

REGULATION

ANNE ARUNDEL COUNTY PUBLIC SCHOOLS

Related Entries: JEF

Responsible Offices: DIVISION OF STUDENT SUPPORT SERVICES, OFFICE OF INVESTIGATIONS

REPORTING CHILD ABUSE AND NEGLECT

A. PURPOSE

To provide guidance for Anne Arundel County Public Schools (AACPS) personnel regarding obligations of AACPS employees, volunteers, and agents of AACPS and the Board of Education of Anne Arundel County (Board) to report allegations or suspected child abuse and neglect.

B. BACKGROUND

AACPS and its employees, volunteers, and agents are responsible for reporting suspected child abuse and neglect in accordance with State law and regulations. Accordingly, AACPS employees, volunteers, and agents shall exercise reasonable care in protecting students from harm and exhibit professional and appropriate relationships with AACPS students.

C. DEFINITIONS

1. **Abuse** – the physical or mental injury of a child by any parent, or other person who has permanent or temporary care or custody or responsibility for supervision of a child and a person who, because of the person’s position or occupation, exercises authority over the child, including school system employees, volunteers or other AACPS or Board personnel, or by any household or family members under circumstances that indicate that the child’s health or welfare is harmed or at substantial risk of being harmed. Abuse also includes sexual abuse of a child, whether or not physical injuries are sustained. Abuse does not include the physical injury of a child by accidental means.
2. **Mental Injury** – the observable, identifiable, and substantial impairment of a child’s mental or psychological ability to function.
3. **Neglect** – leaving a child unattended or other failure to give proper care and attention to a child by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of the child including school system employees, volunteers, or other AACPS or Board personnel under circumstances that

indicate that the child’s health or welfare is harmed or placed at substantial risk of harm, or mental injury to the child or a substantial risk of mental injury.

4. ***Sexual Abuse*** – any act or acts involving sexual molestation or exploitation of a child by a parent or other person who has permanent or temporary care or custody or responsibility for the supervision of a child, including school system employees, volunteers, or other AACPS or Board personnel, or by any household or family member. Sexual abuse includes obscene photography, films, poses, or similar activity; pornographic photography, films, poses, or similar activity; prostitution; sex trafficking; incest; rape; sexual offense in any degree; sodomy; and unnatural or perverted sexual practices

D. PROCEDURES

1. Responsibility to Report Suspected Child Abuse and Neglect

- a. AACPS employees, volunteers, and agents shall report any suspected child abuse and neglect, including physical abuse, sexual abuse, and the mental injury of a child in accordance with State law and regulations.
- b. An AACPS employee, volunteers, and agent shall report any suspected child abuse or neglect whether or not the employee, volunteer, or agent personally knows the child. The responsibility to make the report rests with the first employee or service provider who is informed of or suspects child abuse or neglect. If an employee, volunteer, or agent is unsure of what to do or needs assistance in making the oral and written reports, the employee, volunteer, or agent shall immediately contact a supervisor or administrator for guidance.

2. How to Report Suspected Child Abuse or Neglect

AACPS employees, volunteers, and agents shall report any suspected child abuse and neglect, including physical abuse, sexual abuse, and the mental injury of a child in accordance with State law and regulations.

- a.
 - i. An AACPS employee, volunteer, or agent must contact the local department of social services to file an oral report.
 - ii. An oral report shall be made immediately to the local department of social services upon observing or receiving information of alleged abuse or neglect. An oral report must include:
 - a) The name, age, and home address of the child;
 - b) The name and home address of the child’s parent(s)/guardian(s) or individual(s) responsible for the child’s care;

- c) The whereabouts of the child;
 - d) The nature and extent of the abuse or neglect of the child;
 - e) Any evidence or information available to the reporter concerning possible previous instances of abuse or neglect;
 - f) Any evidence or information that would help to determine the cause of the suspected abuse or neglect;
 - g) The identity of any individual responsible for the abuse or neglect, if known; and
 - h) Any observable, identifiable, and substantial impairment of a child's mental or psychological ability to function.
- b.
 - i. After making an oral report to the local department of social services, an AACPS employee, volunteer, or agent shall immediately notify the principal or the principal's designee if the individual making the report is school-based. If the employee, volunteer, or agent making the report is not school-based, the employee, volunteer, or agent shall notify the individual's immediate supervisor or the supervisor's designee.
 - ii. Notice to the principal or the employee, volunteer, or agent's immediate supervisor does not release that individual from the obligation to file a report with the local department of social services.
 - c. An AACPS employee, volunteer, or agent shall also complete a written report by filling out the electronic *Report of Suspected Child Abuse and Neglect* form on the AACPS intranet, which is located in the Student Support Services section. A written report must be completed within 48 hours of receiving the information. The written report must be filed with the local department of social services and the Office of the State's Attorney of Anne Arundel County.

