

Southwest Vermont Regional Technical School District	<b>Child Abuse and Neglect</b>	Policy #5005C
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It is the policy of the Southwest Vermont Regional Technical School District to implement the mandates under 33 V.S.A. § 4913, protect children whose health and welfare may be jeopardized by abuse and neglect, and to ensure that school district employees meet their legal reporting obligations under 33 V.S.A. § 4913. It is further the purpose this policy to make clear to school district employees that it is not their role to be the 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.

**1. Requirements:**

- ! Any school district employee, regardless of whether he or she is a "mandated reporter", shall report suspected child abuse or neglect to the Director or his or her designee. If the Director or designee is the person suspected of child abuse or the person who suspects the abuse or neglect, a report should be made to the Superintendent.
- ! Any school district employee who is a "mandated reporter" (as defined below), in addition to reporting such suspected abuse or neglect to the principal, shall immediately report the suspected abuse or neglect to the Vermont Department for Children and Families [DCF] at 442-8138. School district employees who are not "mandated reporters" should also report suspected abuse or neglect to DCF, or cause such a report to be made.
- ! Upon receiving a report, the Director or designee, as the case may be, shall remind any mandated reporter of his or her legal responsibility to further report immediately to DCF.

**2. Training**

All staff shall receive training in reporting suspected child abuse or neglect. Such training shall include assistance in recognizing the signs and symptoms of abuse and neglect.

**3. Availability of this Policy**

This policy shall be provided each year to the parents of students in attendance and to each employee of the school district, including substitute teachers. Further, this policy shall be posted in at least one prominent place within each school building.

**4. Definitions:**

- a. The Vermont **Department for Children and Families** [DCF] is the agency of the State of Vermont charged with receiving reports of suspected child abuse or neglect, 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.
- b. **Mandated Reporter** means a school superintendent, school teacher, school librarian, day care worker, school principal/director, school guidance counselor, registered nurse, licensed practical nurse, psychologist, and any other health care provider, mental health professional, social worker,

probation officer, police officer, physician, surgeon, osteopath, chiropractor, physician's assistant, resident physician, intern, hospital administrator, medical examiner, dentist, camp owner, camp administrator, or camp counselor, and member of the clergy.

c. **Immediately** means as soon as the abuse or neglect is suspected but in no case later than twenty-four (24) hours after such abuse or neglect is suspected.

d. **Suspected** means the school district employee has reasonable cause to believe such abuse or neglect occurred. This does not mean that the employee must be convinced the abuse or neglect occurred; only that it might have occurred. Any doubts the employee may have shall be resolved in favor of reporting the suspicion. Further, the employee shall not refrain from making a report under this policy for the reason that there may be retaliation against the child, the employee has a confidential relationship with the child, or for any other reason no matter how well intentioned.

e. **Report** means an oral or written description of the suspected abuse or neglect. If the report is made orally, the reporter should make a written notation of the person to whom the report was made and when the report was made. A report made to DCF shall contain the following: (1) the name and address of the reporter; (2) the name and address, if any, of the child and the child's parents or other person responsible for the child's care; (3) the age of the child; (4) the nature and extent of the child's injuries, together with any evidence of previous abuse or neglect of the child or the child's siblings; and (5) any other information the reporter believes might be helpful.

f. **Abused or neglected child** means a child under the age of eighteen (18) whose physical health, psychological growth and development, or welfare is harmed or is at substantial risk of harm by the acts or omissions of the child's parent or other person, who may be responsible for the child's welfare (e.g., guardian, foster parent, step parent, teacher, etc.). An "abused or neglected child" also means a child who is sexually abused or is substantially at risk of sexual abuse, by any person. Harm can occur by physical injury or emotional maltreatment, by allowing such harm to occur, by failing to provide a child with adequate food, clothing, shelter or health care, or by abandonment of the child.

g. **Sexual abuse** means any act 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, or other presentation which, in whole or in part, depicts sexual conduct, sexual excitement or sadomasochistic abuse involving a child. **Note: Behavior which constitutes Sexual Abuse may also be Sexual Harassment. However, following the district's policy on Sexual Harassment [#5002C] does not fulfill a Mandated Reporter's Legal Responsibilities under DCF reporting law. Suspected Sexual Abuse must be reported to DCF.**

h. **Emotional Maltreatment** means a pattern of malicious behavior, which results in impaired psychological growth and development.

i. **Risk of harm** means a significant danger that a child will suffer serious harm other than by accidental means, which harm would be likely to cause physical injury, neglect, emotional maltreatment or sexual abuse.

**Legal Reference:**

33 V.S.A. § 4913

	Date Warned	Date Adopted	Replaces Policy
Southwest Vermont Regional Technical School District	2/21/05	3/15/2005	SVSU 5005