

I. Policy Statement

It is the responsibility of the Howard County Public School System (HCPSS) to provide a safe, engaging and supportive school environment for all students. The Board of Education affirms its position that all children and vulnerable adults have the right to be protected from abuse and neglect. The Board therefore acknowledges the necessity for the school system to ensure that employees, contractors, and volunteers are able to recognize and report instances of abuse and neglect of children and vulnerable adult students. The Board further acknowledges the necessity for the school system to collaborate with child and adult protective service agencies, both private and governmental.

II. Purpose

The purpose of this policy is to establish guidelines and monitoring requirements for ensuring that employees, contractors, and volunteers, working in their professional capacities, recognize and report abuse and neglect of children and vulnerable adult students in accordance with the Annotated Code of Maryland as well as state and local mandates.

III. Definitions

Within the context of this policy, the following definitions apply:

A. Abuse

1. Abuse means any physical or mental injury of a child or vulnerable adult, by any parent, adoptive parent, family or household member, school system employee, contractor, volunteer, or other person who has permanent or temporary care or custody or responsibility for supervision of the 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; or sexual abuse of a child.
2. Sexual abuse means 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 a parent, adoptive parent, family, or household member, school system employee, contractor, volunteer, or other person who has the permanent or temporary care, custody, or responsibility for supervision of a minor child or vulnerable adult. Sexual abuse includes, but is not limited to, contact or conduct with a child or vulnerable adult ranging from exposure, voyeurism, sexual advances, kissing, or fondling to sexual crime in any

degree; rape, sodomy, prostitution, human trafficking; or allowing, permitting, or encouraging a child or vulnerable adult to engage in obscene photography, films, poses, or similar activity; pornographic photography, films, poses, or similar activity; or prostitution.

- B. Child – Includes the biological, adopted, foster, step, legal ward, or child of a person who stands in the shoes of a parent to that child. The child must be under age 18, unless he or she is incapable of self-care due to mental or physical disability.
- C. Contractor¹ – A person providing goods and/or services through a legally binding agreement.
- D. Employee – Both certificated and non-certificated personnel employed by the HCPSS.
- E. Family or Household Member – A person who lives with, or is a regular presence in a home of a child or vulnerable adult, at the time of the alleged abuse or neglect. Regular presence in a household means visiting or staying in a home with sufficient frequency to make an individual a significant part of the child’s, vulnerable adult’s, or family’s life.
- F. Intimidation – Subjection to intentional action that seriously threatens and induces a sense of fear and/or inferiority which adversely affects one’s ability to participate in or benefit from the educational or work setting.
- G. Mental Injury – The observable, identifiable, and substantial impairment of a child's or vulnerable adult’s mental or psychological ability to function.
- H. Multidisciplinary Team – A group of professionals which meets regularly to provide consultation and treatment planning when appropriate on cases referred from Protective Services. This team meets during the investigative or continuing service phase of Department of Social Services (DSS) involvement in abuse and neglect investigations. The team, chaired by DSS, may include, but is not limited to, members of the following agencies:
 - 1. State’s Attorney’s Office
 - 2. Law enforcement
 - 3. Hospital/medical/public health
 - 4. Education
 - 5. Mental health/psychological/psychiatric
 - 6. Private social services
 - 7. Domestic violence/sexual assault services
 - 8. Licensing (of out-of-home, child care)
 - 9. Department of Juvenile Services

¹ This policy covers contractors who have access to children only.

- 10. Parole and Probation
- 11. Substance Abuse Treatment Providers

- I. Neglect – The leaving of 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, school system employee, contractor, volunteer, or other person who has permanent or temporary care or custody or responsibility for supervision of the child or vulnerable adult under circumstances that indicate:
 - 1. That the child's or vulnerable adult's health or welfare is harmed or placed at substantial risk of harm, or
 - 2. Mental injury to the child or vulnerable adult or a substantial risk of mental injury.
- J. Parent – Any one of the following, recognized as the adult(s) legally responsible for the student:
 - 1. Biological parent – A natural parent whose parental rights have not been terminated.
 - 2. Adoptive parent – A person who has legally adopted the student and whose parental rights have not been terminated.
 - 3. Custodian – A person or an agency appointed by the court as the legal custodian of the student and granted parental rights and responsibilities.
 - 4. Guardian – A person who has been placed by the court in charge of the affairs of the student and granted parental rights and responsibilities.
 - 5. Caregiver – An adult resident of Howard County who exercises care, custody or control over the student, but who is neither the biological parent nor legal guardian, as long as the person satisfies the requirements of the Education Article, §7-101 (c) (Informal Kinship Care) or has been issued a U.S. Department of Health and Human Service's Office of Refugee Resettlement (ORR) Verification of Release form entering into a custodial arrangement with the federal government.
 - 6. Foster Parent – An adult approved to care for a child who has been placed in their home by a state agency or a licensed child placement agency as provided by the Family Law Article, §5-507.
- K. Retaliation – The act or process of threatening or otherwise penalizing a person for reporting an alleged violation of policy or for participating in an investigation of an alleged violation.

