

NJPSA EDUCATION LAW PRIMER

DIVISION OF CHILD PROTECTION AND PERMANENCY (DCP&P) –
FORMERLY DIVISION OF YOUTH AND FAMILY SERVICES (DYFS)



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Introduction

Division of Child Protection and Permanency, formerly the Division of Youth and Family Services - What you need to know

Among the highest priorities of any State is the need to protect its children from abuse or neglect. Recent reported cases have shown the failings of the system. Too often cases are not immediately reported, or, when they are reported, too often there is inadequate follow-up by agency case workers.

All of this serves to reemphasize the need for school personnel to understand their role and responsibilities when they receive reports of suspected child abuse or neglect. This primer, the purpose of which is to review the pertinent statutes, regulations and case law defining a school's responsibility when confronted with suspected child abuse, should only be used as a starting point. Ultimately, school districts must take the lead to inform and educate their personnel.

What is child abuse? What is an administrator to do upon receipt of a report of child abuse? These are among the issues this primer will address.

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Abused Child - defined

The short definition of child abuse is the unnecessary infliction of suffering or pain, mental or physical, upon a child. State of New Jersey, v. Patricia L. Hill and David Stamps 232 N.J.Super. 353 (Law Division 1989).

Statutory Definition:

N.J.S.A. 9:6-8.9 defines an “abused child” as a child under the age of 18 years whose parent, guardian, or other person having his custody and control:

- a. Inflicts or allows to be inflicted upon a child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ;
- b. Creates or allows to be created a substantial or ongoing risk of physical injury to such child by other than accidental means which would be likely to cause death or serious or protracted disfigurement, or protracted loss or impairment of the function of any bodily organ; or
- c. Commits or allows to be committed an act of sexual abuse against the child;
- d. Or a child whose physical, mental, or emotional condition has been impaired or is in imminent danger of becoming impaired as a result of the failure of his parent or guardian, or such other person having his custody and control, to exercise a minimum degree of care (1) in supplying the child with adequate food, clothing, shelter, education, medical or surgical care though financially able to do so, or (2) unreasonably inflicting or allowing to be inflicted harm, or substantial risk thereof, including the infliction of excessive corporal punishment or using excessive physical restraint under circumstances which do not indicate that the child’s behavior is harmful to himself, others or property; or by any other act of a similarly serious nature requiring the aid of the court;

- e. Or a child who has been willful abandoned by his parent or guardian, or such other person having his custody and control;
- f. Or a child who is in an institution as defined in section 1 of P.L.1974, c. 119 (C. 9:6-8.21) and (1) has been so placed inappropriately for a continued period of time with the knowledge that the placement has resulted and may continue to result in harm to the child’s mental or physical well-being or (2) has been willfully isolated from ordinary social contact under circumstances which indicate emotional or social deprivation.

Authority of DCP&P

The New Jersey Division of Child Protection and Permanency (DCP&P) is the State’s child protection and child welfare agency within the Department of Children and Families.

There are two types of investigators working for the DCP&P. The two types are the DCP&P investigators who investigate allegations of child abuse or neglect occurring in the child’s home and the Institutional Abuse Investigation Unit (IAIU) investigators who investigate allegations of child abuse and neglect in out-of-home settings such as foster homes, residential centers, schools, detention centers, etc.

The IAIU consists of a Central Administrative Office and 4 Regional Offices.

Statutory authority for DCP&P to investigate and monitor child abuse allegations appears in N.J.S.A. 9:6-8.8 to 8.98. Under N.J.S.A. 9:6-8.10, a person who has reasonable cause to believe that a child has been subjected to child abuse is required to report same immediately to DCP&P. Upon receiving such a report, DCP&P must take immediate action to protect the child and must report the matter to the child abuse registry within 72 hours. N.J.S.A. 9:6-8.11. The regulations adopted to implement the statute require DCP&P to evaluate the available information to determine whether the allegation is substantiated, not substantiated or unfounded. N.J.A.C. 10:129a-3.3(a).

When is a remediation plan required?

If the child abuse is perpetuated by a school employee and is a result of a single act, DYFS may “within 30 days” of receipt of the report request the chief school administrator to formulate a plan of remedial action that may include action to be taken with respect to the employee to ensure the health and safety of the alleged victim.

What if the alleged abuse or neglect is the result of several incidents?

