

## REPORTING CHILD ABUSE AND NEGLECT

Because of their sustained contact with school age children, school employees are in an excellent position to identify abused or neglected children and to refer them for treatment and protection.

An abused child is a child under the age of 18 who has been sexually molested or exploited, been psychologically injured so that said child exhibits symptoms of emotional problems generally recognized to result from consistent maltreatment or neglect, or been physically injured by other than accidental means.

Neglect means the failure to provide necessary food, care, clothing, shelter or medical attention for a child's physical, mental and emotional health.

To comply with the Child Protection Act (RSA 169-C, 1979), it is the policy of the Fall Mountain Regional School District that any teacher or other school employee who suspects that a child's physical or mental welfare may be adversely affected by abuse or neglect shall report that information to the Division of Children and Youth Services and to the Principal.

It is not the responsibility of the school employee to prove that the child has been abused or neglected, or to determine whether the child is in need of protection.

School personnel, who in good faith make a report of suspected child abuse or neglect, have immunity under the law from any liabilities, civil or criminal. The good faith of the reporter is presumed.

Persons willfully failing to report child abuse or neglect may be guilty of a misdemeanor which, under New Hampshire law, can mean a sentence of up to a year in jail and a \$1,000.00 fine.

Under State "Right to Know" laws, parents maintain the right to access to information compiled in their child's school records. However, it is the school's right to withhold certain information which identifies either the person who made the report or those who cooperated in a subsequent investigation, if the school believes the release of this information would be detrimental to the safety and interest of the reporting person.

### **Legal References:**

RSA 169-C:29, Persons Required to Report  
RSA 169-C:30, Nature and Content of Report  
RSA 169-C:31, Immunity from Liability  
RSA 169-C:34, III, Duties of the Department of Health and Human Services

FMRSD

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