

SOMERVILLE BOARD OF EDUCATION
Somerville, New Jersey

FILE CODE: 5141.4

 X Monitored
 X Mandated
 Other Reasons

Regulation

MISSING, ABUSED AND NEGLECTED CHILDREN

GENERAL STATEMENT

The Somerville Board of Education shall foster with its community of parents a sense of wellbeing and confidence that each child is valued and will be protected from any form of threat or danger to their safety and wellbeing. The board believes that it is important to identify and investigate suspected incidents involving missing, abused or neglected children immediately. Therefore, the school district will cooperate with the New Jersey Child Protection and Permanency (DCP&P) and law enforcement authorities in identifying and reporting all such cases of missing, abused and neglected students whether institutional or noninstitutional.

The board further believes that as required by law, school staff, volunteers and interns have the responsibility to report attempted or completed suicide. Reporting enables the district to plan supportive measures for the school community and facilitates the state's initiatives regarding suicide prevention and intervention. Therefore, school staff, volunteers and interns shall report the information to the New Jersey Department of Human Services, Division of Mental Health and Addiction Services as required by law.

STAFF RESPONSIBLE

The following chart lists the staff members responsible for the implementation of the regulation and summarizes their responsibilities:

Position	Summary of Main Responsibilities
Chief school administrator	<ul style="list-style-type: none">• General policy and procedure oversight within the district• Designation of the liaison(s)• Contacting and being the liaison with law enforcement and DCP&P• Maintain contact information for police and DCP&P
Building principal	<ul style="list-style-type: none">• General procedure oversight within the school• Development and implementation of reporting and notification procedures for the school• Contacting and being the liaison with law enforcement and DCP&P• Maintaining confidential records and oversee the transfer and release of relevant records as required by law• Maintain contact information for police and DCP&P• Contact parents/guardians or emergency contact as appropriate
District liaisons	<ul style="list-style-type: none">• Primary contact with Law enforcement, the DCP&P case manager, and DCF as assigned• Facilitates all aspects of the report, investigation and follow-up for reported incidents• Coordinates school services with CST, I&RS, school nurse, EMS, or other services as necessary

DEFINITIONS

"Abuse" is the physical, sexual or emotional harm or risk of harm to a child under the age of 18 caused by a

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parent or other person who acts as a caregiver for the child.

“Neglect” occurs when a parent or caregiver fails to provide proper supervision for a child or adequate food, clothing, shelter, education or medical care although financially able or assisted to do so.

“New Jersey State Department of Children and Families (DCF)” was created in July 2006 as New Jersey's first Cabinet agency devoted exclusively to serving and safeguarding the most vulnerable children and families in the state. DCF includes:

1. Child Protection and Permanency (DCP&P);
2. Children’s System of Care;
3. Family and Community Partnerships;
4. Office of Adolescent Services;
5. Office of Education;
6. Child Welfare Training Academy;
7. Centralized Child Abuse/Neglect Hotline;

“Non-institutional child abuse and neglect” is abuse and/or neglect alleged to have taken place in the home or community by a parent/guardian or any other person having custody or control of the child should be reported in person or by telephone to the local DCP&P office.

“Institutional child abuse and neglect” is abuse alleged to have taken place in a school or other institutional setting by school personnel, compensated and uncompensated (volunteer) should be reported in person or by telephone to the Institutional Abuse Investigation Unit (IAIU) of the local DCP&P office.