If the child abuse or neglect is the result of several incidents occurring in an institution, DCP&P may, within 30 days of receipt of the report of child abuse or neglect, request that the chief school administrator make administrative, personnel or structural changes at the institution. Within 30 days of the date the division makes its request, the chief school administrator shall notify the division of the progress in complying with the terms of the division’s request. The division and the chief school administrator shall determine a time frame for completion of the term of the request.

What if a remediation plan is not implemented?

DCP&P may recommend that sanctions be imposed.

Time Frame for Remediation:

For a single act of alleged abuse occurring in an institution, within 30 days of receipt of the report of child abuse or neglect, DCP&P may request that the chief administrator of the institution formulate a plan of remedial action.

The remediation plan may include, but shall not be limited to:

Action to be taken with respect to a teacher, employee, volunteer or staff person of the institution to assure the health and safety of the alleged victim and other children at the institution and to prevent future acts of abuse or neglect.

Within 30 days of the date DCP&P requests the remedial plan, the chief school administrator shall notify DCP&P in writing of the progress in preparing the plan. The chief school administrator shall complete the plan within 90 days of the date the division requested the plan.

If the abuse or neglect is the result of several instances at the institution, then within thirty (30) days of the date on which a remediation plan

is requested, the chief school administrator shall notify DCP&P of the “progress in complying with the terms” of the request. DCP&P and the chief school administrator “shall determine” a time frame “for completion of the terms of the request.”

DCP&P’s Obligation Upon Conclusion of Investigation.

N.J.S.A. 18A:6-7a states in relevant part that:

When a complaint made against a school employee alleging child abuse or neglect is investigated by the Department of Children and Families, the department shall notify the school district and the employee of its findings.

What if the alleged abuse by the employee is determined to be unfounded?

- The school district shall remove any references to the complaint and investigation by the department from the employee’s personnel records.
- A complaint made against a school employee that has been classified as unfounded by the department shall not be used against the employee for any purpose relating to employment, including but not limited to, discipline, salary, promotion, transfer, demotion, retention or continuance of employment, termination of employment or any right or privilege relating to employment. N.J.S.A. 18A:6-7a.

The School Reporting Requirement:

N.J.S.A. 9:6-8.10 requires “any person” who has “reasonable cause” to believe that a child has been the subject of abuse to report same “immediately” to the Division of Child Protection and Permanency. This applies to anyone who is in a position to make an observation, or receive the report of an observation. Specifically, the statute states:

“Any person having reasonable cause to believe that a child has been subjected to child 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 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."

Does this apply to all school personnel?

Yes. The phrase "any person" does not have any limitation. The reporting obligation applies to paid and unpaid school personnel.

Do all school personnel have the same duty to report?

Yes. However, as there is greater expectation for school administrators to be aware of the statutory and regulatory requirements, and of school policy, they will be held to a higher standard.

Must school personnel report alleged child abuse or neglect to the building principal?

Yes, but only after the employee makes the report to DCP&P. However, if the employee believes that notifying the principal would (a) endanger the referrer or the child involved, or (b) likely result in retaliation against the child or in discrimination against the referrer with regard to his or her employment, the employee does not have to report the alleged child abuse or neglect to the principal.

What is the standard for reporting suspected child abuse or neglect?

Answer: Reasonable Cause.

Failure to Report Suspected Child Abuse or Neglect

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

"Any person knowingly violating the provisions of this act including the failure 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."

Uniform MOA Between Education and Law Enforcement

School district reporting requirements under the Uniform Memorandum of Agreement (MOA) are found in Article 4. Under that Article, "[i]n addition to contacting CP&P, law enforcement officials must be contacted when a student is believed to be missing, or the victim of abuse or neglect."

The Need to Report Suspicions of Abuse; Liability

Frugis v. Bracigliano, 177 N.J. 250 (2003)

The principal was accused of sexually abusing children. The case illustrates the need for school districts to educate their staff as to the requirement to report suspected abuse.

The Facts:

Two staff members, a teacher and a school nurse, witnessed separate incidents involving school principal, Samuel Bracigliano, rocking his body back and forth into children in a sexually suggestive, inappropriate way. The teacher thought that making a report to DYFS meant having to go through the school nurse. Accordingly, she made a report to the school nurse. The school nurse did not pass the information along to the board because she, like the teacher, was "unaware" of any reporting protocol. When the school nurse witnessed a similar incident, she reported it to her superior, the full-time nurse. That is where the report found its final resting place. No report was filed with DYFS.

