Denise Bracalilliy - Schultz MCPS. OCEP Child Abuse property

Child Abuse and Neglect

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MCPS

Rationale

The revised MCPS policy and regulations codify and provide explicit guidance on the mandated reporting of allegations of child abuse and neglect in our schools.

The revisions have resulted in enhanced training expectations for all adults who work with MCPS students that will increase consistency of practice and response to mandatory reporting of allegations of child abuse and neglect.

MCPS

Abuse and Neglect?

- Physical Injury
- Mental Injury
- Sexual Abuse
- Neglect

MCPS

Scope of Required Reporting Responsibilities

Required Reporting

- Oral Report to Child Protective Services/ Adult Protective Services (240-777-3000)
- Notification to Principal/Supervisor
  - Principal/supervisor notifies MCPD Special Victims Investigations Division (sexual abuse)
  - Principal maintains **confidential** log of reported cases
- Written Report (within 48 hours)
  - Revised MCPS Form 335-44
  - Distribution

Report First!

Do **NOT** investigate.

Do **NOT** interrogate.

Let the experts from CPS, APS, or MCPD determine what happened and conduct the investigation.

Why Report Directly and Immediately?

- Minimizes revictimization of child by streamlining the investigation;
- Reduces unnecessary trauma that may result from repetitive, detailed questioning of children;
- Maximizes the possibility of holding offenders accountable;
- Ensures subject matter experts are leading investigations; and
- Screens out unfounded cases promptly;

Reminder: When in doubt, always err on the side of reporting.

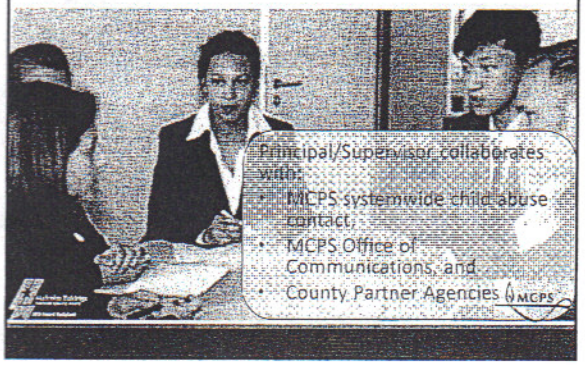
What Happens After a Report?

County Partner Agency Responses

- CPS/APS follows up
  - Screens out or investigates
- Police investigate (Special Victims Investigations Division)
- State's Attorney's Office reviews
- Support for victims (e.g., the Tree House Child Assessment Center)

CPS and MCPD have the right to interview the student at school.

Notification of Others



Expectations for STAFF

- ✓ Complete the Staff on-line training and face-to-face training
- ✓ Follow MCPS policies, regulations, and Employee *Code of Conduct*.
- ✓ Keep boundaries with children clear.
- ✓ Avoid being alone with a student.

Expectations for Volunteers Supervised by Staff

- ✓ Use the visitor management system ✓
- ✓ Do not work with students alone
- ✓ Have the opportunity to participate in a volunteer training held in your school
- ✓ Have the opportunity to participate in a volunteer training held in central locations
- ✓ Have the opportunity to take an online training in January ✓

Expectations for Volunteer Coaches, Overnight Outdoor Education & Overnight Field Trip Chaperones

- ✓ Will participate in a volunteer training held in your school
- ✓ OR participate opportunity in a volunteer training held in central locations
- ✓ OR take an online training in January

Report of Suspected Abuse and Neglect

Office of School Support and Improvement
MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland 20850

MCPS Form 335-44
August 2015

INSTRUCTIONS: An oral report **must be made immediately** to Child Welfare Services, Montgomery County Department of Health and Human Services (DHHS), (commonly known as Child Protective Services (CPS)), at **240-777-4417.** For vulnerable adults, call Adult Protective Services (APS), at **240-777-3000. If this is an emergency, call the Montgomery County Police Department (MCPD), at 911 or 301-279-8000 immediately.** Complete and submit this written report within **48 hours.**

IF THERE IS DOUBT ABOUT WHETHER TO REPORT ABUSE OR NEGLECT, ALWAYS ERR IN FAVOR OF MAKING THE REPORT.

MCPS employees, contractors, or volunteers may not interrogate or collect written statements from any alleged victim, witness, or offender.

