected abuse or neglect to DCF. If there is evidence of physical injury, then the concerned staff member will ensure that the school nurse has been contacted.
5. An oral report to DCF should contain the following information: 1) the names and addresses of the child and his or her parents or other person responsible for his or her care; 2) the age of the child; 3) the gender of the child; 4) the nature and extent of the child’s injury or injuries, maltreatment or neglect; 5) the approximate date and time the injury or injuries to, or maltreatment or neglect occurred; 6) information concerning any previous injury or injuries to, or maltreatment or neglect of the child or his or 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. *See* C.G.S. §17a-101d.

6. If the student who is suspected of being abused or neglected is eighteen (18) years old or older, the concerned staff member should report suspected abuse directly to the Bridgeport Police Department.
7. Within forty-eight (48) hours of making an oral report, the reporter shall submit a written report to the Commissioner of Children and Families or his/her representative in the following manner. *See* C.G.S. §17a-101c. The reporter will complete the Report of Suspected Child Abuse/Neglect form (DCF-136, found at www.ct.gov/dcf under forms) with input from any person with whom the reporter consulted pursuant to paragraph 2. All individuals involved in the decision to report will sign the form. The reporter will send the completed form to the DCF Hotline, 505 Hudson Street, Hartford, CT 06106.
8. The reporter will submit a copy of the written report to the building principal who will ensure that such information is contained in the student's medical file. After it has been reviewed by the principal, the principal will file the copy of the document he or she was given in the student's confidential health record maintained in the school nurse's office.
9. The reporter to DCF should confer with DCF regarding if and when the parent or guardian will be notified of the DCF report. Details of parent notification must be reduced to writing and kept with the completed DCF referral form in the student's confidential health record maintained in the school nurse's office.
10. If after further consideration, a reporter determines that a situation does not warrant a DCF referral, the reporter shall document: 1) the circumstances leading to the staff member's initial suspicion of abuse or neglect, 2) the steps taken to investigate, 3) the reason(s) for the staff member's decision not to make a DCF referral; and 4) any contact made with the child's parent or guardian. The document will be stored in the school's locked confidential files and a copy shall also be maintained in the student's confidential health record maintained in the school nurse's office.

D. Procedure Involving Abuse or Neglect by School Personnel

1. Consistent with the reporting requirements involving non-school personnel, if the reporter determines that there is *reasonable cause to suspect or believe* that a child under age eighteen (18) has been abused or neglected or placed in imminent risk of serious harm then the reporter will make an oral report as soon as possible but within twelve (12) hours to Connecticut Department of Children and Families (DCF) Child Abuse and Neglect Hotline ("Hotline") (1-800-842-2288). *See* C.G.S. §17a-101b(a). Since incidents of abuse and neglect often constitute a crime, if necessary, the staff member shall also call the Bridgeport Police Department when there is belief that a crime has been committed.

2. The reporter will inform the building principal or designee if he or she suspects abuse by an employee or an individual who works with students at district schools or at district sponsored activities of the report. *See* C.G.S. §17a-101b(d). The building principal or designee shall notify the Assistant Superintendent for Youth Development who shall notify the appropriate administrator responsible for the building. The Assistant Superintendent for Youth Development will also notify the Director of Human Resources. If the principal is suspected of such activity, then the report shall be made directly to the Assistant Superintendent for Youth Development.

If the DCF referral involves the building rather than a specific individual or individuals, the reporter will inform the Assistant Superintendent for Youth Development, who will notify the appropriate administrator responsible for the building.

3. To the extent that the reporter needs guidance to determine whether his or her suspicion should be reported, he or she should confer with a member of the support staff which includes a school social worker, school counselor, school psychologist, or school nurse for assistance in determining whether a DCF report is warranted.
4. No person of any level of authority has the right to veto a decision to report or otherwise order a mandated reporter not to report. In addition, as a mandatory reporter, the concerned staff member is responsible for making a report or causing a report to be made when he or she has *reasonable cause to suspect or believe* that a child has been abused or neglected. *See* C.G.S. §17a-101b(a). Therefore, if after conferring with a support staff person who does not agree that a report should be made, the reporter still feels that there is reasonable cause to suspect or believe that abuse or neglect has occurred, then the reporter shall make the oral and written report.
5. An oral report should contain the following information: 1) the names and addresses of the child and his or her parents or other person responsible for his or her care; 2) the age of the child; 3) the gender of the child; 4) the nature and extent of the child's injury or injuries, maltreatment or neglect; 5) the approximate date and time the injury or injuries, or maltreatment or neglect occurred; 6) information concerning any previous injury or injuries to, or maltreatment or neglect of the child or his or 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. *See* C.G.S. §17a-101d.

