

REPORTING CHILD ABUSE OR NEGLECT

1. Statutorily Mandated Reporting – All Persons.

Under New Hampshire law (RSA 169-C:29), every person who has “reason to suspect” that a child has been abused or neglected is required to report that suspicion to DCYF (Division of Children, Youth and Families of the New Hampshire Department of Health and Human Services) or directly to the police. Under RSA 169-C:30, the initial report “shall be made immediately via telephone or otherwise.”

The requirement to report is not dependent on whether there is proof of the abuse or neglect, nor is it dependent upon whether the information suggests the abuse or neglect is continuing or happened in the past. Any doubt regarding whether to report should be resolved in favor of reporting. Failure to report may be subject to criminal prosecution, while a report made in good faith is entitled to both civil and criminal immunity. Additionally, a “credential holder”, as defined in New Hampshire Department of Education Rule 501.02(h), who fails to report suspected abuse or neglect risk having action taken by the New Hampshire Department of Education against his/her credential. See N.H. Code of Conduct for Educators, Ed. 510.05 (e).

The report should contain:

- a. the name and address of the child suspected of being abused or neglected,
- b. the person responsible for the child's welfare,
- c. the specific information indicating neglect/abuse or the nature and extent of the child's injuries (including any evidence of previous injuries),
- d. the identity of the person or persons suspected of being responsible for such neglect or abuse; and
- e. any other information that might be helpful in establishing neglect or abuse.

To report child abuse or neglect to DCYF, call 24/7 (800) 894-5533 (in-state) or (603) 271-6562. In cases of current emergency or imminent danger, call 911.

2. Additional provisions relating to school employees, volunteers and contracted service providers.

Each school employee, designated volunteer or contracted service provider having reason to suspect that a child is being or has been abused or neglected must also immediately report his/her suspicions to the building Principal or other building supervisor. This initial report may be made orally, but must be supplemented with a written report as soon as practicable after the initial report, but in no event longer than one calendar day.

1. Request for Assistance in Making Initial Report.

The initial report to the Principal/building supervisor may be made prior to the report to DCYF/law enforcement, but only if:

- (a) the initial report is made for the purpose of seeking assistance in making the mandated report to DCYF/law enforcement, and
- (b) reporting to the Principal, etc. will not cause any undue delay (measured in minutes) of the required report to DCYF/law enforcement.

When receiving a request for assistance in making a report, the Principal or other person receiving the request is without authority to assess whether the report should be made, nor shall he/she attempt in any way to dissuade the person from making the legally mandated report. Once the Principal/building supervisor receives the information, the law would impose a reporting requirement upon both the original reporter and the Principal.

2. Principal's Action upon Receiving Report.

Upon receiving the report/request from the employee, volunteer or any other person, the Principal/building supervisor shall immediately assure that DCYF/law enforcement is or has been notified, and then notify the Superintendent that such a report to DCYF has been made.

A written report shall be made by the Principal to the Superintendent within twenty-four (24) hours, with a copy provided to DCYF if requested. The report shall include all of the information included in the initial oral report, as well as any other information requested by the Superintendent, law enforcement or DCYF.

3. Requirements for Reporting of Other Acts.

Employees/contract providers are also reminded of the requirements to report any act of "theft, destruction, or violence" as defined under RSA 193-D:4, I (a), incidents of "bullying" per Board Policy *JICBB*, and hazing under RSA 671:7. See also Board Policy *GBEBA*. A single act may simultaneously constitute abuse, bullying, hazing, and/or an act of theft, destruction or violence.

3. Signage and Notification.

The Superintendent is directed to assure that the Principal or administrator of each school shall post a sign within the school that is readily visible to students, in the form provided by the, Division for Children, Youth, and Families, that contains instructions on how to report child abuse or neglect, including the phone number for filing reports and information on accessing the Division's website. Additionally, information pertaining to the requirements of section A of this policy shall be included in each student handbook or placed on the district's website.

4. Training Required.

The Superintendent shall assure that all District employees, designated volunteers and contracted service providers receive training (in-person or online) upon beginning service

with the District, with annual refreshers thereafter, on the mandatory reporting requirements, including how to identify suspected child abuse or neglect.

Legal References:

NH Code of Administrative Rules, Ed 306.04(a)(10), Reporting of Suspected Abuse or Neglect

NH Code of Administrative Rules, Code of Conduct for NH Educators, Ed 510.05(e), Duty to Report

RSA 169-C, Child Protection Act

RSA 169-C:29-39, Reporting Law

RSA 189:72, Child Abuse or Neglect Information

RSA 193-D:4, Safe School Zones, Written Report Required

First Reading: September 4, 2019

Second Reading & Approval: October 2, 2019