PART I—TO BE COMPLETED BY PERSON MAKING ORAL AND WRITTEN REPORT

Name _____ Job Title _____

School Name _____ Cluster _____

School Address _____ School Phone ____-____-____
Street *City* *State* *Zip*

PART II—INFORMATION ON CHILD OR VULNERABLE ADULT (IF KNOWN BY REPORTER)

Check type of concern: ☐ Abuse (Specify: ☐ Physical or ☐ Sexual) ☐ Neglect Child's Birthdate ___/___/___ Age___

If sexual abuse is suspected, principal/supervisor must call Special Victims Investigations Division, MCPD, immediately at 240-773-5400.

Name of Child _____ Sex: ☐ F ☐ M Race _____ Grade___

Address _____

Siblings *(if known)* _____ *Name* ___ *Age* _____ *School Attending* _____ *Name* ___ *Age* _____ *School Attending*

_____ *Name* ___ *Age* _____ *School Attending* _____ *Name* ___ *Age* _____ *School Attending*

PART III—PERSON(S) RESPONSIBLE FOR CHILD'S OR VULNERABLE ADULT'S CARE (IF KNOWN BY REPORTER)

Father _____ Home Phone ___-___-___ Work Phone ___-___-___

Mother _____ Home Phone ___-___-___ Work Phone ___-___-___

Guardian _____ Home Phone ___-___-___ Work Phone ___-___-___

Relationship of guardian to child _____ Address _____

PART IV—NATURE OF INJURY OR CONCERN (Important: It is NOT the role of any MCPS employee, contractor, or volunteer to investigate to determine the validity of a case of suspected abuse or neglect.). Use MCPS Form 336-01: *Addendum to MCPS Forms*, if necessary. For additional information, refer to Board Policy JHC and MCPS Regulation JHC-RA.

State how you became aware of the situation which led to the suspicion that the child or vulnerable adult may be a victim of abuse or neglect. Include information regarding current injuries, if applicable.

Provide information concerning previous injuries or conditions of abuse or neglect to this child or vulnerable adult or others in this family situation, including previous involvement with CPS or APS:

PART V—COMPLETE REQUIRED INFORMATION BELOW

Date of Oral Report ___/___/___ Time of Oral Report ___:___ a.m./p.m.

Name of CPS or APS Staff Member to Whom Oral Report was made. *(PLEASE PRINT)* _____

Date and Time Principal/Supervisor was Notified. Date ___/___/___ Time ___:___ a.m./p.m.

Date this Form was Mailed to CPS or APS ___/___/___ Signature of Person Making Report _____

DISTRIBUTION:
COPY 1: CPS, DHHS, 1301 Piccard Drive, Rockville, MD 20850, Phone: 240-777-4417; or **APS, DHHS**, 401 Hungerford Drive, 3rd Floor, Rockville, MD 20850, Phone: 240-777-3000
COPY 2: MCPS Systemwide Child Abuse Contact, Office of School Support and Improvement, CESC, Room 100, Phone: 301-315-7377;
COPY 3: Office of the State's Attorney for Montgomery County, County Office Building, 50 Maryland Avenue, 5th Floor., Rockville, MD 20850;
COPY 4: Special Victims Investigations Division, Montgomery County Police Department, 7300 Calhoun Place, Suite 300, Rockville, MD 20855, Phone: 240-773-5400.

Suspected abuse and neglect reports contain confidential information that may not be disseminated, distributed, or copied unless directed above. Disclosing, copying, distributing, or taking any action in reliance on the contents of this information is strictly prohibited.

IF THERE IS DOUBT ABOUT WHETHER TO REPORT ABUSE OR NEGLECT, ALWAYS ERR IN FAVOR OF MAKING THE REPORT.

DEFINITIONS

Abuse is:

1. **Any physical injury,** not necessarily visible, or mental injury of a child or vulnerable adult, by any person who has permanent or temporary custody or responsibility for the care or supervision of a child or vulnerable adult, under circumstances that indicate that the health or welfare of the child or vulnerable adult is harmed or at substantial risk of being harmed.
2. **Any sexual act or acts** (whether physical injuries are sustained or not) involving sexual molestation or exploitation, including but not limited to incest, rape, or sexual offense in any degree, sodomy or unnatural or perverted sexual practices on a child or vulnerable adult, by any person who has permanent or temporary custody or responsibility for the care or supervision of a child or vulnerable adult. Sexual molestation or exploitation includes, but is not limited to, contact or conduct with a child or vulnerable adult, such as exposure, voyeurism, sexual advances, kissing, fondling, sexual crime in any degree, rape, sodomy, prostitution, trafficking, or allowing, permitting, encouraging, or engaging a child or vulnerable adult in pornographic display, photographing, filming, or depiction of a child or vulnerable adult as prohibited by law, or allowing a child or vulnerable adult to reside with or be in the regular presence of a registered sex offender.

