

Bergen County Special Services

Final Policy

Section: Adults

Number: 1000

Title: Prohibition of Abuse, Neglect and Exploitation of Individuals with Disabilities

The Board of Education recognizes that individuals with disabilities are entitled to certain fundamental rights as citizens and that these rights and expectations shall be omnipresent throughout the BCSS adult continuum of programs and services. The Board of Education also recognizes early detection of abused, neglected or exploited individuals is a very significant factor in protecting the health and individuals with disabilities.

DEFINITION

For the purposes of this policy, the words and terms listed shall have the following meanings:

“Individual with disabilities” shall be interchangeable with “individual receiving services”.

“Abuse” means wrongfully inflicting or allowing to be inflicted on an individual with developmental disabilities physical abuse, sexual abuse or verbal abuse psychological abuse or mistreatment by a staff member upon an individual with a developmental disability.

“Exploitation” means the act or process of a staff member using an individual with a developmental disability or his resources for another person’s profit or advantage.

“Neglect” shall consist of any of the following acts done to an individual with a developmental disability by a staff member: willfully failing to provide sufficient supervision and any act necessary to maintain wellbeing of an individual with disabilities.

PURPOSE OF THIS POLICY

It shall be the main concern of all District staff members to ensure the safety, health, welfare and freedom from exploitation for individuals with disabilities.

REPORTING REQUIREMENTS

Allegations of abuse, neglect and exploitation must be reported to legal guardians and local law enforcement authorities as needed. Designated staff members will complete an unusual incident report as specified in the Unusual Incident Reporting Management System (UIRMS) and Division Circular #14. Designated staff members responsible for reporting are Workshop Managers, Rehab Counselor, Nurses, Work Readiness Instructors, Job Coaches and /or Program Coordinator.

If it appears that there may be a violation of the New Jersey Code of Criminal Justice involving individuals with disabilities or contracted provider or program, the matter must be reported to law enforcement authorities by Division or BCSS personnel.

Abuse, Neglect or Exploitation – Examples

Allegations of the types on injuries, risks or harm to an adult with disabilities that may constitute abuse, neglect or exploitation and that shall be reported include, but are not limited to:

1. Death;
2. Head injuries;
3. Internal injuries;
4. Burns;
5. Exposure to or ingestion of poison or noxious substances;
6. Bodily wounds;
7. Bone fractures;
8. Injuries resulting in unexpected hospitalizations or trips to the emergency room;
9. Human bites;
10. Sprains or dislocations;
11. Mental or emotional impairment not related to the underlying physical and/or emotional disabilities of the service recipient;
12. Risk of harm due to substance abuse by the staff member or the adult; and
13. Physical acts of aggression including, but not limited to, kicking, punching slapping, hair pulling or hitting.

Abuse – Examples

The allegations of the types of injuries, risks or harms that may constitute abuse and that shall be reported include, but are not limited to:

1. Acts that demean, intimidate or humiliate;
2. Use of unapproved restraints;
3. Sexual molestation;
4. Sexual exploitation;
5. Sexual penetration;

6. Substantial risk of sexual injury.

Neglect – Examples

The allegations of the types of injuries, risks or harm that may constitute neglect of an individual with disabilities and that shall be reported include, but are not limited to:

1. Inadequate supervision;
2. Abandonment or desertion;
3. Inadequate food;
4. Inadequate shelter;
5. Medical neglect.

Exploitation – Examples

The allegations of the types of conduct that may constitute acts of exploitation of an individual with disabilities and that shall be reported include, but are not limited to:

1. Theft or use of the individual's property or private funds;
2. Misappropriation of an individual's identity; or
3. Having an individual with disabilities perform labor for which he or she is not compensated.

TRAINING REQUIREMENTS

BCSS staff members will complete courses detailed in the Division of Developmental Disabilities Supports Program Policies and Procedures Manual through the College of Direct Support. The "Prevention of Abuse, Neglect and Exploitation Module" part of the "DDD System Mandatory Training Bundle".