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Reports of Suspected Abuse or Neglect of Children or Sexual Assault of Students by School Employees

APPENDIX B

Operational Definitions of Child Abuse and Neglect

The purpose of this policy is to provide consistency for staff in defining and identifying operational definitions, evidence of abuse and/or neglect and examples of adverse impact indicators.

The following operational definitions are working definitions and examples of child abuse and neglect as used by the Connecticut DCF.

For the purposes of these operational definitions,

- a person responsible for a child's health, welfare or care means:
 - the child's parent, guardian, foster parent, an employee of a public or private residential home, agency or institution or other person legally responsible under State law for the child's welfare in a residential setting; or any staff person providing out-of-home care, including center-based child day care, family day care, or group day care.
- a person given access to a child is a person who is permitted to have personal interaction with a child by the person responsible for the child's health, welfare or care or by a person entrusted with the care of a child.
- a person entrusted with the care of a child is a person who is given access to a child by a person responsible for the health, welfare or care of a child for the purpose of providing education, child care, counseling, spiritual guidance, coaching, training, instruction, tutoring or mentoring.
- **Note:** Only a "child" as defined above may be classified as a victim of child abuse and/or neglect; only a "person responsible", "person given access", or "person entrusted" as defined above may be classified as a perpetrator of child abuse and/or neglect.
 - While only a child under eighteen may be a victim of child abuse or neglect, a report under mandatory reporting laws and this policy is required if an employee of the Board of Education in the ordinary course of such person's employment or profession has reasonable cause to suspect or believe that any person, regardless of age, who is being educated by the technical high school system or a local or regional board of education, other than as part of an adult education program, is a victim of sexual assault, as set forth in this policy, and the perpetrator is a school employee.

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Physical Abuse

A child may be found to have been physically abused who:

has been inflicted with physical injury or injuries other than by accidental means,

is in a condition which is the result of maltreatment such as, but not limited to, malnutrition, sexual molestation, deprivation of necessities, emotional maltreatment or cruel punishment, and/or

has injuries at variance with the history given of them.

Evidence of physical abuse includes:

excessive physical punishment
bruises, scratches, lacerations
burns, and/or scalds
reddening or blistering of the tissue through application of heat by fire, chemical substances, cigarettes, matches, electricity, scalding water, friction, etc.
injuries to bone, muscle, cartilage, ligaments:
fractures, dislocations, sprains, strains, displacements, hematomas, etc.
head injuries
internal injuries
death
misuse of medical treatments or therapies
malnutrition related to acts of commission or omission by an established caregiver resulting in a child's malnourished state that can be supported by professional medical opinion
deprivation of necessities acts of commission or omission by an established caregiver resulting in physical harm to child
cruel punishment.

Sexual Abuse/Exploitation Sexual Abuse/Exploitation

Sexual Abuse/Exploitation is any incident involving a child's non-accidental exposure to sexual behavior.

Evidence of sexual abuse includes, but is not limited to the following:

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rape
penetration: digital, penile, or foreign objects
oral / genital contact
indecent exposure for the purpose of sexual gratification of the offender, or for purposes of shaming, humiliating, shocking or exerting control over the victim
incest
fondling, including kissing, for the purpose of sexual gratification of the offender, or for purposes of shaming, humiliating, shocking or exerting control over the victim
sexual exploitation, including possession, manufacture, or distribution of child pornography. online enticement of a child for sexual acts, child prostitution, child-sex tourism, unsolicited obscene material sent to a child, or misleading domain name likely to attract a child to an inappropriate website
coercing or forcing a child to participate in, or be negligently exposed to, pornography and/or sexual behavior
disease or condition that arises from sexual transmission
other verbal, written or physical behavior not overtly sexual but likely designed to “groom” a child for future sexual abuse.

Legal References: Federal Law 18 U.S.C. 2215 Sexual Exploitation of Children.