The court found that both the teacher and the nurse had an "independent" obligation to report directly to DYFS. N.J.S.A. 9:6-8.10. The duty to report suspected child abuse is "not limited to professionals, but is required of every citizen." The failure to report the incidents to DYFS, standing alone, "was evidence of negligence, vicariously imputable to the board. That two staff members did not disclose observed instances of misconduct to school administration officials in Elmwood Park reflected either a lack of reporting protocols or failure to instruct school staff in their use."

How was the district's liability to be determined for both the intentional and negligent acts of its employees?

With respect to apportionment of liability between the principal and the board, the court said that the jury should be instructed on the heightened duty of school boards to ensure students' safety from foreseeable harms, particularly those presented by the intentional acts of school personnel.

Specifically, the jury should be instructed that:

- in considering how to apportion liability, it must consider the peculiar concerns that surround the education of children, including their safety and security;

- a school board stands in loco parentis, in the role of a parent, to students while they are entrusted to its care;
- children do not voluntarily elect to attend school – they are required to do so by law, and are subject to school rules and discipline;
- children are a vulnerable class by virtue of their age and immaturity, and, therefore, it is expected not only by their parents and guardians, but by society as a whole, that school personnel will take all reasonable measures to protect students’ health, safety, and well-being;
- a school board has a duty to protect students entrusted to its care from foreseeable risks of harm, including intentional harms caused by school personnel—the very people who are charged with their care;
- the jury’s apportionment of liability should reflect the extent to which the school board’s failure to discharge its duties exposed the students in its care to intentional misconduct by one of its employees.

Examples of conditions that should raise suspicions of child abuse:

- Evidence of physical injury not likely to have been caused accidentally;
- Pupil complaint of having been injured or having been sexually abused with or without any external signs;
- Pupil complaint of emotional abuse or being the subject of threats;
- Appearance of malnourishment;
- General condition indicating lack of care; or
- Pupil demonstrating signs of excessive apprehension or fear, or being withdrawn or aggressive.

Does the employee making the report incur any potential liability?

No. N.J.S.A. 9:6-8.13 provides immunity from liability for persons making reports of suspected child abuse or neglect in good faith.

F.A. by P.A. v. W.J.F. 280 N.J.Super. 570, App. Div. 1995)

The immunity afforded by N.J.S.A. 9:6-8.13 is from any “liability, civil or criminal” that might otherwise be incurred or imposed. The statute does not afford

immunity from suit. In order for the immunity from liability to attach, the person making the report has to have had “reasonable cause to believe that a child has been subjected to child abuse or acts of child abuse,” and to have made such report “immediately.”

Why is immunity provided to the person making the report who has reasonable cause to believe that a child has been abused?

To encourage people to report suspicions of child abuse.

School Districts - Policies Required

Frugis v. Bracigliano

What did the court say about the need to educate staff?

It encouraged school districts to promulgate policies that will guide school staff in reporting the abuse of students by anyone, at any level in the educational hierarchy and to implement training programs to ensure the effectiveness of a zero-tolerance-of-abuse policy. The court said that such steps are consistent with a school’s *parens patriae* role and will promote the safety and welfare of New Jersey’s children, while lessening the likelihood that school districts will have to defend against abuse-based suits. (At page 274)

N.J.S.A. 18A:36-25 requires all school districts to establish policies designed to provide for the early detection of missing and abused children. These policies must include provisions for the notification to appropriate law enforcement and child welfare authorities.

N .J.A .C. 6A:16-11.1 requires that:

1. school districts “adopt and implement policies and procedures” to report suspected child abuse to DCP&P.
2. school districts “cooperate” with DCP&P in the investigation of suspected child abuse and neglect.
3. policies and procedures adopted by school districts “shall be reviewed and approved by the county superintendent.”

The components which must be included in policies and procedures:

N.J.A.C. 6A:16-11.1(a) states that school policies must include:

1. A statement indicating the importance of early

- detection of missing, abused or neglected children;
2. Provisions requiring school district employees, volunteers, or interns to immediately notify designated child welfare authorities of incidents of alleged missing, abused, and neglected children;
 3. Provisions requiring the principal or other designated school official(s) to notify designated law enforcement authorities of incidents of potentially missing, abused, or neglected child situations.
 4. Under no condition shall the school district's policy require confirmation by another person to report the suspected missing, abused, or neglected-child situation;
 5. Provisions for school district cooperation with designated child welfare and law enforcement authorities in all investigations of potential missing, abused, or neglected children...;
 6. A provision for the establishment of a school district liaison to designated child welfare authorities to act as the primary contact person between schools in the school district and child welfare authorities with regard to general information sharing, the development of mutual training and other cooperative efforts;
 7. A provision for designating a school district liaison to law enforcement authorities to act as the primary contact person between schools in the school district and law enforcement authorities...;
 8. Provisions for training employees, volunteers, and interns working in the school district on the school district's policies and procedures for reporting allegations of missing, abused, or neglected child situations;
 9. Provisions regarding due process rights of an employee, volunteer, or intern working in the school district who has been named as a suspect in a notification to child welfare and law enforcement authorities regarding a missing, abused, or neglected child situation.
 10. A statement that prohibits 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 pursuant to N.J.S.A. 9:6-8.13.

