SHIPMAN

Series 4000
Personnel

REPORTS OF SUSPECTED ABUSE OR NEGLECT OF ADULTS WITH AN INTELLECTUAL DISABILITY OR AUTISM SPECTRUM DISORDER

Section 46a-11b of the Connecticut General Statutes requires that certain school personnel report any suspected abuse or neglect of persons between eighteen (18) and sixty (60) years of age who: 1) have an intellectual disability or 2) receive funding or services from the Department of Social Services' ("DSS") Division of Autism Spectrum Disorder Services. In furtherance of this statute and its purpose, it is the policy of the _____ Board of Education (the "Board") to require ALL EMPLOYEES of the Board to comply with the following procedures in the event that, in the ordinary course of their employment or profession, they have reasonable cause to suspect that a person with an intellectual disability or an individual receiving funding or services from DSS' Division of Autism Spectrum Disorder Services between eighteen (18) and sixty (60) years of age has been abused or neglected.

1. Scope of Policy

This policy applies not only to employees who are required by law to report suspected abuse and/or neglect of adults with intellectual disabilities, but also to ALL EMPLOYEES of the Board.

2. Definitions

For the purposes of this policy:

"Abuse" means the willful infliction of physical pain or injury or the willful deprivation by a caretaker of services which are necessary to the person's health or safety.

"Neglect" means a situation where a person with an intellectual disability either is living alone and is not able to provide for himself or herself the services which are necessary to maintain his or her physical and mental health, or is not receiving such necessary services from the caretaker.

"Statutorily Mandated Reporter" means an individual required by Conn. Gen. Stat. Section 46a-11b to report suspected abuse and/or neglect of adults with intellectual disabilities. In the public school context, the term "statutorily mandated reporter" includes teachers, school administrators, school guidance counselors, paraprofessionals, licensed behavior analysts, registered or licensed practical nurses, psychologists, social workers, licensed or certified substance abuse counselors, mental health professionals, physical therapists, occupational

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therapists, dental hygienists, speech pathologists, and licensed professional counselors.

3. Reporting Procedures for Statutorily Mandated Reporters

If a statutorily mandated reporter has reasonable cause to suspect or believe that any person with an intellectual disability, or any individual who receives funding or services from DSS' Division of Autism Spectrum Disorder Services, between eighteen (18) and sixty (60) years of age has been abused or neglected, the mandated reporter shall, as soon as practicable, but not later than forty-eight (48) hours after having reasonable cause to suspect abuse or neglect, make an oral report to:

Abuse Investigation Division
Department of Developmental Services ("DDS")
460 Capitol Avenue
Hartford, Connecticut 06106
Telephone: 1-844-878-8923

An unsuccessful attempt to make an initial report to DDS on the weekend, holiday, or after business hours shall not be construed as a violation of this policy or applicable law if the mandatory reporter makes reasonable attempts to make such report as soon as practicable after the initial attempt. For purposes of this policy, "reasonable attempts" means documented efforts to contact DDS by phone, electronic mail or in person.

The statutorily mandated reporter shall also immediately notify the Superintendent.

Such initial oral report shall be followed by a written report to the Abuse Investigation Division of DDS not later than five calendar days after the initial oral report was made, and a copy of any written report shall be given to the Superintendent.

4. Reporting Procedures for Non-Statutorily Mandated Reporters

The following procedures apply only to employees who are not statutorily mandated reporters, as set forth above.

a) If an employee who is not a statutorily mandated reporter has reasonable cause to suspect that any person with an intellectual disability, or any individual who receives funding or services from the DSS' Division of Autism Spectrum Disorder Services, between eighteen (18) and sixty (60) years of age has been abused or neglected, the following steps shall be taken.

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(1) The employee shall as soon as practicable, but not later than forty-eight (48) hours after having reasonable cause to suspect abuse or neglect, make an oral report by telephone or in person to the Superintendent of Schools or his/her designee, to be followed by an immediate written report to the Superintendent or his/her designee.

(2) If the Superintendent or his/her designee determines that there is reasonable cause to suspect or believe that any person with an intellectual disability, or any individual who receives funding or services from the DSS' Division of Autism Spectrum Disorder Services, between eighteen (18) and sixty (60) years has been abused or neglected, the Superintendent or designee shall cause reports to be made in accordance with the procedures set forth for statutorily mandated reporters, set forth above.

b) Nothing in this policy shall be construed to preclude an employee from reporting suspected abuse and/or neglect of adults with intellectual disabilities, or any individual who receives funding or services from the DSS' Division of Autism Spectrum Disorder Services, directly to the Abuse Investigation Division of DDS.

5. Contents of Report

Any oral or written report made pursuant to this policy shall contain the following information, if known:

a) the name and address of the allegedly abused or neglected person;

b) a statement from the reporter indicating a belief that the person is intellectually disabled or receives funding or services from the DSS' Division of Autism Spectrum Disorder Services, together with information indicating that the person is unable to protect himself or herself from abuse or neglect;

c) information concerning the nature and extent of the abuse or neglect; and

d) any additional information that the reporter believes would be helpful in investigating the report or in protecting the person with an intellectual disability or who receives funding or services from the DSS' Division of Autism Spectrum Disorder Services.

6. Investigation of the Report

If the suspected abuser is a school employee, the Superintendent shall thoroughly investigate the report, and shall, to the extent feasible, endeavor to coordinate any

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such investigation with the investigation conducted by the Abuse Investigation Division of DDS.

The Superintendent's investigation shall include an opportunity for the suspected abuser to be heard with respect to the allegations contained within the report. During the course of an investigation of suspected abuse by a school employee, the Superintendent may suspend the employee with pay or may place the employee on administrative leave with pay, pending the outcome of the investigation.

If the investigation by the Superintendent and/or the Abuse Investigation Division of DDS produces evidence that a person with an intellectual disability, or any individual who receives funding or services from the DSS' Division of Autism Spectrum Disorder Services, has been abused by a school employee, the Superintendent and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment.

7. Delegation of Authority by Superintendent

The Superintendent may appoint a designee for the purposes of receiving and making reports, notifying and receiving notification, or investigating reports pursuant to this policy.

8. Disciplinary Action for Failure to Follow Policy

Any employee who fails to comply with the requirements of this policy shall be subject to discipline, up to and including termination of employment.

9. Non-discrimination Policy

The Board shall not discharge or in any manner discriminate or retaliate against any employee who, in good faith, makes a report pursuant to this policy, or testifies or is about to testify in any proceeding involving abuse or neglect.

Legal References:

Connecticut General Statutes:

Section 46a-11a
Section 46a-11b et seq.

ADOPTED: _____
REVISED: _____

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