INDICATORS OF CHILD ABUSE/NEGLECT

(from: <http://www.nj.gov/dcf/reporting/indicators/>)

Physical Abuse

Physical Indicators	Behavioral Indicators
<p>Unexplained bruises and welts:</p> <ul style="list-style-type: none"> • On face, lips, mouth • On torso, back, buttocks, thighs • In various stages of healing • Cluster, forming regular patterns • Reflecting shape of article used to inflict (electric cord, belt buckle) • On several different surface areas • Regularly appear after absence, weekend or vacation <p>Unexplained burns:</p> <ul style="list-style-type: none"> • Cigar, cigarette burns, especially on soles, palms, back or buttocks • Immersion burns (sock-like, glove-like doughnut shaped on buttocks or genitalia) • Patterned like electric burner, iron, etc. • Rope burns on arms, legs, neck or torso <p>Unexplained fractures:</p> <ul style="list-style-type: none"> • To skull, nose, facial structure • In various stages of healing • Multiple or spiral fractures • Unexplained laceration or abrasions: • To mouth, lips, gums, eyes 	<p>Wary of adult contacts</p> <p>Apprehensive when other children cry</p> <p>Behavioral extremes:</p> <ul style="list-style-type: none"> • Aggressiveness • Withdrawal <p>Frightened of parents</p> <p>Afraid to go home</p> <p>Reports injury by parents</p>

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• To external genitalia	
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Physical Indicators	Behavioral Indicators
Consistent hunger, poor hygiene, inappropriate dress Consistent lack of supervision, especially in dangerous activities or long periods Constant fatigue or listlessness Unattended physical problems or medical needs Abandonment	Begging, stealing food Extended stays at school (early arrival and late departure) Constantly falling asleep in class Alcohol or drug abuse Delinquency (e.g. thefts) States there is no caregiver

Sexual Abuse

Physical Indicators	Behavioral Indicators
Difficulty in walking or sitting Torn, stained or bloody underclothing Pain or itching in genital area Bruises or bleeding in external genitalia, vaginal or anal areas Venereal disease, especially in pre-teens Pregnancy	Unwilling to change for gym or participate in PE Withdrawn, fantasy or infantile behavior Bizarre, sophisticated or unusual sexual behavior or knowledge Poor peer relationships Delinquent or run away Reports sexual assault by caregiver

Emotional Maltreatment

Physical Indicators	Behavioral Indicators
Habit disorders (sucking, biting, rocking, etc.) Conduct disorders (antisocial, destructible, etc.) Neurotic traits (sleep disorders, speech disorders, inhibition of play)	Behavior extremes: • Compliant, passive • Aggressive, demanding Overly adoptive behavior: • Inappropriately adult • Inappropriately infant

HOTLINE INFORMATION

All reports of child abuse and neglect, including those occurring in institutional settings such as child care centers, schools, foster homes and residential treatment centers, must be reported to the State Central Registry (SCR). This is a toll-free, 24-hour, seven-days-a-week hotline.

Child Abuse Hotline (State Central Registry)
1-877 NJ ABUSE
(1-877-652-2873)
TTY 1-800-835-5510

PROCEDURESChild Protection and Permanency Liaison

A. The chief school administrator designates as a liaison to the Division of Youth and Family Services (DCP&P and to the local law enforcement agency (*select one or more or insert a position*):

1. Principal;
2. Vice-principal;

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3. School social worker;
4. Student assistance coordinator;
5. Guidance counselor; or
6. Other staff member.

B. The roles and functions of the(se) liaisons are to:

1. Facilitate communication and cooperation between DCP&P and the district including the sharing or transfer of records;
2. Identify issues or problems that arise in the implementation of district policy and procedures related to missing, abused and neglected children and facilitate the resolution of any such problems;
3. Act as the primary contact with DCP&P with regard to training, general information sharing and the maintenance and development of cooperative efforts;
4. Coordinate intervention and prevention efforts.

Law Enforcement LiaisonC. The chief school administrator designates as a liaison to the county prosecutor's office and to the local law enforcement agency *(select one or more options or insert a position)*:

1. Principal
2. Vice-principal;
3. School social worker;
4. Student assistance coordinator;
5. Guidance counselor; or
6. Other staff member.

D. The roles and functions of the(se) liaisons are to:

1. Facilitate communication and cooperation;
2. Identify issues or problems that arise in the implementation of this Agreement and facilitate the resolution of any such problems;
3. Act as the primary contact person between the schools and the affected law enforcement agencies;
4. Act together in developing joint training and other cooperative efforts, including information exchanges and joint speaking engagements;
5. Coordinate drug and alcohol abuse and violence intervention and prevention efforts; and
6. Consult on the review of school safety and security plans, pursuant to N.J.A.C. 6A:16-5.1, and the review of approved model policies of the School Security Task Force.