6. The principal or Assistant Superintendent for Youth Development shall immediately notify the child's parents or other person responsible for the child's care that a report has been made. *See* C.G.S. §17a-101b(d). Details of such notification shall be reduced to writing and filed with the Human Resources office and the Office of the Assistant Superintendent for Youth Development.
7. Within forty-eight (48) hours of making an oral report, the reporter shall submit a written report to the Commissioner of Children and Families or his/her representative in the following manner. *See* C.G.S. §17a-101c. The reporter will complete the Report of Suspected Child Abuse/Neglect form (DCF-136, found at www.ct.gov/dcf under forms) with input from any person with whom the reporter consulted pursuant to paragraph 3. All individuals involved in the decision to report will sign the form. The reporter will send the completed form to the DCF Hotline, 505 Hudson Street, Hartford, CT 06106. The reporter also should submit a copy of the written report to the principal or to the Assistant Superintendent for Youth Development, if the principal is the accused perpetrator, Director of Human Resources, and Assistant Superintendent for Youth Development. *See* C.G.S. § 17a-101c. Under no circumstances should the report or a copy thereof be filed anywhere in the school building.

A copy of any reports involving a school employee holding a certificate, authorization or permit issued by the State Board of Education shall also be sent to the Commissioner of Education. C.G.S. § 17a-101c. Certified employees include teachers holding any of the following certificates: professional educator certificate, provisional educator certificate, temporary 90 day certificate, initial educator certificate. Also included in this reporting requirement are national corps of teachers' training program graduates, bilingual education teachers, international teachers and intramural and interscholastic athletic coaches (who do not otherwise possess a teaching certificate). C.G.S. §§ 10-144o to 10-146b.

8. If after further consideration, a reporter determines that a situation does not warrant a DCF referral, the reporter shall document: 1) the circumstances leading to the staff member's initial suspicion of abuse or neglect, 2) the steps taken to investigate, 3) the reason(s) for the staff member's decision not to make a DCF referral; and 4) any contact made with the child's parent or guardian. The document will be stored in the school's locked confidential files and a copy of the document will be forwarded to the Assistant Superintendent for Youth Development, and to the Director of Human Resources by June 30th at the end of each academic year, who will each maintain a log of such non-referrals.

9. The Assistant Director of Youth Development and the Director of Human Resources shall each maintain logs of DCF Referrals involving school personnel as well as files containing the information related thereto. The documents will be stored in locked confidential files with limited access. DCF referrals involving school personnel which are not accepted for investigation by DCF shall contain follow up actions taken to investigate the matter. All such information shall be forwarded to the Assistant Superintendent for Youth Development, and to the Director of Human Resources by June 30th at the end of each academic year, who will each maintain a log of such referrals.
10. If a staff member learns that DCF has received a report about himself or herself, he or she shall report such information to the Assistant Director for Youth Development and the Director of Human Resources.

E. Reporting Requirements for Suspected Abuse or Neglect of Students With Mental Retardation

Suspected abuse or neglect of students (ages 18 and over) with mental retardation must be reported to the Office of Protection and Advocacy (“OPA”) (1-800-842-7303) within seventy-two (72) hours after the suspicion or belief arises. A written report must follow within five days of the oral report (form available on the OPA’s website (www.ct.gov/opabd)).

F. Confidentiality and Retaliation

Protecting the confidentiality of the Board’s students and families is of paramount importance. Therefore, any information regarding suspicions of abuse or neglect should be disclosed only to those persons indicated in the reporting policy or who may otherwise be designated to provide assistance and support. All records pertaining to suspected abuse including DCF referral reports and documents regarding decisions not to report should be kept in the appropriate locked confidential files. Under no circumstances should said documents be filed in a student’s cumulative file

No administrator, teacher, staff member or student shall in any manner discriminate or retaliate against any person who in good faith reports suspected abuse or neglect, or who participates or provides information in connection with the investigation of the suspected abuse or neglect. *See* C.G.S. §17a-101e(a).

II. WHAT HAPPENS AFTER A REPORT IS MADE TO DCF?

Once the oral report is phoned in to the DCF Hotline, DCF will immediately evaluate and classify the report of suspected abuse or neglect. *See* C.G.S. §17a-101g(a). If the report contains information to warrant an investigation, DCF will make its best effort to begin an investigation within two hours if there is an imminent risk of physical harm to a child or another emergency, and within three days for all other reports. In all cases, DCF must complete the investigation in forty-five (45) calendar days. *See id.* DCF staff will notify the Bridgeport Police Department

within twelve (12) hours if the report involves allegations of sexual abuse or serious physical abuse or neglect.

The responsibilities of the mandated reporter are ongoing and do not cease once the reporter makes an initial report. Therefore, whether or not the case is accepted by DCF, all school personnel including the initial reporter and the support staff will continue to monitor the student's behavior and appearance to determine if additional reports to the DCF Hotline should be made.

A. Action Taken Pending Outcome of DCF Investigation

Pending the outcome of the DCF investigation, the Superintendent has absolute discretion whether or not to place the staff member who is the subject of the DCF investigation on administrative leave with pay. The Superintendent may make that decision based upon a recommendation from the Assistant Superintendent for Youth Development.