Child refers to any MCPS student, regardless of his or her age, and any other person under the age of 18 years of age. Even though Maryland law generally does not criminalize abuse or neglect of a student over 18 years of age, MCPS expects such conduct to be reported using the same procedures for reporting abuse or neglect of a child under the age of 18 years

Mental injury is the observable, identifiable, and substantial impairment of a child's or vulnerable adult's mental or psychological ability to function that is caused by the act of any person who has permanent or temporary custody or responsibility for the care or supervision of a child or vulnerable adult.

Neglect is leaving a child or vulnerable adult unattended or other failure to give proper care or attention, or the provision of improper care or attention, to a child or vulnerable adult by any parent, guardian, adoptive parent, family or household member, neighbor, MCPS employee, volunteer, or contractor, person in a position of authority, or any other person who has permanent or temporary care or custody of, or responsibility for, the supervision of the child or vulnerable adult under circumstances that indicate—

a) that the child's or vulnerable adult's health or welfare is harmed or placed at substantial risk of harm, or
b) mental injury to the child or vulnerable adult or a substantial risk of mental injury.

Vulnerable adult refers to a person 18 years of age or older who is believed by the individual reporting abuse or neglect to lack the physical or mental capacity to care for his/her daily needs.

REPORTING REQUIREMENTS

1. It is the policy of the Montgomery County Board of Education that all MCPS employees, contractors, and volunteers are personally and directly required to report any suspected instance of abuse or neglect of a child or vulnerable adult:
   - Whether the alleged victim is personally known by the reporting individual or not.
   - Whenever there is reason to believe that abuse occurred in the past, even if the alleged victim is an adult when the incident comes to light.
   - Regardless of where the child or vulnerable adult lives and regardless of where the suspected abuse or neglect is alleged to have occurred.
2. It is not the role of any MCPS employee, contractor, or volunteer to investigate to determine the validity of a case of suspected abuse or neglect.
3. An oral report of **SUSPECTED** child abuse and/or neglect must be made immediately:

TO REPORT CHILD ABUSE, NEGLECT, AND MENTAL INJURY, CALL: 240-777-4417
Child Protective Services, Department of Health and Human Services (24 hours)

TO REPORT ABUSE OR NEGLECT OF A VULNERABLE ADULT, CALL: 240-777-3000
Adult Protective Services, Department of Health and Human Services

IF SEXUAL ABUSE IS SUSPECTED, PRINCIPAL/SUPERVISOR ALSO WILL CALL: 240-773-5400
Special Victims Investigations Division, Montgomery County Police Department

4. A written report must be submitted within 48 hours to CPS or APS, Department of Health and Human Services. Use MCPS Form 335-44: *Report of Suspected Abuse and Neglect*. Address and distribution procedures are indicated on the form. There are **no exceptions** to this requirement.
5. All reports shall be sent in a plain envelope, sealed, addressed, and marked confidential. Envelopes containing reports sent to the Office of School Support and Improvement shall be enclosed in the usual interoffice mailer.
6. Under Maryland law, any person who in good faith makes or participates in making a report of abuse or neglect or who participates in an investigation or a resultant judicial proceeding is immune from any civil liability or criminal penalty that would otherwise result from making a report of abuse or neglect, or participating in an investigation or a resultant judicial proceeding.
7. Any MCPS employees, contractors, or volunteers, acting in their professional or service capacity for MCPS, who suspect child abuse and/or neglect and knowingly fail to report it, or intentionally prevent or interfere with reporting, shall be subject to discipline up to and including suspension for misconduct in office, discontinuation of contract services, or discontinuation of volunteering privileges, as appropriate. In addition, any certification issued under the authority of the Maryland State Department of Education or another licensing or certification board may be suspended or revoked, based on the criteria set forth in Maryland law.

For additional information, refer to MCPS Policy JHC and MCPS Regulation JHC-RA.

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