Note: see board policy and regulation 1410 Local Units

Incident Reporting

Any person who, in good faith, makes a report of child abuse or neglect or testifies in a child abuse hearing resulting from such a report is immune from any criminal or civil liability as a result of such action. Calls can be placed to the hotline anonymously.

Any person who knowingly fails to report suspected abuse or neglect according to the law or to comply with the provisions of the law is a disorderly person.

All staff members, volunteers and interns having contact with pupils are required to:

- A. Report directly and immediately to DCP&P all incidents of alleged missing, abused and neglected children by contacting 1-877 NJ ABUSE (1-877-652-2873) or TTY 1-800-835-5510;

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- B. Inform the principal prior to notifying DCP&P only if informing the principal will not delay immediate notification. Employees, volunteers and interns are not required to obtain confirmation by another person to report a suspected missing, abused or neglected child situation;
- C. Inform the principal after they have made a report to DCP&P of a suspected missing, abused or neglected child. This requirement does not apply when the employee believes that doing so is likely to endanger the student involved or result in retaliation against the student; or endanger the employee making the report or result in discrimination against the employee with respect to his or her employment;
- D. Be prepared to the extent possible to report the following information when contacting the Child Abuse Hotline:
 - 1. **Who:** The child and parent/caregiver's name, age and address and the name of the alleged perpetrator and that person's relationship to the child;
 - 2. **What:** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused the reporter to become concerned;
 - 3. **When:** When the alleged abuse/neglect occurred and when you learned of it;
 - 4. **Where:** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child;
 - 5. **How:** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.

Administrative Responsibilities

The principal shall:

- A. Notify the law enforcement authorities of incidents of potentially missing, abused, or neglected child situations reported by employees, volunteers, or interns. Procedures for the notification of the law enforcement authority shall consistent with the district Memorandum of Agreement (see board policy 1410 Local Units);
- B. Notify the chief school administrator of incidents of potentially missing, abused, or neglected child situations reported by employees, volunteers, or interns;
- C. Document in writing any reported incident of a missing, abused or neglected student. There may be one report or multiple reports depending on the actions taken at the school and the time frame within the actions were taken. Reports shall include at a minimum:
 - 1. The date and time the incident was reported;
 - 2. The name of the staff member, volunteer or intern who reported the incident;
 - 3. The date and time the principal notified the law enforcement authorities;
 - 4. The date and time the principal notified the chief school administrator;
 - 5. A description of the facts reported which may include the reason the report was made, statements and/or observations that caused the suspicion inciting the report, and who was involved;
 - 6. The date and time of any investigative interviews conducted with school students and staff, including the names, contact information and title of the professional or professionals conducting the interview;

Interviews and Investigations

When DCP&P and/or a law enforcement officials investigate allegations of missing, abused or neglected students on school grounds the principal shall:

- A. Check the credentials of the DCP&P caseworker or law enforcement official requesting the interview or

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information;

- B. Arrange for any necessary accommodations permitting authorized investigators to interview the student in the presence of the principal or designated school official;
- C. If necessary arrange for a school representative of the student's preference to be present during the interview, when the student is not comfortable with the principal or the other designated school official;
- D. As requested by DCP&P and/or the law enforcement official, schedule interview times and locations with any employee, volunteer, or intern who may have information relevant to the investigation;
- E. Prepare and release the records of the student who is the subject of the investigation that are deemed relevant to the assessment or treatment of the student;
- F. Cooperate with the maintenance, security, and release of all confidential information:
 - 1. All information regarding allegations of potentially missing, abused, or neglected children reported to authorities about an employee, volunteer, or intern shall be considered confidential and may be disclosed only as required to cooperate in investigations;
 - 2. Records pertaining to such information about an employee, volunteer, or intern shall be maintained in a secure location separate from other employee personnel records and accessible only to the chief school administrator or his or her designee;
- G. Facilitate the release of the student to DCP&P while school is in session when it is necessary to protect the student or take the student to a service provider. This removal shall take place only after the principal or his or her designee has been provided, either in advance or at the time removal is sought, with appropriate documentation that DCP&P has already removed, or has appropriate authority to remove, the student from his or her home;
- H. Cooperate with and facilitate any transfer arrangements made to another school of a student who has been removed from his or her home by DCP&P for proper care and protection according to the provisions of board policy and procedure 5118.2 Foster Care and Educational Stability.

