



Colebrook Community Child Care

dba Country Day School

Reporting and Preventing Child Abuse and Neglect

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Preventing and Reporting Abuse and Neglect

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Section 1 Introduction

1.1 Purpose

Colebrook Community Child Care (the “Center” or “Company”), also known as Country Day School, strives to provide a safe, secure, developmentally appropriate learning environment for children aged 6 weeks to 13 years old in Colebrook and the surrounding communities.

An important part of ensuring a safe and secure environment for our children is knowing how prevent, and, when necessary, report suspicions of child abuse or neglect. This policy sets forth guidelines and procedures on these issues.

1.2 Definitions

- i. “Abused child” means any child who has been:
 - a. Sexually abused;
 - b. Intentionally physically injured;
 - c. Psychologically injured so that said child exhibits symptoms of emotional problems generally recognized to result from consistent mistreatment or neglect;
or
 - d. Physically injured by other than accidental means.
- ii. “Child” means a person who has not reached his or her 18th birthday.
- iii. “Neglected child” means a child:
 - a. Who has been abandoned by his parents, guardian, or custodian;
 - b. Who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his physical, mental, or emotional health, when it is established that his health has suffered or is very likely to suffer serious impairment; and the deprivation is not due primarily to the lack of financial means of the parents, guardian or custodian; or
 - c. Whose parents, guardian or custodian are unable to discharge their responsibilities to and for the child because of incarceration, hospitalization or other physical or mental incapacity; provided, that no child who is, in good faith, under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof shall, for that reason alone, be considered to be a neglected child. (however The NH Attorney General has opined that even if a child is being treated spiritually, there is still a duty for individuals to report any child abuse or neglect that occurs. Op. N.H. Att’y Gen., Opinion No. 93-3 (May 6, 1993)).
- iv. “Serious Impairment” means a substantial weakening or diminishment of a child’s emotional, physical, or mental health or of a child’s safety and general well-being. The

following circumstances shall be considered in determining the likelihood that a child may suffer serious impairment:

- a. The age and developmental level of the child;
 - b. Any recognized mental, emotional, or physical disabilities;
 - c. School attendance and performance;
 - d. The child's illegal use of controlled substances, or the child's contact with other persons involved in the illegal use or sale of controlled substances or the abuse of alcohol; Exposure to incidents of domestic or sexual violence;
 - e. Any documented failure to thrive;
 - f. Any history of frequent illness or injury;
 - g. Findings in other proceedings;
 - h. The condition of the child's place of residence;
 - i. Assessments or evaluations of the child conducted by qualified professionals.
- v. "Sexual abuse" means the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or having a child assist any other person to engage in, any sexually explicit conduct or any simulation of this conduct for the purpose of producing any visual depiction of this conduct; or the rape, molestation, prostitution, or any other form of sexual exploitation of children, or incest with children. This includes the intentional touching of the child's or the perpetrator's sexual or intimate parts, including breasts and buttocks, and the intentional touching of the child's or perpetrator's clothing covering the immediate area of the child's or perpetrator's sexual or intimate parts. (NH Child Protection Act, RSA 169-C: 3, XXVII and NH Criminal Code, Sexual Assault and Related Offenses, RSA 632-A:1)

1.3 Distribution of this Policy to Staff

This policy shall be provided to staff upon hiring.

Section 2 Procedures, Policies, and Requirements

2.1 Procedure: How to Report Suspected Child Abuse

If you suspect a child is being abused or neglected, you should immediately bring your concerns to a supervisor or the Center Director. If you cannot, for whatever reason, bring your concerns to a superior or the Center Director first, you should report directly to the New Hampshire Department of Health and Human Services ("NHDHHS"). You do not need permission from your supervisor or Center Director before reporting child abuse or neglect. If, for any reason, you are unable to meet with your superior before reporting, make the report directly to NHDHHS and follow up with your superior at a later time.

Procedure to make a report:

1. If possible, meet with your superior and/or the Center Director immediately to discuss your concerns (if this is not possible, proceed to step two (2)).
2. Call the State to make an oral report NH DHHS Child Protection Services at 1-800-894-5533 (in-state only) or 603-271-6562; fax 603-271-6565 (8:00 am - 4:30 pm Monday - Friday).
 - o Call the local police department after hours, weekends, or holidays.
3. Remember, you are protected—and your report is confidential.
4. Do **not** inform families of your report, especially if your report relates to concerns regarding potential physical or sexual abuse. You should confer with a State official, your supervisor and/or the Center Director, prior to speaking with a child’s family regarding a report. This is because, in general, informing the family of your report prior to an assessment may put the child at risk of harm, or it may impede the State’s ability to do a thorough investigation.
5. Follow up with a written report to the State within forty eight (48) hours, if this is requested.