Emotional Maltreatment-Abuse

Emotional Maltreatment-Abuse is:

act(s), statement(s), or threat(s), which
has had, or is likely to have an adverse impact on the child; and/or
interferes with a child’s positive emotional development.

Evidence of emotional maltreatment-abuse includes, but is not limited to, the following:

rejecting;
degrading;
isolating and/or victimizing a child by means of cruel, unusual, or excessive methods of discipline; and
exposing the child to brutal or intimidating acts or statements.

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Indicators of Adverse Impact of emotional maltreatment-abuse may include, but are not limited to, the following:

depression;
withdrawal;
low self-esteem;
anxiety;
fear;
aggression/ passivity;
emotional instability;
sleep disturbances;
somatic complaints with no medical basis;
inappropriate behavior for age or development;
suicidal ideations or attempts;
extreme dependence;
academic regression;
and/or trust issues.

Physical Neglect

A child may be found neglected who:

has been abandoned;
is being denied proper care and attention physically, educationally, emotionally, or morally;
is being permitted to live under conditions, circumstances or associations injurious to his well-being; and/or
has been abused.

Evidence of physical neglect includes, but is not limited to:

inadequate food;
malnutrition;
inadequate clothing;
inadequate housing or shelter;
erratic, deviant, or impaired behavior by the person responsible for the child's health, welfare or care; by a person given access to the child; or by a person entrusted with the child's care which adversely impacts the child;
permitting the child to live under conditions, circumstances or associations injurious to his well-being including, but not limited to, the following:
substance abuse by caregiver, which adversely impacts the child physically

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substance abuse by the mother of a newborn child and the newborn has a positive urine or meconium toxicology for drugs
psychiatric problem of the caregiver which adversely impacts the child physically
exposure to family violence which adversely impacts the child physically
 exposure to violent events, situations, or persons that would be reasonably judged to compromise a child's physical safety
 non-accidental, negligent exposure to drug trafficking and/or individuals engaged in the active abuse of illegal substances
 voluntarily and knowingly entrusting the care of a child to individuals who may be disqualified to provide safe care, e.g. persons who are subject to active protective or restraining orders; persons with past history of violent/drug/sex crimes; persons appearing on the Central Registry
 non-accidental or negligent exposure to pornography or sexual acts
 inability to consistently provide the minimum of child-caring tasks
 inability to provide or maintain a safe living environment
action/inaction resulting in death
abandonment
action/inaction resulting in the child's failure to thrive
transience
inadequate supervision:
 creating or allowing a circumstance in which a child is alone for an excessive period of time given the child's age and cognitive abilities
 holding the child responsible for the care of siblings or others beyond the child's ability
 failure to provide reasonable and proper supervision of a child given the child's age and cognitive abilities.

Note:

- Inadequate food, clothing, or shelter or transience finding must be related to caregiver acts of omission or commission and not simply a function of poverty alone.
- Whether or not the adverse impact has to be demonstrated is a function of the child's age, cognitive abilities, verbal ability and developmental level.
- Adverse impact may not be required if the action/infracton is a single incident that demonstrates a serious disregard for the child's welfare.

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Medical Neglect

Medical Neglect is the unreasonable delay, refusal or failure on the part of the person responsible for the child's health, welfare or care or the person entrusted with the child's care to seek, obtain, and/or maintain those services for necessary medical, dental or mental health care when such person knows, or should reasonably be expected to know, that such actions may have an adverse impact on the child.

Evidence of medical neglect includes, but is not limited to:

frequently missed appointments, therapies or other necessary medical and/or mental health treatments;
withholding or failing to obtain or maintain medically necessary treatment from a child with life-threatening, acute or chronic medical or mental health conditions;
withholding medically indicated treatment from disabled infants with life threatening conditions.

Note: Failure to provide the child with immunizations or routine well child care in and of itself does not constitute medical neglect.

Educational Neglect

Except as noted below, **Educational Neglect** occurs when, a school aged child has excessive absences from school through the intent or neglect of the parent or caregiver.