- L. School-based Liaisons – Student Services employees who communicate with the Department of Social Services (DSS) and/or the Howard County Department of Police (police), on a need to know basis, regarding abuse and neglect cases involving students at their assigned schools. School-based liaisons also participate in meetings of the Multidisciplinary Team involving students at their assigned schools in order to plan for the students’ educational needs and to provide care that may assist the students.
- M. Volunteer – Any individual who performs, without compensation, school-related duties or tasks similar to those performed by a school system employee.
- N. Vulnerable Adults – Persons 18 years of age or older who are believed to lack the physical or mental capacity to care for their daily needs.

IV. Standards

A. Target Population

This policy exists to protect all children and vulnerable adult students who come to the attention of employees, contractors, and volunteers when working in their professional capacity.

B. Reporting Responsibility of Individual Employees, Contractors, or Volunteers

Employees, contractors, and volunteers will comply with requirements for reporting abuse and neglect of children and vulnerable adult students.

1. Any employee, contractor, or volunteer must make an oral report of suspected abuse or neglect of a child or vulnerable adult student as soon as possible, notwithstanding any other provision of law including any law on privileged communications. The employee, contractor, or volunteer who suspects the abuse or neglect is personally responsible for ensuring that a report is made.
 - a. The oral report must be made as soon as possible to the Howard County Department of Social Services (DSS) (Child Protective Services or Adult Protective Services, as appropriate) on business days, or the police on nonbusiness days or hours.
 - b. The employee, contractor, or volunteer must also notify the principal or Superintendent/designee that a report of suspected abuse or neglect has been made. See Standard IV.F. if the allegations involve an employee, contractor, or volunteer.
 - c. Upon notification, the principal or Superintendent/designee must make certain that an accurate and complete oral report is made immediately and without modification to the proper authorities.

2. The person making an oral report of abuse or neglect must submit a written report within 48 hours after the contact that disclosed the existence of possible abuse and/or neglect. The principal/designee must make certain that this report is submitted. The form entitled “Report of Suspected Abuse/Neglect/Mental Injury” is to be used. Copies of the report must be sent to:
 - a. School principal or the Superintendent/designee
 - b. Office of Student Services
 - c. DSS (2 copies), and
 - d. In the case of suspected abuse:
 - i. Howard County Department of Police, Child Abuse Section or Adult Protective Services, and
 - ii. State’s Attorney for Howard County.
3. School reporting sources will receive notification of the receipt of the report from DSS if the case is accepted for investigation.
4. It is not the role of the employee, the principal, the school system, the contractor, or the volunteer to investigate or determine the validity of a suspected abuse or neglect situation. Any doubt about reporting a suspected situation is to be resolved in favor of the child or vulnerable adult, and an oral report must be made as soon as possible. In situations where school employees, contractors, or volunteers are unsure whether abuse or neglect has taken place, the situation should be discussed with DSS. Once the alleged abuse or neglect has been reported, the Superintendent/designee may pursue an administrative review as provided for in Standard F. of this policy when a school system employee is the alleged abuser or neglecter.
5. The employee, contractor, or volunteer is required to report any suspected instance of abuse or neglect:
 - a. Whether the alleged victim is personally known by the reporting individual or not. Thus, a report must be made even if there is no direct knowledge or contact with the alleged victim.
 - b. 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.
 - c. That is alleged to have occurred in this state, as well as suspected abuse or neglect of a child or vulnerable adult who lives in this state, regardless of where the suspected abuse or neglect is alleged to have occurred. A report must be made to any county department of social services in Maryland if the alleged victim lives out of state and the suspected abuse or neglect occurred out of state and has come to light in Maryland.

6. Immunity

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.

- a. No employee of the school system may prevent or discourage other employees, contractors, or volunteers from making reports of abuse and neglect. The school system will protect employees, contractors, and volunteers from dismissal or other reprisals/retaliation for making a good faith report and/or participating in an investigation of abuse or neglect.
- b. When a case of suspected abuse or neglect has been reported, employees, contractors, and volunteers are prohibited from taking any action which may intimidate the alleged victim or non-victim witness, or which may prejudice the outcome of the case.
- c. All persons are required by law to protect the identity of the reporter unless required by court order to reveal the source.
- d. DSS employees may not identify any reporting source to a reported family unless the educator who filed the report has given written permission to reveal his/her identity.
- e. Students who come forward and make good faith reports, as well as students who may be victims or witnesses of abuse or neglect, will also be protected by the school system from intimidation, harassment, or reprisals/retaliation by other students, employees, contractors, volunteers, and members of the community to the extent possible.

