

CHILD ABUSE AND NEGLECT

The board of education believes that a child's physical and mental well-being must be maintained as a prerequisite to achievement through the formal educational process. The board therefore believes that it is important to identify and investigate suspected child abuse or neglect immediately. The school district will cooperate with the New Jersey Division of Youth and Family Services (DYFS) in identifying and reporting all such cases, whether institutional or non-institutional. The Superintendent/designee shall act as liaison between DYFS and the district. The liaison shall facilitate communication and cooperation between the district and DYFS and act as primary contact between the schools and DYFS.

The board directs the Superintendent/designee to gather, maintain, secure and make available to DYFS the relevant confidential district records of any pupil alleged either by school personnel or DYFS to be the victim of abuse or neglect as defined by law. The board also directs the Superintendent/designee to cooperate with DYFS in scheduling interviews with any employee, volunteer or pupil who may have information relevant to an investigation of child abuse.

In order to increase school employees' and volunteers' awareness of the symptoms of child abuse and neglect and cause them to be better informed on all aspects of abuse and neglect, the board directs the Superintendent to provide information and inservice training on the subject to all school employees and volunteers.

The Superintendent is therefore directed to develop procedures for compliance with statutory requirements that child abuse and neglect be reported. All procedures as well as this policy shall be reviewed by the county superintendent. Procedures shall:

- A. Impress on all staff members and volunteers having contact with pupils of their responsibility to report directly and immediately to DYFS all cases of suspected abuse, abandonment, cruelty or neglect resulting in physical or mental injury, and the penalties for failing to do so. Point out that institutional abuse--abuse alleged to have taken place in the school or other institutional setting by paid school staff or a volunteer--must be reported on the same basis as noninstitutional abuse. Information reported shall include the name, age, and grade of the child, as well as the name and address of the child's parents/guardians. The report shall also include a description of the child's condition, nature and extent of his/her possible injuries, and any other information pertinent to the child abuse or neglect or identification of the suspected perpetrator;
- B. Require all school personnel and volunteers to report suspected instances of child abuse or neglect to the building principal after reporting to DYFS. The Principal will then report the incident to the Superintendent of Schools;
- C. Provide for the annual delivery of information and inservice training to all school staff members and volunteers concerning child abuse and neglect. This shall include instruction on child abuse and neglect identification and reporting procedures;
- D. Provide for the delivery of information and inservice training to all new school district employees, both paid and voluntary, as part of their orientation;

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- E. Require prompt action to facilitate treatment options for the children injured by abuse or neglect in order to protect their health and wellbeing;
- F. Provide for cooperation with DYFS in scheduling interviews with any school personnel or volunteers who may have information relevant to the investigation;
- G. Provide for DYFS investigators to interview alleged victims in the presence of the school principal, his/her designee, or any staff member with whom the child is comfortable;
- H. Permit DYFS to remove pupils from school during the course of the school day when it is necessary to protect the child or take the child to a service provider. Removal shall take place when the principal is provided, either in advance or at the time removal is sought, with appropriate authorization as specified in N.J.S.A. 9:6-8.27 through -8.30;
- I. Require that a report of each case of unexplained absence which might be a cause of child abuse or neglect be reported to DYFS as the law provides, and to other appropriate school staff;
- J. Require that appropriate school staff be assigned as a liaison to facilitate communication and cooperation, and act as the primary contact between the district and DYFS in order to ensure continuance of shared information and training development;
- K. Release all pupil records of the child(ren) under investigation that are deemed relevant and maintain, secure and release all confidential information about child abuse cases, according to law;
- L. Fulfill other procedural requirements of the law pertaining to district response to child abuse, neglect and missing children.
- M. The Principal or their designee will report the incident to the local law enforcement agency pursuant to N.J.S.A. 18A:36.25 and 9:6-8.10.

The board assures all school personnel and volunteers that no one will be discharged from employment or discriminated against in any way as a result of making in good faith any reports of child abuse and neglect.

Due process rights will be provided to school personnel or volunteers who have been reassigned or suspended as a result of an accusation of child abuse or neglect. Temporary reassignment or suspension of school personnel or volunteers alleged to have committed an act of child abuse or neglect shall occur if there is reasonable cause to believe that the life or health of the alleged victim or other children is in imminent danger due to continued contact between the school personnel and a child.

All references to a report of child abuse or neglect against school personnel shall be removed from employee personnel records immediately following the receipt of an official notice from DYFS that such allegations were unfounded.

Date Reviewed: February 19, 2014, March 19, 2014
Date Adopted: April 16, 2014

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Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

Key Words

Pupil Safety, Child Abuse, Child Neglect, Student Safety

Legal References

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Mandated:

N.J.S.A. 18A:36-25 requires written policy on early detection of missing and abused children.

N.J.A.C. 6A:16-1.4(a)21 requires written policies and programs on the reporting of suspected child abuse and neglect to the Division of Youth and Family Service (DYFS) and cooperation in the ensuing investigation.

N.J.A.C. 6A:16-11.1 requires adoption of policies and procedures for notification of the appropriate law enforcement and child welfare authorities when a potentially missing or abused situation is detected pursuant to N.J.S.A. 18A:36-25. The policies and procedures shall include provisions for employees, volunteers or interns report suspected child abuse and neglect directly to the division of youth and family services (DYFS) in those instances where such individuals have reasonable cause to believe that a child has been subjected to child abuse or acts of child abuse.

Recommendation:

A policy addressing all the requirements of the law.

Note: N.J.A.C. 6A:16-11.2 was not readopted in October of 2006 and removed from the Department of Education regulations. This portion of code specified procedures for coordinating the school and state authorities in the reporting and investigation of child abuse and neglect and missing children. Despite the removal of these specific procedures, the model policy is retaining the detail that was previously justified by the education regulation as it provides solid direction to school districts in this essential area.

Legal References: N.J.S.A. 9:6-1 et seq.
See particularly:
N.J.S.A. 9:6-3.1; -8.9
through -8.14; -8.21;
-8.27through -8.30;
-8.34 through -8.36; -8.40;
-8.46; -8.56
N.J.S.A. 18A:6-7a, -10, -11,
-13, -14, -18.1, -30, -30.1

Abuse, abandonment, cruelty and neglect of child;
what constitutes

Removal from personnel files of reference to
complaint of child abuse or neglect determined to be
unfounded

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Legal References (continued)

<u>N.J.S.A.</u> 18A:25-1	Transfer of teaching staff members
<u>N.J.S.A.</u> 18A:25-6, -7	Suspension of assistant superintendents, principals and teachers...
<u>N.J.S.A.</u> 18A:36-19	Pupil records; creation; maintenance and retention, security and access; regulations; nonliability
<u>N.J.S.A.</u> 18A:36-19a	Newly enrolled students; records and identification
<u>N.J.S.A.</u> 18A:36-24 <u>et seq.</u>	Missing children; legislative findings and declarations
<u>N.J.S.A.</u> 52:17B-9.8a <u>et seq.</u>	Marking of missing child's school record
<u>N.J.A.C.</u> 6A:16-1.4(a)21	District policies and procedures
<u>N.J.A.C.</u> 6A:16-11.1	Reporting Allegations of Child Abuse and Neglect
<u>N.J.A.C.</u> 6A:32-7.1 <u>et seq.</u>	Student records

Possible

Cross References:

*5113	Absences and excuses
*5125	Pupil records
*5141.1	Accidents
*5142	Pupil safety

*Indicates policy is included in the Critical Policy Reference Manual.