



Book Policy Manual  
 Section Series 5000 Students  
 Title Missing, Abused and Neglected Children  
 Code 5141. 4  
 Status First Reading  
 Adopted August 17, 2006  
 Last Revised November 2, 2017

**BRICK TOWNSHIP BOARD OF EDUCATION  
 Policy**

X	Monitored
X	Mandated
	Other Reasons

MISSING, ABUSED AND NEGLECTED CHILDREN

The Brick Township Board of Education believes that a child's physical and mental wellbeing must be maintained as a prerequisite to the achievement of the New Jersey Student Learning Standards. The board therefore believes that it is important to identify and investigate suspected incidents involving missing, abused and neglected children immediately. The school district will cooperate with the New Jersey Division of Child Protection and Permanency (DCP&P) and law enforcement authorities in identifying and reporting all such cases, whether institutional or noninstitutional.

In order to increase awareness of the symptoms of missing, abused and neglected children and cause them to be better informed on all aspects of abuse and neglect. The board directs the superintendent to provide information and inservice training on these subjects to all school employees. Specifically this training shall include information on the district's policies and procedures for reporting allegations of missing, abused, or neglected child situations. All new employees, volunteers and interns shall receive the required information and training as part of their orientation.

Liaisons to DCP&P and Law Enforcement Authorities

The superintendent shall designate a staff member or staff members who shall act as liaison between DCP&P and the district. The liaison shall facilitate communication and cooperation between the district and/or the school and DCP&P and act as primary contact between the schools and DCP&P.

The superintendent shall also designate a staff member or staff members who shall act as liaison between law enforcement authorities and the district. The liaison shall facilitate communication and cooperation between the district and law enforcement authorities and act as primary contact between the school and law enforcement.

Reporting Procedures

In accordance with law (N.J.S.A., 9:6-8.10; P.L. 2019, c. 40), any person having reasonable cause to believe that a child has been subjected to child abuse, including sexual abuse, or acts of child abuse shall report the same immediately to the Division of Child Protection and Permanency by telephone or otherwise. Such reports, where possible, shall contain the names and addresses of the child and his/her parent, guardian, or other person having custody and control of the child and, if known, the child's age, the nature and possible extent of the child's injuries,

abuse or maltreatment, including any evidence of previous injuries, abuse or maltreatment, and any other information that the person believes may be helpful with respect to the child abuse and the identity of the perpetrator.

The superintendent is directed to develop procedures for compliance with statutory requirements that suspected incidents of potentially missing, abused and neglected children be reported. The following procedures shall apply:

- A. All staff members, volunteers and interns having contact with pupils are required to report directly and immediately to DCP&P all incidents of alleged missing, abused and neglected children. The person having reason to believe that a child may be missing or may have been abused or neglected may inform the principal or other designated school officials prior to notifying DCP&P if the action will not delay immediate notification. Employees, volunteers and interns shall not be required to obtain confirmation by another person to report a suspected missing, abused or neglected child situation;
- B. The person notifying DCP&P shall inform the principal or other designated school officials of the notification, if this was not done prior to notifying DCP&P. The principal or other school designated school officials should not be given this notification if the person making the notification believes that it would likely endanger the reporter or student involved or result in retaliation against the student or in discrimination against the reporter with respect to his or her employment;
- C. The principal shall notify the law enforcement authorities of incidents of potentially missing, abused, or neglected child situations. Law enforcement authorities shall be notified about all reports by employees, volunteers, or interns working in the school district. Procedures for the notification of the law enforcement authority shall consistent with the district Memorandum of Agreement (see board policy 1410 Local Units);
- D. The principal shall ensure that all involved staff cooperate with DCP&P and law enforcement authorities in all investigations of potential missing, abused, or neglected children including facilitating:
  1. Accommodations permitting investigators to interview the student in the presence of the school principal or other designated school official. If the student is intimidated by the presence of the school representative, the student shall be requested to name an employee, volunteer, or intern he or she feels will be supportive to be present during the interview;
  2. Interviews by scheduling time with any employee, volunteer, or intern who may have information relevant to the investigation;
  3. The release of all records of the student who is the subject of the investigation that are deemed relevant to the assessment or treatment of a potentially missing, abused, or neglected child;
  4. The maintenance, security, and release of all confidential information about potential missing, abused, or neglected child situations;
  5. The release of the student to child welfare authorities while school is in session when it is necessary to protect the student or take the student to a service provider. This removal shall take place only after the principal or his or her designee has been provided, either in advance or at the time removal is sought, with appropriate documentation that DCP&P has already removed, or has appropriate authority to remove, the student from his or her home;
  6. The transfer to another school of a student who has been removed from his or her home by DCP&P for proper care and protection (see board policy 5118.2 Foster Care and Educational Stability).

Any person who knowingly violates the reporting requirements and fails to report an act of child abuse having reasonable cause to believe that an act of child abuse has been committed, is a disorderly person.

