

**GEORGIA TOWN SCHOOL DISTRICT**  
**Georgia Elementary Middle School**

**REPORTING CHILD ABUSE POLICY**

Warned: December 10, 1985  
Adopted: October 16, 2001, November 5, 2013

**Purpose**

In order to safeguard Vermont children, state law requires the reporting of suspected child abuse or neglect by specific school personnel (school administrators, guidance counselors, school nurses, teachers). The Department for Children and Families (DCF) is the agency charged with receiving those reports, investigating the cases, and, if the report is founded, developing a plan of services that will strengthen families and provide a safe environment for children.

Because of their consistent daily contact with students, educators have the unique skills, experience, and special relationships with children that afford opportunities to identify indicators of possible abuse or neglect. Making a referral to DCF is one important (and required) way an educator can protect a child from further harm.

The purpose of this policy is to protect children whose health and welfare may be jeopardized by abuse or neglect and to ensure that school district employees meet their legal reporting obligations under 33 V.S.A. §4913. It is further the purpose of this policy to make clear to school district employees that it is not their role to be investigator, judge and jury in cases of suspected abuse or neglect. Rather, it is the role of school district employees to be faithful and timely reporters of suspected abuse or neglect so that allegations can be brought to the attention of objective, trained and experienced investigators.

**General Policy: Vermont Reporting Law**

To comply with 33 V.S.A. Chapter 14, Sections 681-689, it is the policy of the District that any school employee who has reasonable cause for suspecting child abuse or neglect must report or cause a report to be made to the VT Department for Children and Families (DCF). All school district employees are mandated reporters and are required to report any suspected child abuse to the DCF 24-hour child protection hotline. The building principal or designee should be made aware of the report as soon as practical.

According to 33 V.S.A. §683, any school employee who, in good faith, makes a report, shall be immune from any criminal or civil liability which might otherwise be incurred or imposed as a result of making a report. In some cases, reporters may be required to appear in court. Any designated employee who fails to report suspected abuse may be fined not more than \$500.

“Abuse” means “abuse” as defined by 33 VSA 14 682 exclusive of subsection (9) as follows:

1. “Child” means an individual under the age of majority.
2. An “abused or neglected child” means a child whose physical or mental health or welfare is harmed or threatened with harm by the acts or omissions of his parent or other person responsible for his welfare.
3. “Harm” to a child’s health or welfare can occur when the parent or other person responsible for his welfare:

- A. Inflicts, or allows to be inflicted, upon the child, physical or mental injury; or
  - B. Commits, or allows to be committed, against the child sexual abuse; or
  - C. Fails to supply the child with adequate food, clothing, shelter or health care. For the purposes of this chapter, "adequate health care: includes any medical or non-medical remedial health care permitted or authorized under the state law. Notwithstanding that a child might be found to be without proper parental care under chapter 12 of Title 33, a parent or other person responsible for a child's care legitimately practicing his religious beliefs who thereby does not provide specified medical treatment for a child shall not be considered neglectful for that reason alone; or
  - D. Abandons the child.
- 4. "Threatened harm" means a substantial risk of physical or mental injury to such a child by other than accidental means, which would be likely to cause death or serious or protracted disfigurement, or protracted impairment of the function of any bodily organ.
  - 5. "A person responsible for a child's welfare" includes the child's parent; guardian; foster parent; an employee of public or private residential home, institution or agency; or other person legally responsible for the child's welfare in a residential setting.
  - 6. "Physical injury" means death or permanent or temporary disfigurement or impairment of any bodily organ or function by other than accidental means.
  - 7. "Mental injury" includes a state of substantially diminished psychological or intellectual functioning of a child as evidenced by an observable and substantial impairment must be clearly attributable to the unwillingness or inability of the parent or guardian to exercise a minimum degree of care toward the child.
  - 8. "Sexual abuse" consists of any act or acts by any person involving sexual molestation or exploitation of a child including but not limited to incest, prostitution, rape, sodomy, or any lewd and lascivious conduct involving a child. Sexual abuse also includes the aiding, abetting, counseling, hiring, or procuring of a child to perform or participate in any photograph, motion picture, exhibition show, representation, or other presentation which, in whole or in part, depicts a sexual excitement or sadomasochistic abuse involving a child.

