

**Burlington School District**

**POLICY H 2: REPORTING OF CHILD AND VULNERABLE ADULT ABUSE, SEXUAL ABUSE AND SEXUAL VIOLENCE**

---

**Former Policy JH**

I. Child Abuse And Neglect Reporting

Any employee or district contracted personnel who regularly is employed or paid by the District to provide student services for five or more hours per week during the school year (“School Employee”) AND who has reasonable cause to believe that a child’s<sup>1</sup> physical or mental health or welfare has been or is being harmed or abused or that the child is threatened with harm, or that the child is a victim of neglect is a victim of child sexual abuse or sexual violence, **is required to report or cause a report to be made within 24 hours** to the Commissioner of The Department For Children And Families(“DCF”) or his/her designee. If a report involves the acts or omissions of DCF, then such a report shall be directed to the Secretary of the Agency of Human Services.

Ultimately, the School Employee is responsible to ensure that the report is made to DCF within 24 hours regardless of whether the school employee informed a building administrator or any other person in the school. A School Employee may not refuse to make a report required by this section on the grounds that making the report would violate a privilege or disclose a confidential communication.

Adults employed in the schools maintained by the District within its jurisdiction will receive orientation, information, or instruction on the prevention, identification, and reporting of child sexual abuse, as defined in 33 V.S.A. § 4912(8), and sexual violence. This shall include information regarding the signs and symptoms of sexual abuse, sexual violence, grooming processes, recognizing the dangers of child sexual abuse in and close to the home, and other predatory behaviors of sex offenders. The same opportunities shall also be provided for parents, guardians, and other interested persons to receive the same information.

II. Vulnerable Adult Abuse<sup>2</sup> Reporting

---

<sup>1</sup> A “child” is a person under 18 years of age.

<sup>2</sup> “Vulnerable Adult” is a person 18 years of age or older who:

- a. Is a resident of a facility required to be licensed 33 VSA Chapter 71 (nursing home) ;
- b. Is a resident of a psychiatric hospital or a psychiatric unit of a hospital;
- c. Has been receiving personal care services for more than one month from a home health agency certified by the Vermont Department of Health or from a person or organization that offers, provides, or arranges for personal care; or.

d. Regardless of residence or whether any type of service is received, is impaired due to brain damage, infirmities of aging, or a physical, mental, or developmental disability:

(i) that results in some impairment of the individual's ability to provide for his or her own care without assistance, including the provision of food, shelter, clothing, health care, supervision, or management of finances; or

(ii) because of the disability or infirmity, the individual has an impaired ability to protect himself or herself from abuse, neglect, or exploitation

Any school teacher, school librarian, school administrator, school guidance counselor, school aide, school bus driver, or school employee or school contractor who works regularly with students, who knows of or has received information of abuse, neglect, or exploitation of a Vulnerable Adult or who has reason to suspect that any Vulnerable Adult has been abused, neglected, or exploited **shall report or cause a report to be made as soon as possible but in no case later than 48 hours.**

The District shall ensure that its employees who provide care and services to Vulnerable Adults are informed of their responsibilities rights and protects under this Policy. In addition, during the engagement process for employees, prospective employees, contractors and or volunteers who will provide care custody, treatment transportation or supervision to Vulnerable Adults, the District will submit the individual's name to the Commissioner of the Department of Aging, Disabilities and Independent Living determine if that individual is on the Registry of individuals who have substantiated reports of abuse on record.

See Attached Procedures for Reporting Procedures, Definitions, Investigations and Protections

Legal References:

33 VSA Chapter 49, Subchapter 2, Reporting Abuse of Children.

33 V.S.A. Chapter 69. Reports of Abuse, Neglect and Exploitation of Elderly and Disabled Adults .

16 V.S.A. § 563a , § 563a. School Boards; Prevention, Identification, And Reporting Of Child Sexual Abuse And Sexual Violence

CROSS REFERENCE:

F 2R, Prohibition of Student Harassment

POLICY ADOPTED:	March 8, 1983
POLICY REVISED:	January 13, 1987
POLICY REVISED:	October 11, 1988
POLICY REVISED:	February 14, 1995
POLICY REVISED:	January 27, 1998
First Reading:	September 11, 2013
Second Reading & Pass	October 9, 2013
First Reading:	January 14, 2014
Second Reading & Pass:	February 11, 2014