Definition of School-Aged Child: Except as noted below, a school-aged child is a child five (5) years of age and older and under eighteen (18) years of age who is not a high school graduate. **Note:** Excessive absenteeism and school avoidance may be presenting symptoms of a failure to meet the physical, emotional or medical needs of a child. Careline staff shall consider these potential additional allegations at the time of referral.

Criteria:

- **For children school-aged to age twelve (12), excessive absenteeism** may be indicative of the parent's or caregiver's failure to meet the educational needs of a student.
- **For children older than age twelve (12), excessive absenteeism,** coupled with a failure by the parent or caregiver to engage in efforts to improve the child's attendance, may be indicative of educational neglect.
 - For children older than age twelve (12), excessive absenteeism through the child's own intent, despite the parent's or

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caregiver's efforts, is not educational neglect. Rather, this is truancy, which is handled through the school district.

Child's Characteristics. In determining the criteria for excessive absenteeism, the following characteristics of the child shall be considered by the social worker:

- Age;
- Health;
- Level of functioning;
- Academic standing; and
- Dependency on parent or caregiver

Parent or Caregiver's Characteristics. In determining the criteria for excessive absenteeism, the following characteristics of the parent or caregiver shall be considered by the social worker:

- Rationale provided for the absences;
- Efforts to communicate and engage with the educational provider; and
- Failure to enroll a school-aged child in appropriate educational programming (including homeschooling)

Exceptions (in accordance with Conn. Gen. Stat. § 10-184):

1. A parent or person having control of a child may exercise the option of not sending the child to school at age five (5) or age six (6) years by personally appearing at the school district office and signing an option form. In these cases, educational neglect occurs if the parent or person having control of the child has registered the child at age five (5) or age six (6) years and then does not allow the child to attend school or receive home instruction.
2. A parent or person having control of a child seventeen (17) years of age may consent to such child's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form.

Note: Failure to sign a registration option form for such child is not in and of itself educational neglect.

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Emotional Neglect

Emotional Neglect is the denial of proper care and attention, or failure to respond, to a child's affective needs by the person responsible for the child's health, welfare or care; by the person given access to the child; or by the person entrusted with the child's care which has an adverse impact on the child or seriously interferes with a child's positive emotional development.

Note: Whether or not the adverse impact has to be demonstrated is a function of the child's age, cognitive abilities, verbal ability and developmental level. Adverse impact is not required if the action/inaction is a single incident which demonstrates a serious disregard for the child's welfare

Note: The adverse impact may result from a single event and/or from a consistent pattern of behavior and may be currently observed or predicted as supported by evidenced based practice.

Evidence of emotional neglect includes, but is not limited to, the following:

- inappropriate expectations of the child given the child's developmental level;
- failure to provide the child with appropriate support, attention and affection;
- permitting the child to live under conditions, circumstances or associations; injurious to his well-being including, but not limited to, the following:
 - substance abuse by caregiver, which adversely impacts the child emotionally;
 - psychiatric problem of the caregiver, which adversely impacts the child emotionally;
 - and
 - exposure to family violence which adversely impacts the child emotionally.

Indicators may include, but are not limited to, the following:

- depression;
- withdrawal;
- low self-esteem;
- anxiety;
- fear;
- aggression/ passivity;
- emotional instability;
- sleep disturbances;

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- somatic complaints with no medical basis;
- inappropriate behavior for age or development;
- suicidal ideations or attempts;
- extreme dependence;
- academic regression;
- trust issues.

Moral Neglect

Moral Neglect: Exposing, allowing, or encouraging the child to engage in illegal or reprehensible activities by the person responsible for the child's health, welfare or care or person given access or person entrusted with the child's care.

Evidence of Moral Neglect may include, but is not limited to, the following:

- stealing;
- using drugs and/or alcohol;
- and involving a child in the commission of a crime, directly or by caregiver indifference