

CHILD ABUSE AND NEGLECT REPORTING

Reporting Requirement

Every employee of the Mathews County School Board who, in his professional or official capacity, has reason to suspect that a child is an abused or neglected child, in compliance with the Code of Virginia § 63.2-1509 et seq. shall immediately report the matter to

- the local department of social services where the child resides or where the abuse or neglect is believed to have occurred;
- to the Virginia Department of Social Services' toll-free child abuse and neglect hotline; or
- to the person in charge of the school or department, or his designee, who shall make the report forthwith to the local or state agency. The person making the report to the local or state agency must notify the person making the initial report when the report of suspected abuse or neglect is made to the local or state agency, and of the name of the individual receiving the report, and must forward any communication resulting from the report, including any information about any actions taken regarding the report, to the person who made the initial report.

Notice of Reporting Requirement

The School Board posts in each school a notice that

- any teacher or other person employed there who has reason to suspect that a child is an abused or neglected child, including any child who may be abandoned, is required to report such suspected cases of child abuse or neglect to local or state social services agencies or the person in charge of the relevant school or his designee; and
- all persons required to report cases of suspected child abuse or neglect are immune from civil or criminal liability or administrative penalty or sanction on account of such reports unless such person has acted in bad faith or with malicious purpose. The notice shall also include the Virginia Department of Social Services' toll-free child abuse and neglect hotline.

Complaints of Abuse and Neglect

The School Board and the local department of social services have adopted a written interagency agreement as a protocol for investigating child abuse and neglect reports, including reports of sexual abuse of a student. The interagency agreement is based on recommended procedures for conducting investigations developed by the Departments of Education and Social Services.

Adopted: July 21, 2015

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:7.A, 22.1-291.3, 63.2-1509, 63.2-1511.

Cross Refs.: JFHA/GBA Prohibition Against Harassment and Retaliation
 GBLA Third Party Complaints Against Employees

REPORTING CHILD ABUSE OR NEGLECT

A. Definitions

An abused or neglected child is one who is less than 18 years of age and whose parent or other person who is responsible for his/her care.

1. Creates or inflicts, threatens to create or inflict, or allows to be created or inflicted a physical or mental injury made by other than accidental means, or creates a substantial risk of death, disfigurement, impairment of bodily or mental functions;
2. Neglects or refuses to provide care necessary for the child's health, unless the child is, in good faith, under treatment solely by spiritual means through prayer, according to the practice of a recognized church or denomination;
3. Abandons the child;
4. Commits or allows to be committed any sexual act in violation of the law;
5. Who is without parental care or guardianship caused by the unreasonable absence or the mental or physical incapacity of the person who is responsible for the child; or
6. Creates a substantial risk of physical or mental injury knowingly leaving the child alone in the same dwelling with a person to whom the child is not related by blood or marriage and who the parent or other person responsible for the child's care, knows the person has been convicted of an offense against a minor for which registration is required as a violent sexual offender.

B. School Personnel: Responsibility/Immunity

Although all individuals who witness an alleged child abuse or neglect incident are urged to report it, teachers or any other persons employed in a public school are required to report such incidents. All persons making reports shall be immune from any civil or criminal liability in connection therewith, unless it is proven that such person acted in bad faith or with malicious intent. The referral form and name of the complainant will be considered confidential information unless the court directs it to be otherwise. School personnel shall cooperate with the Coordinator of Child Protective Services. Any person required to make a report of investigation may talk to any child suspected of being abused or any of his/her siblings without consent of his/her parent or guardian.

C. Procedures

In reporting suspected child abuse and neglect, the following procedures should be followed:

1. Suspected child abuse/neglect cases should be reported to the principal or a designee; who shall make such report forthwith. The principal may also request assistance from the visiting teacher, nurse or other personnel as appropriate.
2. The principal or designee shall contact a Child Protective Service worker at the Mathews Department of Social Services. After hours, the call should be made directly to **804-725-7177 or the Child Abuse and Neglect Hotline at 1-800-552-7096.**
 - A. The Mathews Department of Social Services handles all local cases.
 - B. The reporter should give his/her name and phone number. He/she should also be prepared to give the child's name, address, birth date, caretaker's name, alleged abuser's name and any other pertinent information requested.
 - C. Complainant's name shall be confidential unless the court directs otherwise.
 - D. The Department of Social Services shall make every effort to be readily accessible to the school. Timely feedback will be given whenever possible.
3. School personnel shall cooperate with the Child Protective Service worker in the detection and prevention of abuse/neglect. This cooperation includes permission for the Social worker to interview the child at school without the presence of school personnel. If appropriate the worker may request the presence of school personnel.

D. Complaints Involving School Personnel

When the Department of Social Services receives a report of suspected abuse or neglect of a child by any school personnel in the course of his/her employment, the following procedures will be followed:

1. The Department of Social Services shall notify the administrator (or other official designee) of the employee's school. In the event that the administrator is the subject of the complaint, contacts should be initiated through the Division Superintendent (or designee).
2. Upon receipt of notification of a complaint against school personnel, the administrator or other official designee of the employee's school should inform the Division Superintendent.

3. The administrator or other official designee shall inform the alleged abuser that he/she has the right to involve a representative of his/her choice to be present during the interviews.
4. The Department of Social Services will immediately investigate a complaint pursuant to *Section 63.2-1503, 63.2-1505 and 63.2-1516.1 of the Code of Virginia*. A disposition will be made by the protective services staff involved within 45-60 days of the receipt of the complaint.
5. Designated school officials (administrator or superintendent) are encouraged to participate in the investigative process initiated by the Department of Social Services.
6. In all cases, the Child Protective Services worker shall notify the alleged abuser/neglector and the Division Superintendent in writing of the findings and any recommendations for corrective action.
7. In founded cases, the Social Services workers shall forward a written notification of the findings to the following:
 - the Division Superintendent;
 - the school administrator of the employee's school;
 - the parents/guardian of the child; and
 - the Superintendent of Public Instruction, Virginia Department of Education.

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Amended: August 16, 1994
Amended: April 23, 1998
Amended: August 2000
Amended: October 17, 2000
Amended: October 20, 2015

Legal Ref.: Code of Virginia, 63.2-100, Section 63.2-1503, Section 63.2-1505, Section 63.2-1516.01, Section 63.2-1516.1 and Section 63.2-1512.