C. Confidentiality of School System Records and Reports Concerning Abuse and Neglect

Abuse and neglect records and reports will be maintained in a confidential manner and in accordance with state law.

1. Disclosure

All records and reports concerning abuse and/or neglect and their outcomes are protected by Maryland law. (See also Policy 9050 Student Records and Policy 7010 Personnel Records.) Unauthorized disclosure of such records is a criminal offense. Information contained in reports or records concerning abuse and/or neglect may be disclosed only by DSS or the police.

- a. Such information will be disclosed by DSS or the police:
 - i. Under a court order; or
 - ii. Under an order of an administrative law judge, if the request for disclosure concerns a case pending before the Office of Administrative Hearings and provisions are made to comply with other state or federal confidentiality laws and to protect the identity of the reporter or other person whose life or safety is likely to be endangered by disclosure; and
- b. Such information may be disclosed only by DSS or the police on request:
 - i. To personnel of local or state departments of social services, law enforcement personnel, and members of multidisciplinary case consultation teams, who are investigating a report of known or suspected abuse or neglect or who are providing services to a child or family that is the subject of the report;
 - ii. To a licensed practitioner who, or an agency, institution, or program which, is providing treatment or care to a child or vulnerable adult who is the subject of a report of abuse or neglect for a purpose relevant to the provision of the treatment or care (school employees are covered under this provision in accordance with Maryland regulation);
 - iii. To a parent or other individual who has permanent or temporary care and custody of a child or vulnerable adult, if provisions are made for the protection of the identity of the reporter or any other person whose life or safety is likely to be endangered by disclosing the information;
 - iv. To the Superintendent for the purpose of carrying out appropriate personnel or administrative actions following a report of suspected abuse involving a student committed by:
 - A public school employee in that school system;
 - An independent contractor who supervises or works directly with students in that school system; or
 - An employee of an independent contractor, including a bus driver or bus assistant, who supervises or works directly with students in that school system.

2. Student Reports

- a. Abuse and neglect reports are not part of the educational record. They will be maintained separately from the educational record in a locked file. They are not subject to the disclosure and other requirements of the Federal Education

Rights and Privacy Act (FERPA). No school records relating to matters of abuse or neglect will be available for inspection by parents. However, employees should be aware that in subsequent court action, the court might determine that such records are material to the case and thus subject to subpoena.

- b. Information contained in school health records that is needed during the existence of a health and safety emergency may be disclosed without parental consent and without violating provisions of FERPA. Educators are required to provide copies of a student's medical/health records information, upon request to DSS, as needed as part of an abuse/neglect investigation or to provide appropriate services in the best interest of a student who is the subject of a report of abuse or neglect.
- c. When principals become aware that students who are subjects of investigations of abuse or neglect have withdrawn and/or moved out of their schools' service areas within three months of the initiation of an investigation, they should notify DSS or law enforcement agencies.
- d. Certified copies of relevant custody decrees or civil protection orders provided by parents are placed in the student's cumulative record so that the school system can comply with pertinent stipulations contained within the order, in the instances where the school system becomes aware of a danger to the student of possible abduction, abuse, or neglect.

3. Employee Records

All records and reports of abuse and neglect involving an employee, contractor, or volunteer will be secured in a locked file cabinet in the Central Office with only designated individuals having access to the files. Other individuals with proper authority and a need to know will record their access on a log maintained by the custodian of the file.

4. Retention of Records

- a. Abuse and neglect records and reports involving employees, contractors, or volunteers will be kept on file as long as the individual continues to provide services to the school system and for a period of ten (10) years thereafter. These files will then be placed in permanent storage.
- b. Abuse and neglect records and reports involving students will be retained for a period of five (5) years after the student turns 18, graduates from high school, or after the vulnerable adult turns 21. School-based records and reports concerning abuse or neglect will be kept on file in the school in which the student was enrolled at the time of the report.

D. Suspected Abuse and Neglect Investigations

Employees, contractors, or volunteers will cooperate with DSS and the police in investigations of suspected abuse and neglect.