2.2 Signs of Abuse and/or Neglect: When to Report Suspected Child Abuse or Neglect

If you have any reason to suspect that a child has been abused or neglected, you must report this.

- i. You should review the definitions of “abused child” and “neglected child” set forth above. If your suspicions fall within these definitions, you must make a report.
- ii. Indicators of sexual abuse and/or molestation
 - a. Young children performing, describing, or acting out explicit sexual acts on others
 - b. Sexualized behaviors and/or language beyond normal expected developmental state
 - c. Inappropriate sex play or premature understanding of sex
 - d. Aggressive behaviors, force, coercion, secrecy
 - e. Depression, guilt, anxiety, social withdrawal
 - f. Avoiding contact with others
 - g. Running away from home
 - h. Physical indicators:
 - i. Difficulty walking or sitting
 - ii. Torn, stained, or bloody underclothing
 - iii. Pain, itching, or swelling in the genital area

- iv. Pain when urinating
 - v. Bruises or bleeding to external genitalia, vaginal or anal areas, mouth or throat
 - vi. Vaginal discharge
 - vii. Venereal disease or vaginal infections
- iii. Indicators of physical abuse
- a. Bruises, welts, burns (including cigarette burns) that cannot be sufficient explained
 - b. Injuries on places where children don't usually get hurt (such as the back, neck, back of legs, face)
 - c. Repeated injuries
 - d. Withdrawn, fearful, or extreme behavior
 - e. Anxiety, depression, guilt, exaggerated startle reflexes
 - f. Trouble sleeping or eating
 - g. Enuresis (loss of bladder control)
 - h. Encopresis (soiling of underwear with stool)
 - i. Aggressive, hostile, bizarre or self-destructive acts
 - j. Cruelty to animals
- iv. Indicators of psychological abuse
- a. Difficulty eating or sleeping normally
 - b. Inability to play as most children do
 - c. Antisocial behavior
 - d. Behavior extremes
 - e. Self-destructive feelings or behavior
 - f. Lags in emotional and intellectual growth
 - g. Evidenced by observable impairment in the child's ability to function within a normal range of performance and behavior
 - h. Caregiver's behavior toward child is generally recognized as leading to mental or emotional injury, including, but not limited to, berating and name calling, etc.
- v. Neglect Conditions
- a. Chronically dirty
 - b. Chronic school absences
 - c. Inadequate clothing, inadequate clothing for weather
 - d. Malnourishment

- e. Left home alone without supervision
- f. Left in a car without supervision
- g. Parental Incapacity (due to drug use, alcohol abuse, mental health conditions, physical incapacity, etc.)

2.3 Mandatory Reporting Requirements: What are your Legal Obligations?

(a) Who must report suspicions of abuse or neglect?

Certain people in New Hampshire are **required**, by law, to report suspicions of child abuse or neglect. You, as an employee of a child care center, are one such person. This means that if you suspect one of the students at our child care facility is being abused or neglected, you are required by law to report this. If you fail to make a required report, you will be guilty of a misdemeanor.

(b) When is a report required?

If you have any reason to suspect that a child has been abused or neglected, you must report this. You must make an oral report immediately by telephone or otherwise, followed within 48 hours by a written report, if requested by the NH DHHS.

(c) You are protected—and your report is **confidential**.

Anyone making a good faith report according to law is immune from any liability, civil or criminal, that may otherwise apply. (See RSA 169-C:31 and RSA 161-F:47).

In this Center, staff who report suspicions of child abuse or neglect occurring where they work, or anywhere, are immune from discharge, retaliation, or other disciplinary action for that reason alone, unless it is proven that the report was intended to do harm.

You can request that your name be kept confidential!!

(d) Where do you make the report?

New Hampshire Department of Health & Human Services (NH DHHS) Child Protection Services at 1-800-894-5533 (in-state only) or 603-271-6562; fax 603-271-6565 (8:00 am - 4:30 pm Monday - Friday).

Call the local police department after hours, weekends, or holidays. Local police station information can be found at the Division of State Police website (available at: <http://www.nh.gov/safety/divisions/nhsp/contactus.html>).

(e) What New Hampshire Laws create the above-listed requirements?

N.H. Rev. Stat. Ann. §§ 169-C:3, 169-C:29, 169-C:30, 169-C:37

2.4 Accusations of Abuse and Neglect against Staff

If a staff member is accused of abusing or neglecting a child, within the meaning of this policy, the Center will remove the staff member from the premises, as needed, to ensure the safety of children, until both the State DHHS and the Center's internal investigations are complete.

If the accusation is determined by the State, and/or the Center, to be founded, the staff-person shall be terminated immediately.

If the accusation is determined by the State to be unfounded, then the staff-person should not be disciplined or terminated on the basis of the unfounded accusations, alone. However, nothing in this policy shall otherwise alter the at-will employment relationship between the Center and its employees.