Any person who knowingly fails to report an act of sexual abuse against a child and who has reasonable cause to believe that an act of sexual abuse has been committed is guilty of a crime of the fourth degree which carries a term of imprisonment for up to 6 months, a fine of up to \$1,000, or both (N.J.S.A. 9:6-8.14; P.L. 2019, c. 40).

#### Due Process

Due process rights will be provided to school personnel, volunteers or interns who have been reassigned or suspended as a result of an accusation of child abuse or neglect. Temporary reassignment or suspension of an employee, volunteer or intern named as a suspect in an act of child abuse or neglect shall occur if there is reasonable cause to believe that the life or health of the alleged victim or other student is in jeopardy due to continued contact between the employee, volunteer or intern and a student.

#### Records

All information regarding allegations of potentially missing, abused, or neglected children reported to authorities about an employee, volunteer, or intern working in the school district shall be considered confidential and may be disclosed only as required to cooperate in investigations. Records pertaining to such information shall be maintained in a secure

location separate from other employee personnel records and accessible only to the school district superintendent or his or her designee

All references to a notification to the designated DCP&P of a potential missing, abused, or neglected child situation involving a school district employee shall be removed from employee personnel records immediately following the receipt of an official notice from DCP&P that such allegations were unfounded.

#### Suicide Reporting

The board is committed to supporting State efforts to improve the information available to both professionals, who are in contact with youth at risk of suicide, and families at risk; identify and provide suitable intervention services to reduce the incidence of suicide; and educate youths and families at risk about the resources available for suicide prevention and intervention about youths who attempt suicide.

Therefore, in compliance with law ([N.J.S.A. 30-9A-24](#) and [N.J.A.C. 6A:11-1](#)) school district employees, volunteers, or interns with reasonable cause to suspect or believe that a student has attempted or completed suicide, shall report the information to the Department Children and Families. The information shall be reported in the form and manner prescribed by the Department Children and Families.

The information contained in the report to Department Children and Families shall not be considered a public record, but the division may aggregate the data for the purpose of preparing an annual report. The reporter shall not be required to identify the student or youth by name or other unique identifier, but may be required to supply non-identifying demographic information about the student or youth, other attempts made by the student or youth and the response or referral made to deal with the incident.

Any person who reports an attempted or completed suicide shall have immunity from any civil or criminal liability on account of that report, unless the person has acted in bad faith or with malicious purpose.

#### Protection from Reprisal or Retaliation

The board assures all school personnel and volunteers that no one will be discharged from employment or discriminated against in any way as a result of making in good faith any reports of child abuse and neglect. Reprisal or retaliation against any person who, in good faith, reports or causes a report to be made of a potential missing, abused or neglected child situation is prohibited.

Staff members, volunteers or interns shall not be required to disclose, or be penalized for the failure to disclose, any information which would be privileged according to law ([N.J.S.A. 2A:84A-18 through -23](#)).

#### Key Words

Student Safety, Child Abuse, Child Neglect, Student Safety

## Legal

N.J.S.A. 9 6-1: Abuse, abandonment, cruelty and neglect of child; what constitutes

N.J.S.A. 9 6-3.1: Suspension; due process rights; remedial plan

N.J.S.A. 9 6-8.9 et seq: "Abused child" defined

N.J.S.A. 9 6-8.21: Definitions.

N.J.S.A. 9 6-8.27: Temporary removal with consent.

N.J.S.A. 9 6-8.34: Persons who may originate proceedings

N.J.S.A. 9 6-8.40: Records involving abuse or neglect.

N.J.S.A. 9 6-8.46: Evidence.

N.J.S.A. 9 6-8.56: Probation supervision

N.J.S.A. 9:6-8.10 Report of child abuse

N.J.S.A. 9:6-8.14 Violations including failure to make report

N.J.S.A. 18A 6-7a: Alleged child abuse, neglect by school employee; no use if unfounded

N.J.S.A. 18A 6-10: Dismissal and reduction in compensation of persons under tenure in public school system

N.J.S.A. 18A 6-11: Written charges, statement of evidence; filing; statement of position by employee; certification of determination; notice.

N.J.S.A. 18A 25-1 Transfer of teaching staff members

N.J.S.A. 18A 25-6 Suspension of assistant superintendents, principals and teachers

N.J.S.A. 18A 25-7 Meeting which could adversely affect employment; right to notice and representation

N.J.S.A. 18A 36-19 Pupil records; creation, maintenance and retention, security and access; regulations; nonliability

N.J.S.A. 18A 36-19a Student records

N.J.S.A. 18A 36-24 Missing children; legislative findings and declarations

N.J.S.A. 52 17B-9.8a: "Missing child" defined

N.J.A.C. 6A 16-5.1 School safety and security plans

N.J.A.C. 6A 16-11.1 Adoption of policies and procedures

N.J.A.C. 6A 32-7.1 et seq General considerations

Last Modified by Sandra Beyer on April 4, 2019