1. Validation of suspected abuse or neglect is the responsibility of DSS and the police.
2. School employees, contractors, or volunteers attempting to determine if there is reason to suspect abuse or neglect should not subject students to undue pressure, nor should students be pressured to recant allegations of abuse or neglect.
3. Once it is determined that a report must be made, the employee, contractor, or volunteer reporting the alleged abuse or neglect, the school principal, or any other school-based employees are not to discuss any aspect of the case with the alleged victim or attempt to conduct any internal investigation or independent review of the facts.
4. School system employees are prohibited, in general, from taking action that prejudices the ongoing case, such as giving an indication to the alleged offender of the report of suspected abuse or neglect.
5. Interviews on School Property
 - a. The principal will permit DSS and the police to question a student who is an alleged victim or a non-victim witness of abuse or neglect on school premises during the school day, whether or not the student has already been interviewed, in an investigation involving suspected abuse or neglect under the Family Law Article.
 - b. The principal will determine, after consultation with the individual from DSS or the police, whether a school official should be present during questioning. The school official should be selected, with input from the victim, on a case-by-case basis for the purpose of providing support and comfort to the student who will be questioned. All questioning of the victim or the non-victim witness must be done by the police or representative of DSS. The Howard County Public School System/Howard County Department of Social Services "Procedures Concerning Abuse Investigations During School Hours" will be followed.
 - c. Decisions as to who will notify parents of a report or interview and when that notification will occur will be made by the principal/designee in consultation with the Division of Protective Services, DSS, or the police. Notification by the principal/designee is not required in a case where, in the judgment of the principal/designee and personnel from the Division of Protective Services,

DSS and/or the police, such a disclosure to parents would create a threat to the investigation or well being of the student. In these cases, the social worker or police officer are responsible for the notification of parents.

- d. A student may not be removed from the school grounds for questioning or medical investigation without parental approval unless DSS has guardianship or an authorization for shelter care to remove the student or unless there is a medical emergency which is caused by suspected abuse or neglect. Such an authorization need not be in hand but will be verified by telephone. Removal from school grounds requires prompt notification of the student's parents. This is not discretionary. When a student is removed, the principal/designee will ensure that prompt notification of the removal is made to parents. By mutual agreement, such notification may be delegated to DSS or the police, but responsibility for ensuring that prompt notification occurs is that of the principal.

E. Support for Students

Employees, contractors, or volunteers will collaborate with child and adult protective service agencies and the police to provide support to alleged victims of abuse and neglect as well as students who report abuse or neglect.

1. Guidance counselors, school psychologists, pupil personnel workers, school-based liaisons, nurses, and other appropriate school system employees are available to provide support and counseling to students who come forward to report or confirm allegations of abuse or neglect.
2. Instructional Intervention Team/Student Support Team meetings should be called for the purpose of providing services and supports to students known to be, or suspected of having been, abused or neglected.
3. A school-based liaison may request that DSS convene a multidisciplinary team meeting to share or obtain information, or to discuss concerns, to the extent permitted by the confidentiality statute in order to coordinate planning services to the student. School-based liaisons and other appropriate school employees are expected to participate in the team meetings in accordance with the procedures established between DSS and HCPSS. School-based liaisons may also request information outside of the multidisciplinary team meeting in order to coordinate planning services to the student.

F. Allegations of Abuse or Neglect Against an Employee, Contractor, or Volunteer

The process for addressing allegations of abuse or neglect that involve a school system employee, contractor, or volunteer will adhere to appropriate state law and the Memorandum of Understanding.

1. Whenever an employee, contractor, or volunteer makes an oral report of suspected abuse or neglect against a school system employee, contractor, or volunteer to DSS or the police, the reporter will also notify the Community Superintendent/designee and the Office of Staff Relations as soon as possible.
2. In every case of alleged abuse or neglect, an internal investigation will be conducted by the Superintendent's designee and a decision reached regarding discipline where warranted, even when DSS and the police close out a case without taking action. Such investigations must be conducted in accordance with the Memorandum of Understanding.
 - a. There will be no internal investigation of the allegations until it is clear that such investigation will not interfere with the efforts of either the police or DSS.
 - b. To the extent that some preliminary inquiry must be made to determine what action should be taken by the school system on an interim basis, the inquiry may be pursued only with the permission of law enforcement authorities and DSS.
 - c. The DSS and/or the police might decide not to pursue a report. If DSS does investigate, it will make one of three determinations:
 - i. Indicated by preponderance of the evidence: a finding that there is credible evidence, which has not been satisfactorily refuted, that abuse or neglect occurred
 - ii. Unsubstantiated: a finding that there is insufficient evidence to support a finding of Indicated or Ruled Out
 - iii. Ruled Out: a finding that abuse or neglect did not occur
 - d. The State's Attorney makes a separate determination as to whether to bring criminal charges.
 - e. The school system's investigation can proceed when permission is granted by DSS and the police. To the extent possible, the system's investigation should make use of police reports, statements, and other information obtained in accordance with Section 1-202 of the Human Services Article to preclude repetitive questioning of alleged victims and witnesses.
 - f. The primary purpose of the HCPSS investigation is to determine if there is evidence of employee, contractor, or volunteer misconduct. In addition, the investigation should determine whether the matter was reported in a manner consistent with the law and school system policy and procedures.