Training Requirements

- “Provisions for training school district employees, volunteers and interns on the district’s policies and procedures for reporting allegations of missing, abused or neglected child situations.” N.J.A.C. 6A:16-11.1(a)(8)
- “All new employees, volunteers and interns working in the school district shall receive the required information and training as part of their orientation.” N.J.A.C. 6A:16-11.1(a)(8)(i).

Dual Reporting Requirement

N.J.S.A. 18A:36-25 provides that:

All school districts shall be required to establish policies designated to provide for the early detection of missing and abused children. These policies shall include provisions for the notification of the appropriate law enforcement and child welfare authorities when a potential missing or abused child situation is detected. This provision shall be complied with no later than March 1, 1985. (emphasis supplied)

Note: If you are not sure whether a child has been abused, err on the side of caution and contact local law enforcement and DCP&P.

Interviews of Student Witnesses

Students (who are not the alleged victim) may be interviewed by the DCP&P or IAIU investigator without parental consent.

To what degree must a district cooperate with DCP&P in arranging for interviews?

N.J.A.C. 6A:16-11.1 requires district boards of education to permit the DCP&P investigator to interview the child.

Should the interview be in the presence of the school principal?

Yes. The regulation requires the presence of the principal or the principal’s designee. If the child is intimidated by the presence of that school representative, then the child shall be given the opportunity to name a staff member with whom he or she feels comfortable, who will be allowed to accompany the child during the interview. Note: If the principal is the alleged abuser, he or she is not entitled to attend the interviews of students.

What is the role of the principal or the designee during the interview?

Not to participate in the interview, but to provide comfort and support to the child.

What is required of the school district?

- It must cooperate with DCP&P in scheduling interviews with any school personnel having information relevant to the investigation.
- It must maintain the confidentiality of allegations of child abuse or neglect.
- It must require that such confidential information be maintained in a secure location separate from other employee personnel records and accessible only to the district chief school administrator or his or her designee.
- It must permit DCP&P to physically remove a child from school during the course of the school day when necessary to protect the child or take the child to a service provider, but only after the principal, or the principal's designee has been provided with appropriate authorization for such action.
- It must release to DCP&P all student records of the child under investigation that are deemed relevant to the assessment or treatment of child abuse, in accordance with N.J.S.A. 18A:36-19 and N.J.A.C. 6:3-6.5.

Confidentiality Requirement

The statute: N.J.S.A. 9:6-8.10a.

- a. All records of child abuse reports made pursuant to N.J.S.A. 9:6-8.10 and all information obtained by the Department of Children and Families in investigating such reports and all reports of findings forwarded to the central registry pursuant to N.J.S.A. 9:6-8.11 shall be kept confidential.

When and to whom may records of child abuse reports be disclosed?

Under N.J.S.A. 9:6-8.10a(b), the Department of Children and Families may and upon written request, shall release the records and reports consistent with the provisions of N.J.S.A. 9:6-8.83 to:

1. A public or private child protective agency authorized to investigate a report of child abuse or neglect;

2. A police or other law enforcement agency investigating a report of child abuse or neglect;
3. A physician who has before him a child whom he reasonably suspects may be abused or neglected or an authorized member of the staff of a duly designated regional child abuse diagnostic and treatment center which is involved with a particular child who is the subject of the request;
4. A physician, a hospital director or his designate, a police officer or other person authorized to place a child in protective custody when such person has before him a child whom he reasonably suspects may be abused or neglected and requires the information in order to determine whether to place the child in protective custody;
5. An agency, whether public or private, including any other division or unit in the Department of Human Services or the Department of Children and Families, authorized to care for, treat, assess, evaluate or supervise a child who is the subject of a child abuse report, or a parent, guardian, resource family parent or other person who is responsible for the child's welfare, or both, when the information is needed in connection with the provision of care, treatment, assessment, evaluation or supervision to such child or such parent, guardian resource family parent or other person and the provision of information is in the best interests of the child as determined by the Division of Child Protection and Permanency;
6. A court or the Office of Administrative Law, upon its finding that access to such records may be necessary for determination of an issue before it, and such records may be disclosed by the court or the Office of Administrative Law in whole or in part to the law guardian, attorney or other appropriate person upon a finding that such further disclosure is necessary for determination of an issue before the court or the Office of Administrative Law;
7. A grand jury upon its determination that access to such records is necessary in the conduct of its official business;
8. Any appropriate State legislative committee acting in the course of its official functions, provided, however, that no names or other information identifying persons named in the report shall be made available to the

