

COLCHESTER SCHOOL DISTRICT

POLICY: CHILD PROTECTION

DATE ADOPTED: February 22, 1995

PHILOSOPHY

Because of their sustained contact with children, school employees are in an excellent position to identify abused or neglected children and to refer them for treatment and protection.

According to Chapter 49, Subchapter 2, of VSA Title 33, any school employee, physician, or concerned person who has reasonable cause to believe a child has been abused or neglected must report their suspicions regarding this abuse in accordance with the provisions of this statute (Section 4914). Also protected under this policy are disabled adults included in Chapter 69, Subchapter 1, of VSA Title 33 (Section 6902).

DEFINITIONS

1. **Child** means an individual under the age of majority; **Disabled Adult** means a person eighteen years of age or older who has a diagnosed physical or mental impairment.
2. **Abused or neglected child** means a child whose physical health, psychological growth/development, or welfare is harmed or is at substantial risk of harm by the acts or omissions of adults responsible for the child's welfare. This definition also includes a child who is sexually abused or at substantial risk of sexual abuse by any person.
3. **Harm** is defined as: a) physical injury or emotional maltreatment; b) failure to supply the child with adequate food, clothing, shelter, or health care; and/or c) abandonment of the child. A parent or other person responsible for a child who does not provide specified medical treatment for a child because of religious beliefs shall not be considered neglectful for that reason alone.
4. **Risk of harm** means a danger that a child will be harmed by other than accidental means resulting in possible death, serious disfigurement, and/or the protracted impairment of physical health, psychological development, or the normal functioning of any bodily organ.
5. **A person responsible for a child's welfare** includes the child's parent/guardian; foster parent; any other adult residing in the home who serves in a parental role; any employee of a public or private residential home, institution or agency; or any person responsible for the child's welfare in a residential or day care setting.

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6. **Physical injury** means death, permanent or temporary disfigurement, or impairment of any bodily organ or function by other than accidental means.
7. **Emotional maltreatment** means malicious behavior which results in impaired psychological growth and development.
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 sexual conduct.
9. **Multi-disciplinary team** means a group of professionals, para-professionals, and/or other appropriate individuals who gather for the purpose of assisting in the identification and investigation of cases of child abuse and neglect, coordinating treatment services for abused and neglected children and their families, and promoting child abuse prevention.
10. **Substantiated report** means that an investigation has determined that such a report is based upon accurate and reliable information which would lead a reasonable person to believe that the child has been abused or neglected.

CHILD PROTECTION TEAMS

Each school will organize and maintain a Child Protection Team. Such teams will include but not be limited to a building administrator, nurse, guidance counselor, the child's teacher and the reporting person if he/she is not a regular member of this team. Minutes of each team meeting will be taken and maintained in a confidential file within the school. A copy of these minutes, stamped CONFIDENTIAL, will also be sent to the Central Office administration.

REPORTING PROCEDURES

In reporting a case of suspected child abuse or neglect, district procedures do not negate any employee's right or responsibility to make an independent, confidential report to SRS. A Child Protection Team cannot substitute its judgment for that of the reporter. If the Child Protection Team does not make a report to SRS, any employee who has reasonable cause to believe that a child has been abused or neglected retains the right and responsibility to make such a report. In accordance with Section 4913 of VSA Title 33, Chapter 49: "Any person who makes a report to SRS shall be immune from any civil or criminal liability which might otherwise be incurred as imposed." District procedures for reporting abuse and/or neglect include:

1. The employee reports the suspected case of abuse or neglect to the principal and the chair of the school's Child Protection Team.
2. In consultation with other members of the Child Protection Team, the employee considers whether there is reasonable cause for suspicion of neglect or abuse. SRS may be consulted regarding "reasonable cause" before any reporting decision is made.

3. The chair of the school's Child Protection Team and/or a team designee will make an oral report to the Department of Social and Rehabilitative Services within 24 hours if there is a reasonable cause for suspicion of abuse or neglect. The Central Office administration will be notified when such a report is made.
4. Reports to SRS will include the following information:
 - Name and address of reporter/team representative.
 - Name, address, and age of child.
 - Name and address of parents or other persons responsible for the child's care.
 - The nature and extent of the child's injuries together with any evidence of previous abuse or neglect of the child or sibling.
 - Any other information that might be useful in protecting the child and in establishing the cause of the injuries or reasons for the neglect.
5. It is not the responsibility of the Child Protection Team or other school employees to investigate or prove that any child has been abused or neglected, or to determine whether the child is in need of protection. Any person who fails to report a case of suspected child abuse or neglect as required by law, however, may be fined not more than \$500.

STAFF TRAINING

The Child Protection Team of each school is responsible for orienting its respective staff members to the provisions of this policy. This team will also serve as a resource in preventing child abuse or neglect by consulting with school employees regarding the identification of abuse/neglect and our district procedures for reporting such abuse or neglect.

COMMUNITY AWARENESS

Community members will be informed of the Colchester School District policy on child protection through school handbooks, newsletters, parent meetings, and/or other documents disseminated by the district. Both the district office and individual schools will maintain copies of Title 33 Vermont Statutes Annotated in their respective offices accessible to community members.