2. Investigation

- a. In accordance with State law and regulations, the principal or the principal's designee shall permit personnel from the local department of social services or local law enforcement agency to question a student on school premises during the school day in an investigation involving suspected child abuse or neglect.
- b. The Superintendent or the Superintendent's designee, in cooperation with local law enforcement, shall determine, after consultation with the individual from the local department of social service or the police officer, whether a school administrator shall be present during the questioning of the student;

- c. Records and reports concerning child abuse and neglect are confidential and the unauthorized disclosure is a criminal offense under State law; and
- d. In accordance with State law and regulations, school administrators are not required to notify parent(s)/guardian(s) of investigations on school premises involving suspected child abuse and neglect, except as provided for in Section D.6. of this regulation.

3. Interview on School Property

In accordance with State law and regulations, AACPS shall permit personnel from a local department of social services or a police officer to question a student on school premises during the school day in an investigation involving suspected child abuse or neglect. The interview of child abuse and neglect investigations shall be conducted as follows:

- a. A school administrator shall inspect the identification of an investigator to ensure that the person is a valid employee of the local department of social services or law enforcement agency.
- b. The name of the student is not to be annotated on a visitor's log or any other document that can be seen by visitors or unauthorized staff.
- c. The school shall provide a private area and access to the student as soon as possible.
- d. Should the parent(s)/guardian(s) inquire why the student was interviewed without the parent(s)/guardian(s) knowledge or approval, the administrator shall advise the parent(s)/guardian(s) that in accordance with State law, the local department of social services and local law enforcement agency are authorized to interview the student. Any concerns should be directed to the investigative agency.

4. Student Removal from School

The procedure for removing children who are believed to be victims of child abuse or neglect from school premises is as follows:

- a. A student may only be removed from school premises if that student is a suspected victim of child abuse or neglect and the local department of social services has guardianship of the child or a court order to remove the child. A joint decision by the principal and the local department of social services worker should be made regarding who will notify the parent(s)/guardian(s) about the action to remove the student from school.

- b. The Superintendent or the Superintendent’s designee shall ensure that prompt notification of a student’s removal from school premises under this section is made to the student’s parent(s)/guardian(s).

5. Allegations Against an AACPS Employee or Volunteer

The procedure for an AACPS employee, volunteer, or agent or Board personnel who is accused of child abuse or neglect shall be as follows:

- a. If an AACPS employee, volunteer, or agent or Board personnel is accused of abuse or neglect, the principal or the principal’s designee or the employee’s supervisor or the supervisor’s designee shall immediately contact the Office of Investigations and report all pertinent information.
- b. Questions regarding child abuse and neglect investigations involving AACPS employees or volunteers should be referred to the Office of Investigations.

6. Training

- a. Each year, existing AACPS employees, volunteers, and agents shall participate in a mandatory AACPS training module on child abuse and neglect which will help employees recognize and report physical abuse, sexual abuse, neglect and mental injury of a child and understand their role in reporting and responsibility to report child abuse and neglect.
- b. Training must be completed by October 1 of each year.
- c. New AACPS employees, volunteers, and agents shall complete the requisite training within 30 days after beginning work at a school, an online training which will enable them to recognize and report physical abuse, sexual abuse, neglect and mental injury of a child and understand their role in reporting and responsibility to report child abuse and neglect. Principals shall ensure that this training occurs in their respective schools.

7. Violation

The failure of an AACPS employee, volunteer, or agent to report suspected abuse or neglect, in accordance with State law and regulations and the accompanying policy, will result in disciplinary action. Disciplinary action may include written reprimand, suspension, dismissal, and loss of certification.

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Legal References: Section 6-202 of the Education Article
Section 5-701 et seq. of the Family Law Article
Section 1-202 of the Human Services Article
Section 5-620 of the Judicial Proceedings Article
Section 5-803 of the Judicial Proceedings Article
COMAR 13A.08.01.13
COMAR 13A.12.05