legislative committee unless it is absolutely essential to the legislative purpose;

9. (Deleted by amendment, P.L. 1997, c. 175)
10. A family day care sponsoring organization for the purpose of providing information on child abuse or neglect allegations involving prospective or current providers or household members pursuant N.J.S.A. 30:5B-25.1 et seq. and as necessary, for use in administrative appeals related to information obtained through a child abuse registry search;
11. The Victims of Crime Compensation Board, for the purpose of providing services available pursuant to the "Criminal Injuries Compensation Act of 1971," to a child victim who is the subject of such report;
12. Any person appealing a department service or status action or a substantiated finding of child abuse or neglect and his attorney or authorized lay representative upon a determination by the department or the presiding Administrative Law Judge that such disclosure is necessary for a determination of the issue on appeal;
13. Any person or entity mandated by statute to consider child abuse or neglect information when conducting a background check or employment-related screening of an individual employed by or seeking employment with an agency or organization providing services to children;
14. Any person or entity conducting a disciplinary, administrative or judicial proceeding to determine terms of employment or continued employment of an officer, employee, or volunteer with an agency or organization providing services for children. The information may be disclosed in whole or in part to the appellant or other appropriate person only upon a determination by the person or entity conducting the proceeding that the disclosure is necessary to make a determination;
15. The members of a county multi-disciplinary team, established in accordance with State guidelines, for the purpose of coordinating the activities of agencies handling alleged cases of child abuse and neglect;
16. A person being evaluated by the department or the court as a potential care-giver to determine whether that person is willing and able to provide the care and support required

by the child;

17. The legal counsel of a child, parent or guardian, whether court- appointed or retained, when information is needed to discuss the case with the department in order to make decisions relating to or concerning the child;
18. A person who has filed a report of suspected child abuse or neglect for the purpose of providing that person with only the disposition of the investigation;
19. A parent, resource family parent, or legal guardian when the information is needed in a department matter in which that parent, resource family parent, or legal guardian is directly involved. The information may be released only to the extent necessary for the requesting parent, resource family parent, or legal guardian to discuss services or the basis for the department's involvement or to develop, discuss, or implement a case plan for the child;
20. A federal, State, or local government entity to the extent necessary for such entity to carry out its responsibilities under law to protect children from abuse and neglect;
21. Citizen review panels designated by the State in compliance with the federal "Child Abuse Prevention and Treatment Act Amendments of 1996;"
22. The Child Fatality and Near Fatality Review Board established pursuant to N.J.S.A. 9:6-8.83, or
23. Members of a family team or other case planning group formed by the Division of Child Protection and Permanency and established in accordance with regulations adopted by the Commissioner of Children and Families for the purpose of addressing the child's safety, permanency, or well-being, when the provision of such information is in the best interests of the child as determined by the Division of Child Protection and Permanency.

Any individual, agency, board, court, grand jury, legislative committee, or other entity which receives from the department the records and reports referred to in subsection a., shall keep the records and reports, or parts thereof, confidential and shall not disclose the records and reports or parts thereof except as authorized by law.

- The department may share information with a child who is the subject of a child abuse or

neglect report, as appropriate to the child's age or condition, to enable the child to understand the basis for the department's involvement and to participate in the development, discussion, or implementation of a case plan for the child. N.J.S.A. 9:6-8.10a(c).

- The department may release the records and reports referred to in subsection a. of this section to any person engaged in a bona fide research purpose, provided, however, that no names or other information identifying persons named in the report shall be made available to the researcher unless it is absolutely essential to the research purpose and provided further that the approval of the Commissioner of Children and Families shall first have been obtained. N.J.S.A. 9:6-8.10a(d).