B. Action Taken After Completion of DCF Investigation

If after conducting an investigation, DCF has reasonable cause to believe that a child has been abused by a school staff member who holds a certificate, permit or authorization issued by the State Board of Education, the Commissioner of DCF shall notify the Superintendent and provide records concerning the investigation. *See* C.G.S. §17a-101i(a). The Superintendent shall suspend the staff member, if the staff member has not already been suspended, with pay and within seventy-two (72) hours after said suspension, shall notify the Board of Education and Commissioner of the Department of Education of the reasons for and conditions of the suspension. *See id.* The Superintendent also shall disclose the investigation records to the Commissioner of Education and the Board of Education for purposes of review of the staff member's employment status or the status of the staff member's certificate. *See id.* The suspension of the staff member shall remain in effect until the Superintendent determines the individual's employment status consistent with Connecticut law, contractual obligations and the Code of Professional Responsibility for Teachers, to the extent applicable. *See* C.G.S. §17a-101i(b).

III. INAPPROPRIATE BEHAVIOR BY A SCHOOL STAFF MEMBER

Inappropriate behavior by staff members will not be tolerated and, therefore, regardless of whether a report is made to DCF and regardless of the outcome of a DCF investigation in the event that a report is made, the Board of Education will inquire into whether a school staff member's behavior was inappropriate. Furthermore, the Board of Education reserves the right to discipline staff members for inappropriate behavior, regardless of DCF's conclusion regarding the referral, including but not limited to:

- inappropriate physical touching of a student such as for purposes other than ensuring his or her health or safety

- behavior constituting sexual harassment including:
 - suggestive or obscene letters, notes, derogatory comments, slurs, jokes, epithets, obscene gestures, display of sexually suggestive objects, pictures, cartoons or graffiti
 - unwelcome or unwanted sexually oriented verbal comments, suggestions, requests, physical contacts or attention
 - coercive sexual behavior used to control, influence, or threaten other students to participate in activities
 - coercive sexual behavior used to control influence, or affect the educational opportunities, grades, and/or learning environment of a student.
- any behavior that would put a student at risk

IV. FAILURE TO REPORT AND IMMUNITY

A mandated reporter who fails to report suspected abuse or neglect despite reasonable cause to suspect or believe that such abuse or neglect has occurred, may be required to go through training, and is subject to criminal prosecution and can be fined no less than five hundred dollars (\$500) and up to two thousand five hundred dollars (\$2,500). *See* C.G.S. §17a-101a.

Any school staff member who complies with the reporting requirements described in this policy in good faith is immune from liability whether or not the abuse is substantiated. *See* C.G.S. §17a-101e(b).

V. SCHOOL INTERVIEWS AND PROTECTION OF THE CHILD

1. After a report is made to DCF, a DCF worker will determine if a school interview is appropriate.
2. The DCF worker will notify the principal/ designee prior to a school interview and must provide identification when checking into the school. DCF is solely responsible for scheduling a school interview and for obtaining parental consent prior to the interview unless DCF has reason to believe such person or a member of the child's household is the alleged perpetrator. *See* C.G.S. §17a-101h. If consent is not required, the interview should be conducted in the presence of a disinterested adult. When the DCF worker interviews the student in school, involved school personnel shall be available both to support the student and to provide information requested by DCF.

3. In order to ensure the child's safety, DCF may, through a court order or invoking the ninety-six (96) hour hold, remove from the school any child that is in imminent risk of physical harm from his surroundings such that immediate removal from such surroundings is necessary to ensure the child's safety. If removal of the student from school is necessary, the DCF worker shall inform the principal/designee and the student's parent(s) or guardian(s) of the removal. *See* C.G.S. §17a-101h.
4. It is the responsibility of DCF, not school personnel, to notify the student's parent/guardian of any actions taken by DCF following the interview.
5. Should the DCF worker not arrive as scheduled and school personnel decide that the retention of the student beyond the school day is necessary to protect the student's physical well-being, the principal/designee must attempt to notify the parent(s)/guardian(s) of the child. If reasonable attempts to notify the parent(s)/guardian(s) fail, the principal shall retain the child and continue efforts to contact the parent(s)/guardian(s). The principal/designee shall remain with the retained child.
6. DCF will notify the reporter as to the disposition of the case however, if at any time, the reporter has not been so notified or has additional concerns, she/he may contact DCF regarding its disposition of the case. If DCF accepts the case for intervention/treatment, ongoing dialogue between the DCF worker and school personnel may be necessary to assess the student's progress.

VI. GUIDELINES FOR PHYSICAL EXAMINATION AND MEDICAL TREATMENT OF A STUDENT

A. Physical Examination of the Student

The student should be physically examined only when there is reasonable cause to suspect or believe that a student has been abused or neglected, or when there is an apparent need for emergency medical treatment. A school nurse and a school medical advisor are the only persons who may physically examine a student, and may request that a student remove clothing only when the following conditions exist:

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

3. the request is made in such a manner that the student clearly understands that compliance with the request is optional and that no adverse consequences will result from a refusal to comply.

In the case of suspected sexual abuse, the DCF worker will refer the student for a physical examination by medical personnel.

B. Medical Treatment

If there is need for emergency first aid and a school nurse or school medical advisor is not readily available, other school personnel who have completed a certified first aid course may render emergency first aid to the child. When an emergency situation that is the result of suspected child abuse exists, the principal and/or school based medical personnel will arrange for transportation to a hospital to the same extent it would be provided to the student in need of emergency service.