



SECTION J: Students

JLF-O Employee Mandatory Reporting

Effective:

7/21/2016

JLF-O Employee Mandatory Reporting

Any CEC school official or employee who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect, as defined by statute, shall immediately upon receiving such information report or cause a report to be made to the appropriate county department of social services or local law enforcement agency. It is a class 3 misdemeanor in Colorado for a mandated reporter to fail to report suspected child abuse or neglect or knowingly makes a false report and is punishable under law.

Reports of child abuse or neglect, the name and address of the child, family or informant or any other identifying information in the report shall be confidential and shall not be public information. The Head of School shall provide periodic in-service programs for all teachers in order to provide them with information about the Child Protection Act, to assist them in recognizing and reporting instances of child abuse and to instruct them on how to assist victims and their families.

All CEC mandated reporters are required to take the Colorado Department of Human Services Mandatory Reporter Training for Educators at <http://www.coloradocwts.com/mandated-reporter-training> and provide a copy of the electronic certificate to your immediate supervisor.

CEC employees and officials shall not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of the school official or employee to prove that the child has been abused or neglected.

The Colorado Child Abuse and Neglect Hotline, 1-844-CO-4-Kids or 1-844-264-5437

Reporting Requirements

Any staff member who has reasonable cause to know or suspect that any child is subjected to abuse or to conditions that might result in abuse or neglect must immediately upon receiving such information report such fact to the El Paso County Department of Human Services or local law enforcement. The reporter must complete JLF-R-Form within 24 hours of calling CDHS or law enforcement. The original report is then to be placed in a sealed envelope (marked confidential) and given to the school health consultant/nurse to keep and maintain for records.

In cases where the suspected or known perpetrator is a staff member, the reporter shall notify his or her Head of School/supervisor immediately and together they will make the report to law enforcement. In addition, the Head of School/supervisor shall contact the Nurse, CEC Administrator and HR as soon as possible.

The ultimate responsibility for seeing that the oral and written reports are made to social services or law enforcement agencies lies with the staff member who had the original concern.

Contents of The Report

The following information that can be found in the student information system should be included to the extent possible in the initial report without conducting an interview:

- a) name, age, address, sex and race of the child;
- b) name and address of the child's parents, guardians and/or persons with whom the student lives;
- c) name and address of the person, if known, believed responsible for the suspected abuse or neglect;
- d) the nature and extent of the child's injury or condition;
- e) any evidence, if known, of previous instances of known or suspected abuse or neglect of the child or the child's siblings;
- f) the family composition, if known; and
- g) any other information that might be helpful in establishing the cause of the injuries or the condition observed.

It is helpful if the person reporting suspected abuse/neglect is prepared to give documentation. Noting details of observations is important. The Department of Human Services may request information about the needs of the child and/or the family.

After Filing Reports

After the report is made to the agency, staff members will cooperate with social services and law enforcement in the investigation of alleged abuse or neglect. The school will report any further incidents of abuse to the agency's representative.

Once a report of child abuse is given to the agency, the responsibility for investigation and follow-up lies with the agency. It is not the responsibility of the school staff to investigate the case.

Social Services/law enforcement will direct the course of the investigation, including where the interview will be conducted, whether or not the parents will be informed, and whether school personnel may be present at the interview. Law enforcement may remove the child from the school for the interview and may take custody.

The school staff will not engage in the following activities:

- a) Make home visits for investigative purposes.
- b) Take the child for medical treatment. (This does not preclude taking action in an emergency situation.)
- c) Convey messages between the agency and the parents/guardian.

School personnel must require identification from individuals conducting the investigation. Authorized school and network personnel may make available to agency personnel assigned to investigate instances of child abuse the health or other records of a student for such investigative purposes.

Guidelines for Consideration

- a) If any school staff member has questions about reasonable cause of child abuse and the need for making a report, the employee may consult with his or her supervisor.
- b) Consultation with another school staff member will not absolve a mandatory reporter of the responsibility for reporting child abuse.
- c) In an emergency situation requiring retention of the child at the school building due to fear that if released the child's health or welfare might be in danger, only law enforcement officials have the legal authority to hold a child at school. Otherwise a court order must be obtained to legally withhold a child from his or her parent or guardian.

Legal Refs:

- C.R.S. § 19-1-103 (1) (definition of child abuse or neglect)*
- C.R.S. § 19-3-102 & 103 (definition of neglected or dependent child)*
- C.R.S. §§ 19-3-304 (persons required to report abuse)*
- C.R.S. § 19-3-307 (reporting procedures)*
- C.R.S. § 19-3-309 (immunity from liability for persons reporting)*
- C.R.S. § 22-32-109(1)(z) (providing in-service for teachers)*

Forms:

JLF-R Mandatory Reporting Form