

CHILD ABUSE PROCEDURES

These procedures provide direction for public school personnel to report allegations of child abuse to the Division of Youth and Family Services (DYFS) and to cooperate with the investigation of such allegations.

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 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. However, notice to the principal or designee need not be given when the person believes that such notice would be likely to endanger the referrer or child involved or when the person believes that such disclosure would be likely to result in retaliation against the child or in discrimination against the referrer with respect to his or her employment.

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; and

Any other pertinent information that the referrer believes may be relevant with respect to the child and/or to 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 as follows:

In person or by telephone to the local DYFS office weekdays between 9:00 a.m. and 5:00 p.m. at 201-996-8900; weekends, holidays, or after hours at 1-800-792-8610.

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Institutional Child Abuse – abuse alleged to have taken place in a school or other institutional setting by school personnel, compensated and uncompensated (volunteer), should be reported as follows:

In person or by telephone to the Institutional Abuse Investigation Unit (IAIU) weekdays between 9:00 a.m. and 5:00 p.m. at 1-609-292-0617; weekends, holidays, or after hours at 1-800-792-8610.

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 he or she 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 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. 6:3-2, all pupil 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).

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).

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“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 year, or both” (N.J.S.A. 9:6-8.10b.).

Permit the DYFS to physically remove pupils from school during the course of a 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 8.20; and

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

AUTHORITY: N.J.S.A. 18A:1.1, 18A:4-15, 18A:6-10 et seq., 18A:25-1, 18A:25-6, 18A:36-19 and N.J.S.A. 9:6-3.1, 9:6-8.9, 9:6-8.10, 9:6-8.13, 9:6-8.14, 9:6-8.21, 9:6-8.40, 9:6-8.72a, N.J.A.C. 6:3-5.1 et seq. and N.J.A.C. 10:129-2.1

Adopted: September 11, 1987
Revised: January 22, 1990
Renumbered: 07/12/04 (8462-R)