3. Upon learning of allegations of abuse or neglect against a school system employee, contractor, or volunteer, the Office of Staff Relations will immediately:
 - a. Establish a case file.
 - b. Ensure that communication with DSS and the police is established as appropriate.
 - c. If an employee's assignment involves access to students, reassign the employee to remove such access. An exception may be made and employees may be retained in their positions in those instances where there is significant, credible information that reassignment is not warranted. Reassignment may be considered at any time during investigations by DSS, the police, or HCPSS of the allegations.
 - d. Restrict the contractor or volunteer's access to students or discontinue their services until the investigation is complete.
 - e. Where necessary, ensure that the employee, contractor, or volunteer is notified only of the details pertinent to the reassignment or discontinuation of services. When such notification occurs, care must be taken not to discuss the allegation in order to ensure that the integrity of the investigation is not compromised.
 - f. Ensure that the Howard County Board of Education is informed of allegations against the employee, contractor, or volunteer and provide the Board with periodic status reports. In the case of a contractor, the appropriate official of the contractor's business (where applicable) must also be notified, following the cautions in Standard IV.F.3.e.
 - g. Oversee any internal investigation.
 - h. Present findings and a recommendation to the Superintendent/designee.
4. Discipline Procedures
 - a. In cases where discipline of an employee is considered, the Superintendent/designee will hold a due process meeting with the employee to advise the employee of the charges and present an opportunity for response. The Superintendent/designee will respond to allegations of misconduct by an employee in accordance with Policy 7030 Employee Conduct and Discipline.
 - b. In implementing discipline procedures, the Superintendent/designee will confer with the policy department/States attorneys' office regarding whether employee action would jeopardize any pending law enforcement investigation or prosecution.

- c. A certificated employee is subject to having their certificate suspended or revoked in accordance with the Code of Maryland Regulations if the employee knowingly fails to report suspected child abuse, is dismissed or resigns after notice of allegation of misconduct involving a student in any school system or any minor, is dismissed or resigns after notice of allegations of child sexual abuse, receives certain criminal dispositions or pleads guilty or nolo contendere with respect to various offenses involving a student or minor, and for other causes set forth in the Code of Maryland Regulations.
 - d. In the case of contractors, after the investigation is complete, the Superintendent/designee will make a decision whether to continue services.
 - e. If a contractor or volunteer pleads guilty, nolo contendere, receives probation before judgment, or is convicted of a crime with respect to abuse or neglect, services will be discontinued.
 - f. The Superintendent will report misconduct under this standard by non-certificated employees or contractor to any appropriate certification or licensing boards.
 - g. In every case of allegations of abuse or neglect against employees, contractors, or volunteers, the Superintendent/designee will notify the Board with a summary of the allegations, the finding, the decision regarding discipline, and the rationale. Specific details should be limited in order to ensure that the employee receives appropriate due process in the event that disciplinary actions are imposed or recommended and the employee appeals to the Board of Education.
- G. Consequences for Failure to Report Actual Knowledge of the Abuse or Neglect
- 1. Knowing failure to report suspected abuse or neglect in violation of the reporting requirements constitutes misconduct in office for which an employee may be suspended or dismissed.
 - 2. Knowing failure to report suspected abuse or neglect in violation of the reporting requirements by a contractor or volunteer may result in discontinuation of services.
 - 3. Knowing failure to report on the part of employees, contractors, or volunteers will be communicated to the appropriate certification or licensing agency. Any certificate issued under the State Board of Education's regulations may be suspended or revoked by the State Superintendent.
 - 4. In every case of allegations of failure to report child abuse and neglect against employees, contractors, or volunteers, the Superintendent/designee will notify the Board with a summary of allegations, the finding, the decision regarding discipline,

and the rationale. Specific details should be limited in order to ensure that the employee receives appropriate due process in the event that disciplinary actions are imposed or recommended and the employee appeals to the Board of Education.

5. An employee, contractor, or volunteer who knowingly fails to provide the required oral or written report is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$10,000 or imprisonment not exceeding 3 years or both.

H. Multidisciplinary Team

The school system will collaborate with DSS and be actively involved in multidisciplinary team meetings.

1. Investigations

In cases of alleged abuse or neglect where the accused is a school system employee, contractor, or volunteer, the Superintendent's designee will be involved in a multidisciplinary team meeting for the purpose of ascertaining information and determining the appropriate course of action. The agreements contained in the Memorandum of Understanding will be followed.

2. Support Services

The school-based liaison may be involved in a multidisciplinary team meeting for the purpose of assisting in the care and providing coordinated services to a student or family that is the subject of the report.