For incidents determined by the department to be substantiated, the department shall forward to the police or law enforcement agency in whose jurisdiction the child named in the report resides, the identity of persons alleged to have committed child abuse or neglect and of victims of child abuse or neglect, their addresses, the nature of the allegations, and other relevant information, including, but not limited to, prior reports of abuse or neglect and names of siblings obtained by the department during its investigation of a report of child abuse or neglect. The police or law enforcement agency shall keep such information confidential. N.J.S.A. 9:6-8.10a(e).

- The department may disclose to the public the findings or information about a case of child abuse or neglect which has resulted in a child fatality or near fatality. Nothing may be disclosed which would likely endanger the life, safety, or physical or emotional well-being of a child or the life or safety of any other person or which may compromise the integrity of a department investigation or a civil or criminal investigation or judicial proceeding. If the department denies access to specific information on this basis, the requesting entity may seek disclosure of the information through the Chancery Division of the Superior Court. No information may be disclosed which is deemed confidential by federal or State law. The name or any other information identifying the person or entity who referred the child to the department shall not be released to the public. N.J.S.A. 9:6-8.10a(f).

- The department shall release the records and reports referred to a unified child care agency contracted with the department pursuant to N.J.A.C. 10:15-2.1 for the purpose of providing information on child abuse or neglect allegations involving a prospective approved home provider or any adult household member pursuant to N.J.S.A.30:5B-32 to a child's parent when the information is necessary for the parent to make a decision concerning the placement of the child in an appropriate child care arrangement. N.J.S.A. 9:6-8.10a(g).
- The department shall not release any information that would likely endanger the life, safety, or physical or emotional well-being of a child or the life or safety of any other person.

Temporary Suspension of Alleged Offender

N.J.S.A 9:6-3.1 provides:

- a. a teacher, employee, volunteer or staff person of an institution... who is alleged to have committed an act of child abuse or neglect shall be temporarily suspended with pay, or reassigned to other duties which would remove the risk of harm to the child under the person's custody or control, if there is reasonable cause... to believe that the life or health of the alleged victim or other children at the institution is in eminent danger due to continued contact between the alleged perpetrator and the child at the institution.

What due process is the accused employee entitled to?

A public employee suspended is to be accorded due process rights, including:

- notice of the proposed suspension,
- an opportunity to respond before the suspension to the allegations,
- any other due process rights provided under the laws of this State governing public employment and under any applicable... contractual agreement.

Disclosure of Identity of Person Reporting Alleged Abuse or Neglect

The identity of a person who makes a report of child abuse or neglect is kept confidential and generally may only be disclosed (1) if necessary to ensure the child's well-being; (2) to cooperate with investigations by DCP&P or other agencies; or (3) upon production of a court order.

Immunity

Under N.J.S.A. 9:6-8.13, a person who makes a report of suspected child abuse or neglect "in good faith" is protected from civil or criminal liability, discharge from employment and discrimination.

Retaliation

N.J.A.C. 6A:16-11.1(a)(10) includes the following requirement for school district policies: "A statement that prohibits 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 pursuant to N.J.S.A. 9:6-8.13."

Suspected Abuse and Absenteeism

- N.J.S.A. 18A:36-25.2(a) requires that if the district superintendent has reasonable cause to believe that a child who has an unexcused absence from school for five (5) consecutive school days has been abused or neglected, the district superintendent shall notify DCP&P.
- Any investigation of a child whose parent or guardian has withdrawn him from school and has not enrolled him in another school within five (5) school days of the expected date of enrollment which — based upon the investigation — is a suspected abuse or neglect situation shall be reported to DCP&P. N.J.S.A. 18A:36-25.2(b).

DCP&P Contact Information

Child Abuse Hotline

1-877-NJ ABUSE

1-877-652-2873

Institutional Abuse Investigation Unit (IAIU)

Regional Offices:

Northern IAIU

(covers Bergen, Hudson, Morris, Passaic, Sussex and Warren Counties)

100 Hamilton Plaza, 9th Floor

Paterson, NJ 07505

(973) 523-6090

Metro IAIU

(covers Essex and Union Counties)

2 Gateway Plaza, 8th Floor

Newark, NJ 07102-5002

(973) 648-0289

Central IAIU

(covers Hunterdon, Mercer, Ocean, Middlesex, Monmouth and Somerset Counties)

50 East State Street, 2nd Floor

P.O. Box 717

Trenton, NJ 08625

(609) 888-7420

Southern IAIU

(covers Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester and Salem Counties)

Augusta Professional Center

852 South White Horse Pike

Hamilton, NJ 08037

(609) 567-2912

Note: All Allegations of child abuse or neglect must be reported to DCP&P and Local Law Enforcement.