

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES

SUBJECT: Child Abuse or Neglect

EFFECTIVE: This policy circular shall become effective July 1, 1988, and shall be implemented immediately.

PROMULGATED July 1, 1988

SUPERSEDES: Policy Circular P-Misc.06, promulgated March 25, 1986.

The purpose of this policy circular is to advise Department and Provider Agency personnel of Department policy and procedures to be followed in the reporting of incidents of child abuse or neglect, whether such report is based on a suspicion or a reasonable cause to believe.

I. SCOPE

This policy circular applies to all Provider Agencies.

II. DEFINITION

For the purpose of this circular the following item shall have meaning as stated:

Abused Child, as defined in N.J.S.A. 9:6-8.9, means a child under the age of 18 years:

- A. whose parent, guardian or other person having custody and control inflicts or allows to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, serious or protracted disfigurement, protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ;
- B. whose parent, guardian or other person having custody and control creates or allows to be created a substantial or ongoing risk of physical injury to such child by other than accidental means which would be likely to cause death, serious or protracted disfigurement or protracted loss or impairment of the function of any bodily organ;
- C. whose parent, guardian or other person having custody and control commits or allows to be committed an act of sexual abuse against the child;
- D. whose physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as the

result of the failure of his/her parent, guardian or such other person having custody and control, to exercise a minimum degree of care: (1) in supplying the child with adequate food, clothing, shelter, education, medical or surgical care though financially able to do so or though offered financial or other reasonable means to do so, or (2) in providing the child with proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or substantial risk thereof, including the infliction of excessive corporal punishment, or by any other act of similarly serious nature requiring the aid of the court; or

- E. who has been willfully abandoned by his/her parent, guardian or by such other person having custody and control.

III. POLICY

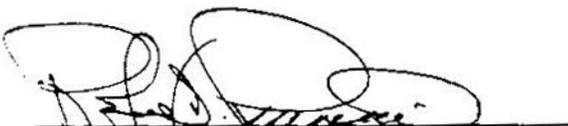
- A. It is the responsibility of the Department of Human Services to ensure that services to clients are provided in a safe and secure environment. A major emphasis of the Department is to put an obligation on any Department or Provider Agency personnel who even suspect that a child may be abused or neglected while under the care and/or supervision of the Provider Agency, to report the incident immediately to the Division of Youth and Family Services (DYFS). This immediate response will help to ensure the safety of the child in question as well as facilitate an investigation.
- B. In accordance with N.J.S.A. 9:6-8.10, 8.14 and 2C:43-3 and 8, any person having reasonable cause to believe that a child may have been subjected to abuse or neglect is legally obligated to report any and all information regarding the incident or incidents to the Division of Youth and Family Services. Failure to report is a disorderly persons offense. A person convicted of a disorderly persons offense may be fined up to \$1,000 and may be sentenced to up to six months in jail.
- C. In accordance with N.J.S.A. 9:6-8.13, anyone acting pursuant to this Act in making a report shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such person shall have the same immunity with respect to testimony given in any judicial proceeding resulting from such report.

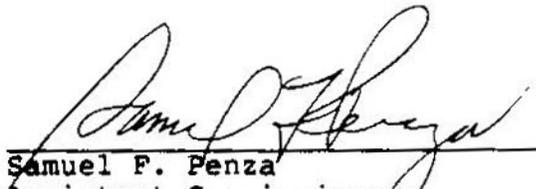
IV. PROCEDURES

Reporting Requirements

- A. Incidents of suspected child abuse or neglect involving Provider Agency staff with children under their care and/or supervision must be reported immediately to:
1. the DYFS Institutional Abuse Unit at 1-609-292-0617 (9 a.m. to 5 p.m. - Monday through Friday); or
 2. the DYFS toll-free hotline number at 1-800-792-8610 (after 5 p.m. - Monday through Friday; 24 hours a day on holidays and weekends).
- B. Provider Agency staff having reasonable cause to believe that a child has been abused or neglected in the child's own home shall promptly report the incident(s) to:
1. the local DYFS District Office (9 a.m. to 5 p.m. - Monday through Friday); or
 2. the DYFS toll-free hotline number at 1-800-792-8610 (after 5 p.m. - Monday through Friday; 24 hours a day on holidays and weekends).
- C. When making a report, the reporting person shall provide, whenever possible, the following information:
1. the name and approximate age of the child;
 2. the name and address of the parent or guardian of the child;
 3. the name and location of the Provider Agency;
 4. a description of the child's present condition and the nature and extent of the abuse or neglect to which he/she has been subjected, including an indication of the seriousness of the situation and whether the child appears to be in immediate or imminent danger; and
 5. the name of the alleged perpetrator and any other information known concerning the circumstances of the suspected abuse or neglect.

Issued by:


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