

Series 5000 – Students

1. Elementary and Secondary

D. Welfare

(1) School Medical Advisor

(k) Reports of Suspected Abuse or Neglect of Mentally Retarded Adults

Scope of Regulation

This regulation applies not only to employees who are required by law to report suspected child abuse and/or neglect, but also to all employees of the Board of Education.

Definitions

For the purpose 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 mentally retarded person either is living alone or 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.

“Statutory Mandated Reporter” means an individual required by Connecticut General Statute Section 46a-11b to report suspected abuse and/or neglect of adults. In the public school context, the term “statutory mandated reporter” includes teachers, school administrators, school counselors, paraprofessionals, registered and licensed practical nurses, psychologists, social workers, licensed or certified substance abuse counselors, mental health professionals, physical therapists, occupational therapists, dental hygienists, speech pathologists and licensed professional counselors.

Reporting Procedures for Statutory Mandated Reporters

If a statutory mandated reporter has reasonable cause to suspect that any mentally retarded person between eighteen (18) and sixty (60) years of age has been abused or neglected, he/she shall, as soon as practicable, but not later than seventy-two (72) hours after having reasonable cause to suspect abuse or neglect, make an oral report to the Director of the Office of Protection and Advocacy for Persons with Disabilities. The statutory mandated reporter shall also immediately notify the Superintendent or his/her designee.

Such initial oral report shall be followed by a written report to the Director of the Office of Protection and Advocacy for Persons with Disabilities 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 or his/her designee.

Reporting Procedures for Non-Statutory Mandated Resources

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

- a) If an employee who is not a statutory mandated reporter has reasonable cause to suspect that any mentally retarded person between eighteen (18) and sixty (60) years of age has been abused or neglected, the following steps shall be taken:
 - (1) The employee shall as soon as practicable, but not later than seventy-two (72) 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 a mentally retarded person between eighteen (18) and sixty (60) years has been abused or neglected, he/she shall cause reports to be made in accordance with the procedures set forth for statutory 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 mentally retarded adults directly to the Office of Protection and Advocacy for Persons with Disabilities.

Contents of Reports

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 mentally retarded, 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 which the reporter believes would be helpful in investigating the report or in protecting the mentally retarded person.

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 such investigation with the investigation conducted by the Office of Protection and Advocacy for Persons with Disabilities.

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 Office of Protection and Advocacy produces evidence that a mentally retarded person 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.

Legal References: Connecticut General Statutes
 Section 46a-11a
 Section 46a-11b et seq

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SUFFIELD PUBLIC SCHOOLS
Suffield, Connecticut