I. Professional Development

The school system, in collaboration with child protective service agencies and the police, will provide appropriate professional development to ensure that employees, contractors, and volunteers will carry out this policy.

1. All new employees will receive training in recognizing and reporting physical abuse, sexual abuse, neglect, and mental injury of a child or vulnerable adult. This training will occur prior to the first day that students report each year. For those hired after that date, training will be provided as soon as reasonably possible, but not more than 45 days after the employee begins work. The Office of Student Services will provide training to new school-based employees. The Office of Student Services will provide assistance to appropriate supervisors in the training of other new employees. All new school system employees are required to sign a training certificate attesting to the fact that they have been trained in recognizing physical abuse, sexual abuse, neglect, and mental injury of a child or vulnerable adult and that they have an understanding of the reporting requirements, stipulated

through law and this policy. A copy of the training certificate will be placed in each employee's personnel file.

2. Annual review of this policy will be provided to all employees, including administrators and supervisors, by September 30th of each year. Consultation services are available from the Office of Student Services. All principals and appropriate supervisors are required to sign a verification form annually, attesting to the fact that their employees have been made aware of the requirements for reporting physical abuse, sexual abuse, neglect, and mental injury. Verification forms will be forwarded to the Office of Student Services.
3. Contractors and volunteers will receive training and/or information in recognizing and reporting physical abuse, sexual abuse, neglect, and mental injury of a child or vulnerable adult. This will occur as soon as reasonably possible after they begin providing services, and annually thereafter. Principals and appropriate supervisors are responsible for ensuring that contractors and volunteers receive appropriate training and/or information. Contractors and volunteers will be required to sign a form that they have been made aware of the indicators of abuse and neglect and know how to file a report. Such forms will be retained by the principal/supervisor.

J. Parental and Student Notification and Educational Outreach

The school system will notify parents and students annually of the legal responsibility of all employees, contractors, volunteers, and students to report suspected cases of abuse or neglect. The school system will also provide educational information to the community regarding abuse and neglect.

K. Monitoring

To monitor the implementation of this policy and to ensure continued diligence, abuse and neglect statistics from the previous year will be compiled and reported annually to the Board of Education. The report will contain disaggregated statistics and trend analysis as appropriate. These statistics will include:

1. The number of reports of abuse and number of reports of neglect for both children and vulnerable adult students.
 - a. The number of physical abuse, sexual abuse, neglect, and mental injury reports made by school system employees, contractors, or volunteers.
 - b. The number of reports made by employees, contractors, or volunteers involving accusations against employees, contractors, or volunteers and the final dispositions of those reports by action taken.

- c. The number of letters sent by the Superintendent requesting the revocation of certificates or licenses as the result of this policy, disaggregated by the reason for the action.
 - d. The number of investigations of abuse or neglect by DSS on school property during school hours.
2. A description of major professional development and educational outreach efforts by the school system directed toward employees, contractors, and volunteers, students, families, and the community.
3. The number of multidisciplinary team meetings requested by school system employees; the number of meetings in which school system employees have participated, either with regard to the investigation of reports of known or suspected abuse or neglect by an employee, contractor, or volunteer or with regard to the provision of coordinated interagency services to students who are the subjects of the reports; the number of students served by this team approach; the number and types of services provided; and their resultant outcomes.
4. The number of problem solving team meetings that are called for the purpose of serving students known to be or suspected of having been abused or neglected, the number of students served by this team approach, the number and types of services provided by these teams, and resultant outcomes.

V. Responsibilities

- A. The Superintendent/designee will:
 1. Ensure that all employees, contractors, and volunteers report suspected abuse and neglect in accordance with the standards set forth herein.
 2. Ensure that the school system has procedures to protect the identity of persons reporting abuse and neglect of children and vulnerable adults.
 3. Ensure that investigations of employees, contractors, and volunteers are conducted in accordance with this policy and the Memorandum of Understanding.
 4. Provide annual notification to employees, contractors, volunteers, students, and families of this policy.
 5. Designate employees to conduct investigations involving allegations against employees, contractors, and volunteers in accordance with Standards IV.F.2., IV.F.3., and IV.G.1.d.