## **Training**

Employees shall receive appropriate training in accordance with Act 1.

**PROCEDURES**      *(updated 10/13/2014)*

**The procedures for reporting suspected child abuse or neglect in our district will be:**

1. Any staff member who suspects child abuse or neglect must make a report to DCF. It is then requested that the staff member report this to the school's designated resource person.
2. Each school building will have a designated child abuse and neglect resource person. This person will be the school principal.
3. The role of the school resource person is to help file reports, keep accurate records and follow up with the DCF District Office. The resource person shall not veto or amend the report without the consent of the staff person initiating the referral.

If an oral report is made, it shall be followed by a written report if requested by DCF.\* The written report should be filed, and shall include:

- a. name and address of the reporter
- b. name, address, age and phone number of child
- c. name, address, and phone number of parent or other person legally responsible for the care of the child (guardian, foster parents, etc.)
- d. names and ages of siblings
- e. nature and extent of injuries, including specific observations, quotes from the child, etc.
- f. behavioral indicators of abuse or neglect
- g. physical indicators of neglect or inadequate supervision
- h. any evidence of previous abuse or neglect of the child or sibling
- i. any other information which would be helpful in establishing the cause of the injuries or reasons for neglect as well as protecting the child or assisting the family.

*\*Use the Department for Children and Families (DCF) form whenever possible.*

4. The child's parents may be notified that a report is being made only if the reporter agrees, and unless such contact seems likely to increase the danger to the child. (It is suggested that if parental notification is made, it be done by the resource person.) In suspected severe physical and sexual abuse cases, parents should NOT be notified until Social Service workers have had contact with the child.
5. On-site investigations by the DCF District Office are permitted by the school board. A "disinterested adult"\* shall be present during investigative interviews to support the child. The School District shall allow on-site school investigations by DCF without parental notification or permission. The building administrator shall designate a school employee other than the person initiating the referral to be present during the investigative interviews. This person should terminate the interview if the conduct of the investigator is objectionable or considered harmful to the child.

*\*Preferably this adult has training as a member of the in-school child protection team. The reporter may also be present if this would help support the child.*

6. The DCF investigator generally shall not have access to the educational records of the student without parental consent. The investigator shall have access to information from the educational records without parental permission only when such information is clearly relevant to determining whether the child is being abused. In order for an investigator to gain access to a student record, the school must receive a subpoena.
7. A copy of the Child Abuse Report shall be retained in a secure school district file kept by the

designated resource person or the person making the report. This file should be kept only to those individuals involved in making the report and kept separate from the education records of the student.

8. If, for any reason, the school resource person or other school personnel are in disagreement with some aspect of the case, such personnel should, in good faith, work with the DCF District Office to resolve the matter, first by contacting the assigned caseworker. If the matter remains unresolved, the casework supervisor should next be contacted and finally the DCF District Director. In the event that the issues are not resolved at the district level, parties may request a Service Review conducted by DCF Central Office Staff.

**The procedures for a Child Protection Team (CPT) in our district will be (School-Day Report Only):**

1. Employees must report their belief to the building principal or designee who will then contact the school Child Protection Team (CPT).
2. The CPT will discuss the report and then, if abuse is suspected will immediately contact DCF.
3. The CPT may be made up of school administration, guidance counselors, school nurse and other appropriate parties designated by school administration, including school personnel making the report. School employees do have the option of reporting their suspicions directly to DCF.
4. The CPT representative will make an oral report to DCF, which will be followed by a written report. The CPT and principal will compile information to report to the DCF orally and then by writing if requested. Any personal interview or physical inspection of the child will be conducted in a professional manner.
5. A copy of all documented reports to DCF, and CPT notes, shall be kept in the school office.

All records concerning reports of suspected abuse are confidential and do not fall under the provisions of (20 U.S.C. 1232 (g)) – The Buckley Amendment.

*\*\*It is not the responsibility of the school to prove that the child has been abused or to determine whether the child is in need of protection. The determination of whether a child has been abused or is in need of protection is the sole responsibility of DCF. It is recommended that the principal or designated member of the CPT, contact DCF with hypothetical questions to secure guidance of the team is unsure of what or how to report.*