

R 8-35-2 Reporting Suspected Child Abuse and Neglect

The purpose of these procedures is to protect the best interests of any child who may be subjected to abuse or neglect in the home, the school, or any other environment. West Virginia's abuse and neglect laws are very specific about the duties and responsibilities of all school personnel regarding the reporting of suspected incidents of abuse or neglect. The following is a summary of these laws and regulations as they relate to school personnel:

- ❖ School personnel who have reason to suspect a child is suffering from abuse or neglect shall immediately report the circumstances to their immediate supervisor or principal.
- ❖ The supervisor or principal shall immediately and not more than 48 hours after suspecting this abuse, report or cause a report to be made to the Department of Health and Human Services.
- ❖ Reports of child abuse or neglect pursuant to the law shall be made immediately by telephone to the local Department of Health and Human Services and shall be followed by a written report within 48 hours if so requested by the agency.
- ❖ Personnel, who in good faith, submits a report of suspected abuse or neglect shall be immune from any civil or criminal liability that might otherwise arise from their actions.
- ❖ Prior to January 1, 2006, The Department of Health and Human Resources shall develop and implement a procedure to notify any person mandated to report suspected child abuse and neglect under the provisions of §49-6A-2a of whether an investigation into the reported suspected abuse or neglect has been initiated and when the investigation is completed.
- ❖ Any person required by law to report abuse or neglect and who knowingly fails to do so shall be guilty of a misdemeanor and upon conviction shall be confined in jail for not more than 10 days or fined not more than \$100 or both.
- ❖ Nothing in the law prevents individuals from reporting abuse and neglect on their own behalf if circumstances dictate such an action.

(WVC §49-6A-1; §49-6A-2; §49-6A-5; §49-6A-6; §49-6A-8)