6. Designate an employee to serve as the custodian of the file regarding school system employee records. This person will review and maintain the information on school system employees, contractors, and volunteers, of any status, who become the subject of investigations involving abuse and neglect, or who fail to report abuse or neglect. The custodian of the file will provide statistical data to the Office of Student Services for the annual report.
 7. Ensure that, where appropriate, actions to decertify a certificated employee, or to revoke the license of a licensed employee, will be initiated.
 8. Report to the Board regarding the status and disposition of all cases of allegations of abuse or neglect against employees, contractors, and volunteers, as well as any disciplinary action taken as a result of failure to report.
- B. Principals and appropriate supervisors will:
1. Ensure that neither students nor individuals under their supervision are subjected to retaliation or harassment as a result of this policy.
 2. Forward annual verification forms to the Office of Student Services.
- C. Principals/designees will:
1. Make certain that an accurate and complete oral report is made as soon as possible and without modification to the proper authorities, upon notification by an employee, contractor, or volunteer of suspected abuse or neglect, and that a written report is made within 48 hours.
 2. Designate a school-based liaison for abuse and neglect who will communicate with DSS and/or the police and participate, as needed, on multidisciplinary meetings.
 3. Ensure that school-based records and reports concerning abuse or neglect are confidential and are secured in a locked file.
 4. Notify DSS or law enforcement agencies when they become aware that students who are subjects of investigations of abuse or neglect have withdrawn and/or moved out of their schools' service areas within three months of the initiation of an investigation.
- D. The Office of Student Services will:
1. Provide updated information regarding this policy, including phone numbers, to all schools and offices.
 2. Compile and report abuse and neglect statistics to the Board of Education annually.

3. Assist with professional development, training, and educational outreach efforts towards employees, contractors, and volunteers, students, families, and the community.
- E. Employees, contractors, and volunteers will make oral reports as soon as possible and written reports within 48 hours of abuse or neglect of children or vulnerable adults in accordance with this policy.
- F. School-based liaisons will:
1. Communicate with DSS and/or the police
 2. Coordinate support for students who are suspected of being abused or neglected
 3. Participate in meetings of the Multidisciplinary Team as needed
 4. Assist with training of school-based employees.
- G. The custodial parent or other person obtaining an order (not HCPSS) will provide the school with any protective order which terminates or limits the non-custodial parent's or any other person's right of access to the student.

VI. Delegation of Authority

The Superintendent is authorized to develop procedures for the implementation of this policy.

VII. References

- A. Legal
- COMAR 13.A.08.01.13, Questioning on School Premises
 - COMAR 13A.12.05, Suspensions and Revocations of Certifications
 - The Annotated Code of Maryland, Criminal Law Article, Section 3-601, Child Abuse, and Section 3-602, Sexual Abuse of a Minor
 - The Annotated Code of Maryland, Criminal Law Article, Section 3-604, Abuse or Neglect of a Vulnerable Adult in the First Degree
 - The Annotated Code of Maryland, Education Article, Section 6-202, Suspension or Dismissal of Teachers, Principals and Other Professional Personnel
 - The Annotated Code of Maryland, Family Law Article, Title 5, Subtitle 7, Child Abuse and Neglect
 - The Annotated Code of Maryland, Family Law Article, Title 14, Subtitle 3, Investigative Provisions (Vulnerable Adults)
 - The Annotated Code of Maryland, Health General Article, Title 4, Subtitle 3, Confidentiality of Medical Records, Section 306
 - The Annotated Code of Maryland, Human Services Article, Section 1-202 and 1-203, Confidentiality and Disclosure of Information

Family Educational Rights and Privacy Act

- B. Other Board Policies
 - Policy 1020 Sexual Discrimination, Sexual Harassment, and Sexual Misconduct
 - Policy 1040 Safe and Supportive Schools
 - Policy 7010 Personnel Records
 - Policy 7030 Employee Conduct and Discipline
 - Policy 9050 Student Records
- C. Relevant Data Sources
- D. Other
 - Howard County Public School System/Howard County Department of Social Services
“Procedures Concerning Abuse Investigations During School Hours”
Memorandum of Understanding (Howard County Multidisciplinary Team)

VIII. History

ADOPTED: October 11, 1977
REVIEWED: July 1, 2012
MODIFIED: August 14, 2014
September 8, 2016
December 5, 2019
REVISED: July 25, 1991
May 28, 1992
June 27, 1996
January 26, 2006
EFFECTIVE: December 5, 2019

CHILD ABUSE AND NEGLECT

Effective: December 5, 2019

I. All employees of the Howard County Public School System (HCPSS) who suspect that a child or a vulnerable adult has been subject to abuse or neglect are to follow the following steps and procedures in reporting. Section IV.B. of the policy contains additional details regarding responsibility for reporting and protection for doing so.

A. File an oral report as soon as possible with the Howard County Department of Social Services (DSS) (Child Protective Services or Adult Protective Services, as appropriate) on business days during business hours, or the Howard County Department of Police (police) on non-business days or hours.

