

REPORTING OF CHILDREN SUSPECTED TO BE ABUSED OR NEGLECTED

I. MANDATED REPORTING

Any school employee, who has reasonable cause to suspect a student is neglected or abused or observes a student being subjected to conditions likely to result in neglect or abuse, is required to report.

Provided, where the reporter believes a child suffered serious physical abuse, sexual abuse or sexual assault, the reporter shall also immediately report or cause a report to be made to the West Virginia State Police and any law enforcement agency having jurisdiction to investigate the complaint.

II. IMMUNITY FROM LIABILITY

- A. Any person who in good faith reports a reasonable suspicion of abuse or neglect is immune from civil or criminal liability resulting from making such a report.

III. INTERVIEWING CHILDREN AT SCHOOL

- A. All reports of alleged child abuse/neglect which come within the statutory definition of child abuse/neglect will be investigated by the Child Protective Services staff of the WV Department of Health and Human Resources.

WV Code 49-6A-9 establishes the child protective service in every county as the "sole public agency responsible for receiving or investigating... all reports of child abuse or neglect." Duly authorized investigators from the Department of Health and Human Resources (DHHR) may question a student at school without first obtaining parent permission.

School personnel do not have an absolute right to be present during the interview. The choice of who is present during an investigation will be left to the discretion of the DHHR investigator, in accordance with State law.

Specific reporting procedures and pertinent definitions relating to abuse and neglect can be found in the Tyler County Schools' Administrative Procedures Manual.

REFERENCE: WV Code 49-6A-1 through 9; WV Code 49-1-3; State Superintendent Interpretation October 30, 1984, "Principal and Assistant Principal – School"

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