

---

## CHILD ABUSE

The West Morris Regional High School District Board of Education believes that the physical and mental well-being of all children in its charge must be maintained as prerequisite to learning through the formal educational process. The Board of Education is cognizant of the importance of early identification of child abuse. The school district personnel will cooperate with the New Jersey Division of Youth and Family Services (DYFS) in the identification, immediate reporting, and investigation of allegations of child abuse.

The Board of Education directs the chief school administrator to develop and implement procedures for compliance with law and code requirements pertaining to allegations of child abuse.

The Board of Education has designated a liaison to the DYFS. Abuse referrals are not screened or referred through the liaison. The function of the liaison is to:

- Facilitate communication and cooperation between the district and the DYFS: and
- Act as the primary contact person between the schools and the DYFS with regard to general information sharing and the development of mutual training and other cooperative efforts.

The chief school administrator shall require all the employees and volunteers to receive in-service training concerning child abuse, instructional methods and techniques relative to issues of child abuse in the local curriculum, and personnel responsibilities pursuant to N.J.S.A. 9:6-8.0 et seq. This training shall include information regarding the identification and reporting of allegations of child abuse to the DYFS, as well as the investigative process conducted by the DYFS. Additionally, the employees shall be made aware of their rights and responsibilities according to law and code.

A person making the report in good faith is immune.

"Anyone acting pursuant to this act in the making of a report under this act shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such person shall have the same immunity with respect to testimony given in any judicial proceeding resulting from such report." (N.J.S.A. 9:6-8.13)

Failure to make a report is a violation, and the person is subject to a \$1,000 fine and up to six months in jail.

"Any person knowingly violating the provisions of this act including the failure to report an act of child abuse having reasonable cause to believe that an act of child abuse has been committed, is a disorderly person." (N.J.S.A. 9:6-8.14)

No school personnel will be discharged from employment or in any manner discriminated against as a result of making in good faith a report or causing to be reported an allegation of child abuse. (N.J.S.A. 9:6-8.13)

Due process rights will be provided to school personnel who have been reassigned or suspended in accordance with N.J.S.A. 18A:6-10 et seq., 18A:25-1, 18A:25-6, and N.J.S.A. 9:6-3.1. Temporary reassignment or suspension of school personnel alleged to have committed an act of child abuse 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. (N.J.S.A. 18A:6-10 et seq. and N.J.S.A. 9:6-3.1)

### Reporting

School personnel, compensated and uncompensated (volunteer), having reasonable cause to believe that a child has been subjected to child abuse or acts of child abuse shall immediately report to the DYFS (N.J.S.A. 9:6-8.10). The person reporting the alleged child abuse shall inform the school principal or designee of the report after the DYFS referral has been made.

When referring cases to the DYFS, the school referrer shall provide, when possible, the following information:

- The name of the child;
- The age and grade of the child;
- The name and address of the child's parent or guardian or other person having custody and control (for example, foster parent);
- A description of the child's condition, including any available information concerning current or previous injuries, abuse or maltreatment;
- The nature and possible extent of the child's injuries, abuse, or maltreatment; and
- Any other pertinent information that the referrer believes may be relevant with respect to the child and/or the identity of the alleged perpetrator.

### Noninstitutional Child Abuse

Abuse 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 to the 24-hour hotline established for DYFS calls: 1-877-NJ ABUSE (centralized screening of child abuse and neglect reports).

### Institutional Child Abuse

Abuse alleged to have taken place in a school or other institutional setting by school personnel, compensated and uncompensated (volunteer), should also be reported to the 24-hour hotline (1-877-NJ ABUSE).

### Investigations

The board of education has detailed the district responsibilities as follows:

- 
- Cooperate with the DYFS in investigations of child abuse that have occurred at any time outside or within the confines of the school or during a school-related function.
  - Permit the DYFS investigator to interview the child in the presence of the school principal or designee.
  - If the child is intimidated by the presence of the school representative, the child shall name a staff member, whom s/he feels will be supportive, who will be allowed to accompany the child during the interview. The purpose of including a school representative is to provide comfort and support to the child, not to participate in the investigation.
  - Cooperate with the DYFS in scheduling interviews with any school personnel who have information relevant to the investigation.
  - Release, in accordance with N.J.S.A. 18A:36-19 and N.J.A.C. 6:3-6.1 et.seq., all student records of the child under investigation that are deemed to be relevant to the assessment or treatment of child abuse (N.J.S.A. 9:6-8.40).
  - Maintain and secure all confidential information about child abuse cases in accordance with N.J.S.A. 18A:36-19 and N.J.A.C. 6:3-6.1 et.seq.

The DYFS may release information to:

"An agency authorized to care for, treat, or supervise a child who is the subject of a child abuse report, or a parent, guardian, or other person who is responsible for the child's welfare, or both, when the information is needed in connection with the provision of care, treatment or supervision to such child or such parent, guardian, or other person." (N.J.S.A. 9:6-8.10a)

"Any person who willfully permits or encourages the release of the contents of any record or report in contravention of this act shall be guilty of a misdemeanor and subject to a fine of not more than \$1,000 or to imprisonment for not more than 3 years, or both." (N.J.S.A. 9:6-8.10b)

- Permit the DYFS to physically remove students 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.

Such removal shall take place once the principal or designee has been 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, and

- Cooperate with the DYFS when it is necessary to remove the child from his/her home for proper care and protection and when such removal results in the transfer of the child to school other than the one in which s/he is enrolled.

Legal References:

N.J.S.A. 9:6-1 et.seq.

N.J.S.A. 18A:6-7a, 10, 11, 13, 14, 18.1, 30, 30.1

N.J.S.A. 18A:25-1

N.J.S.A. 18A:25-6,7

N.J.S.A. 18A:36-19, 19a

N.J.S.A. 18A:36-24, 25

N.J.S.A. 52:17B-9.8a, et seq.

N.J.A.C. 6:3-6.1 et seq.

N.J.A.C. 6A:16-1.4(a) 21

N.J.A.C. 6A:16-10.2

Policy Adopted: November 21, 1989

Policy Revised: September 13, 2004