DSS, Child Protective Services	410-872-4203
8:30-5:00 Mon. – Fri. (except holidays)	
DSS, Adult Protective Services	410-872-8823
8:30-5:00 Mon. – Fri. (except holidays)	
Department of Police, Central Communication	410-313-2929*
24 hours a day/7 days a week	

** Indicate the call is from a school and request a CPS worker on call.*

B. Notify the principal or appropriate Community Superintendent/designee that a report of suspected abuse or neglect has been made. In the case of allegations against an employee, contractor or volunteer, also notify the Office of Staff Relations.

C. Submit a written report within 48 hours after the contact that disclosed the existence of possible abuse and/or neglect. Use the form entitled “Report of Suspected Abuse/Neglect/Mental Injury” (available from the Office of Student Services) to report all abuse or neglect cases. Copies of this report will be sent to the:

1. Community Superintendent/designee and the Office of Staff Relations (if an employee, contractor or volunteer are accused)
2. Office of Student Services
3. DSS (2 copies), and,
4. If the report involves suspected abuse, copies of the report must also be sent to the:
 - a. Howard County Department of Police, Child Abuse Section or Adult Protective Services, and
 - b. State’s Attorney for Howard County

- D. Do not inform the individual who is the reported offender of the reporting action unless instructed to do so by the Superintendent/designee. Do not discuss any aspect of the case with the victim.
- II. The principal will permit DSS and/or the police to interview the alleged student victim or non-victim witness in school in relation to the reported suspicion of abuse or neglect in accordance with Standard IV.D.5. of the policy.
 - A. Notification of parents regarding reports or interviews will be done in accordance with Standard IV.D.5.c. of the policy.
 - B. Decisions regarding removal of a student from school grounds will be done in accordance with Standard IV.D.5.d. of the policy.
- III. Principals/designees will appoint school-based liaisons from among their student services employees. School-based liaisons will communicate with DSS and/or the police, coordinate support for students who are suspected of being abused or neglected, participate in meetings of the Multi-Disciplinary Team as needed, and assist with training of school-based employees.
- IV. When students who are 18 years of age or older, and who are not vulnerable adults, report that they may be victims of abuse or neglect, employees, contractors, and volunteers must report the information to the school-based liaison and/or other student services employees to determine further action and to consider whether there are violations of other HCPSS policies.
- V. The Superintendent will address instances of reported abuse and neglect involving an HCPSS employee in accordance with Standards IV.F. and IV.G. of the policy. Allegations of abuse or neglect against an employee, contractor or volunteer must be conducted by DSS and the police. Once a report of suspected abuse or neglect has been made, the school system cannot conduct any further investigations without the express approval of DSS or the police. However, the school system must always investigate abuse and neglect allegations against an employee, contractor or volunteer, even when law enforcement or DSS closes out a report without taking action.
- VI. All records concerning abuse and neglect are to be maintained in a confidential manner. Section IV.C. of the policy contains details regarding maintenance, retention, and disclosure of records and should be referred to for further information.
 - A. The principal/designee will ensure that school-based records and reports of abuse and neglect are maintained in a confidential manner. Such records will be maintained separately from a student's educational records in the school in which the student was enrolled at the time of the report.
 - B. The Director of Staff Relations will ensure that records and reports of abuse and neglect involving an employee, contractor or volunteer are maintained in a confidential manner in the Central Office.

- VII. The HCPSS will collaborate with the DSS and be actively involved in multidisciplinary meetings with regard to investigations and support services, in accordance with Standard IV.H. of the policy. School-based liaisons and other appropriate school employees are expected to provide support and to participate in team meetings as appropriate in accordance with Standard IV.E. of the policy.
- VIII. The HCPSS will provide for appropriate professional development to ensure that all employees will carry out this policy, in accordance with Standard IV.I. Professional development will include notice that the law provides immunity from any liability or criminal penalty to all those who participate in good faith in the making of a report, in an investigation, or any judicial proceedings resulting from such a report.
- A. All employees will receive annual online training in recognizing and reporting physical abuse, sexual abuse, neglect, and mental injury.
 - B. All HCPSS contractors and volunteers will complete the training in recognizing and reporting physical abuse, sexual abuse, neglect, and mental injury before beginning any HCPSS related work.
 - C. An annual review of the policy will be provided to all employees.
- IX. The Director of Staff Relations will serve as the custodian of the confidential files regarding HCPSS employees, contractors or volunteers who become the subject of abuse and neglect, or who fail to report abuse or neglect. The Director of Staff Relations will provide statistical data to the Office of Student Services for the annual report. This will include the number of reports made by employees, contractors or volunteers involving accusations against employees, contractors or volunteers and the final dispositions of those reports by action taken.
- X. History
- ADOPTED: July 22, 1991
REVIEWED: July 1, 2012
MODIFIED: December 5, 2019
REVISED: May 28, 1992
January 26, 2006
May 10, 2007
EFFECTIVE: December 5, 2019