

Mandatory Reporting of Abuse and Neglect

The initial **CAIS Online Child Abuse Training program** is completed either ***before joining Whitby or shortly thereafter and it is refreshed every three years school-wide.*** The following is a more complete statement of the law on this topic and reflects what the training will provide:

Child Abuse Reporting

Connecticut law requires certain individuals, referred to as mandated reporters, to report to the Department of Children and Families (“DCF”) any suspicions that a child has been abused or neglected. Mandated reporters include all school employees at public and private schools, including any person employed by a school who has regular contact with students or provides services to or on behalf of students. As a result, NCCS requires all school employees to follow the mandated reporting procedures listed below. (Connecticut General Statutes 17a-101a)

What must be reported?

A mandated reporter must report to DCF if, in the ordinary course of such person’s employment or profession, the person has reasonable cause to suspect or believe that a child under 18: has been abused or neglected; has had nonaccidental physical injury or injury which is at variance with the history given; or is placed at imminent risk of serious harm. In addition, if any school employee has reasonable cause to suspect or believe that another school employee has sexually assaulted, molested or has engaged in inappropriate sexual conduct with a student, regardless of the student’s age, the employee should also report such suspicion to the Head of School, who will then contact the police or other agencies as appropriate.

Abuse means that a child has had a physical injury inflicted upon him or her other than by accidental means; has injuries which are at variance with history given of them or who is in a condition resulting in maltreatment, such as (but not limited to) malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment. (CGS 46b-120)

Neglect means that a child has been abandoned, is being denied proper care and attention physically, emotionally or morally, or is being permitted to live under conditions, circumstances, or associations injurious to his well-being. (CGS 46b-120)

In deciding whether a report is required, school employees must keep in mind that the suspicion or belief of a mandated reporter may be based on a variety of factors, including, but not limited to, observations, allegations, facts or statements by a child or victim, or a third party. Such suspicion or belief does not require certainty or probable cause.

Sexual Activity Involving Minors

There may be times when sexual activity between or among students may require a report to DCF. In making a decision about reporting, consideration should be given to the relative ages of

the students, the nature of the activity, whether it was consensual, or whether there were other factors that might indicate a student's inability to consent. Faculty and staff are encouraged to immediately report any concerns about sexual activity involving a student, particularly if there is a significant age difference involved, to Head of School, CFO/DBA, Head of Upper School, Head of Lower School, HR Manager, or School Counselor.

As general guidance, DCF provides the following suggested criteria for reporting sexual activity involving minors, regardless of gender:

- Mandated reporters must report sexual activity involving:
- Children under 13 who are engaging in sexual intercourse, have an STD, are pregnant; or who are engaging in sexual activity that is developmentally inappropriate;
- Children of any age engaged in sexual activity involving a family member;
- Children of any age who have been sexually molested or exploited; Children of any age engaging in sexual activity that is non-consensual, or resulting from use of force or threats or in which one individual is being exploited, degraded or humiliated;
- See a child who is unable to consent (due to disability, incapacity etc.)
- Children of any age engaging in sexual activity where the child is under 16 and the partner is 21 or older.

Under Connecticut law, faculty and staff should also be aware that it is a crime for someone to engage in certain sexual conduct (a) with a child 12 or younger where the other individual is more than two years older; or (b) with a child between 13 and 16 if the other individual is more than 3 years older, regardless of consent and regardless of whether it warrants a report to DCF. Sexual contact between any school employee and a current student is also prohibited by law and must be reported.

Reporting Procedures

All suspicions of abuse or neglect are to be reported to the DCF via the hotline or to law enforcement orally, within 12 hours of suspecting that a child has been abused or neglected. A written report must follow within 48 hours. Given this timeline, should an employee have reasonable suspicion of abuse or neglect, he/she should report the concern immediately to a division head, Assistant Head of School or Head of School who can provide assistance and guidance with respect to procedures for reporting. The individual school employee does not need to make the report personally, if another designated individual from the school makes the report on behalf of the school. If there is any question as to whether a concern should be reported, please speak to your division head or the Head of School.

If the allegation involves the Head of School or other administrator, such individual should not be notified, but rather the allegation should be made to another school administrator or one of the other five reporting officers listed previously in this policy.

When making a report, a mandated reporter is required to provide the following information, if known:

- names and addresses of the child and his parents or responsible caregiver(s)
- child's age and gender
- nature and extent of injury, maltreatment or neglect
- approximate date and time the injury, maltreatment or neglect occurred
- the circumstances in which the injuries, maltreatment or neglect became known to the reporter
- previous injury, maltreatment or neglect of the child or siblings
- name of the person suspected to have caused the injury, maltreatment or neglect
- any action taken to treat or help the child
- any other information the reporter believes would be helpful