

REGULATION

MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries: JHC, JHC-EA

Office: Associate Superintendent for Special and Alternative Education

Child Abuse and Neglect

I. PURPOSE

To provide guidance to MCPS staff for reporting suspected cases of child abuse and/or child neglect to Protective Services and to inform MCPS staff of their obligation and their immunity from civil liability and criminal penalty in reporting suspected child abuse and/or neglect

II. DEFINITIONS

For the purpose of this regulation, the definitions quoted in the state law shall apply (see JHC-EA).

III. PROCEDURES

A. Reporting Suspected Child Abuse and/or Child Neglect

1. Any employee of the Montgomery County Public Schools who has reason to believe that a child has been abused and/or neglected shall report this suspicion at once to Protective Services of the Department of Social Services which maintains 24-hour telephone service and/or to the Youth Division of the Montgomery County Police Department.
2. The telephone numbers are available in each school's main office. The office staff is responsible for keeping the telephone numbers current.
3. Any doubt about reporting suspected child abuse and/or child neglect is to be resolved in favor of the child. Protective Services staff is available for consultation, and such consultation is encouraged.
4. At the same time, the employee shall also notify the school principal/designee or his/her immediate supervisor if the person reporting is not school based.

5. Such oral reports must be made as soon as is reasonably possible upon suspicion of abuse and/or neglect.
6. Within 48 hours, the person making the original oral report must submit a written report on MCPS Form 335-44: Report of Suspected Child Abuse and/or Child Neglect to the Protective Services section of the Department of Social Services. Copies of the report shall be distributed as indicated on the form.
7. All reports shall be sent in a plain envelope, sealed, addressed, and marked confidential. This envelope shall be enclosed in the usual interoffice mailer.
8. The administrator shall not keep any copies of the report but shall keep a log of all reported cases which will include a) name of child, b) date and hour of oral report, c) name/agency reported to, and d) date form mailed.

B. Confidentiality

1. Any school person who knows the identity of the person reporting a case of suspected child abuse or neglect shall not reveal the reporter's identity. Such inquiries should be referred to Protective Services, Montgomery County Department of Social Services.
2. Similarly, Protective Services staff shall make every attempt to protect the identity of the reporter. However, there are situations such as judicial proceedings where it may not be possible to protect the reporter's identity.
3. School officials are not required to notify parents or guardians of investigations on school premises involving suspected child abuse and/or neglect under the Family Law Article, Subtitle 7, Annotated Code of Maryland.

C. Medical Attention

1. If the administrator suspects that a child is in need of emergency medical treatment, the administrator, with the collaboration of the community health nurse assigned to the school, when available, shall arrange for the child to be taken immediately to the nearest hospital.
2. In all other instances, it is the role of the investigator from Protective Services and/or the Youth Division to seek medical attention for the child.

D. Legal Implications

1. Failure to Report

Any staff member who suspects child abuse and/or neglect and fails to report it violates MCPS policy and state law and is subject to suspension or dismissal for misconduct in office.

2. Immunity

Any staff member who reports child abuse and/or neglect in good faith or who participates in any investigation or judicial proceedings which result from such a report is immune from civil liability and criminal penalty that might otherwise be incurred or imposed as a result thereof.

E. Information Dissemination

1. The director of alternative and supplementary education, in collaboration with designated staff members from other county agencies, is responsible for providing annual updates regarding the reporting of child abuse and/or neglect and immunity from civil liability for supervisory staff and for providing training as needed.
2. The area associate superintendent/designee will assure that trained area staff will be available to principals to implement school-based dissemination/training efforts.
3. Principals will publish relevant information on MCPS child abuse/neglect regulations in their yearly teacher information packets and will assure that school supporting services staff receive the same information.
4. The Department of Information is responsible for disseminating to MCPS staff and the public, on a yearly basis, information about MCPS procedures concerning child abuse and/or neglect.

Administrative History: Formerly Regulation No. 525-10, December 17, 1980, and Regulation No. 525-19, December 30, 1980; revised October 1983; revised December 1986; revised January 23, 1989.