Due Process Rights of a School Employee, Volunteer, or Intern Named As a Suspect

- A. An employee, volunteer, or intern working in the school district who has been named as a suspect in a notification to child welfare and law enforcement authorities regarding a missing, abused, or neglected child situation shall be entitled to due process rights;
- B. Temporary reassignment or suspension of an employee, volunteer, or intern working in the school district named as a suspect shall occur only if there is reason to believe that the life or health of the alleged victim or other pupil is in imminent danger due to continued contact between the employee, volunteer, or intern and the pupil;
- C. All references to a notification to DCP&P of a potential missing, abused, or neglected child situation involving a school district employee, shall be removed from the employee's personnel records immediately following the receipt of an official notice from DCP&P that the allegation was unfounded.

Suicide Reporting

- A. Teachers, volunteers, interns and all other school staff with reasonable cause to suspect or believe that a student has attempted or completed suicide shall report the suspicion to the principal;

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- B. Any employee, volunteer, or intern with reasonable cause to suspect or believe that a student has attempted or completed suicide, shall report the information to the Department Children and Families. The information shall be reported in the form and manner prescribed by the Department Children and Families (see Exhibit 1; DCF Suicide or Suicide Attempt Questionnaire);
- C. An employee, volunteer, or intern who has reported attempted or completed suicide to the Department Children and Families (DCF), shall notify the principal of the reported suspicion, if they did not notify the principal prior to reporting to DCF;
- D. The principal or his or her designee may assist the staff member, volunteer or intern in making the report to the Department Children and Families (DCF). Assistance may include:
 - 1. Distributing the board policy and procedure 5141.4 Missing, Abused and Neglected Children;
 - 2. Distributing the Division of Mental Health and Addiction Services Suicide or Suicide Attempt Questionnaire to the staff member;
 - 3. Directing the staff member, volunteer or intern to the DCF website and the electronic reporting form at <http://www.state.nj.us/humanservices/dmhas/forms/>;
 - 4. Provide information regarding confidentiality of reporting;
- E. The principal shall notify the chief school administrator of any incident where a staff member, volunteer or intern has reported to the principal and/or DCF that a student has attempted or completed suicide;
- F. The principal or his or her designee shall keep a written record of any reported incidents of attempted or completed suicide including:
 - 1. The date and time the incident was reported;
 - 2. The name of the staff member, volunteer or intern who reported the incident.

The staff member, volunteer or intern that that reports attempted or completed suicide shall have immunity from any civil or criminal liability on account of that report, unless the person has acted in bad faith or with malicious purpose.

Staff members, volunteers or interns shall not be required to disclose, or penalized for the failure to disclose, any information which would be privileged according to law (N.J.S.A. 2A:84A-18 through -23).

REGULATION HISTORY

Adopted:	August 20, 1996
Revised:	October 12, 2004, June 17, 2008, June 16, 2015, December 13, 2016
NJSBA Review/Update:	March 2017
Readopted:	

CROSS REFERENCES

5131.6	Substance Abuse
5131.7	Weapons and Dangerous Instruments
5141	Health
5141.1	Accidents
5141.2	Illness
5141.4	Child Abuse and Neglect
5142	Safety (covers missing children)
5145.11	Questioning and Apprehension
5145.12	Search and Seizure