

Montgomery County Public Schools
Protocols for Reporting and Investigating Child Abuse and Neglect Cases
(to be codified into revised MCPS Regulation JHC-RA)

DRAFT: April 15, 2015

I. Definitions

A. Abuse.

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,¹ 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.

B. Child. Any MCPS student, regardless of his or her age, and any other person under the age of eighteen years of age. Even though Maryland law generally does not criminalize abuse or neglect of a student over eighteen years of age, MCPS expects such conduct to be reported using the procedures set forth below.

C. County Multi-Disciplinary Team (MDT). A group of professionals from Montgomery County agencies that convenes as necessary to provide consultation and coordinated treatment planning when appropriate. The County MDT shall include the MCPS System-wide Child Abuse Contact(s) and staff of the following Montgomery County agencies: (i) the Montgomery County State's Attorney's Office; (ii) the Special Victims Investigative Division of the Montgomery County Police Department (MCPD); (iii) Child Welfare Services in the Montgomery

¹ A person who has permanent or temporary custody or responsibility for the care or supervision of a child or vulnerable adult includes a parent, guardian, adoptive parent, family or household member, neighbor, MCPS employee, volunteer or contractor, or other person.

County Department of Health and Human Services, commonly known and identified in these protocols as Child Protective Services (CPS), or the Aging and Disabilities Services Information and Assistance Unit in the Montgomery County Department of Health and Human Services commonly known and identified in these protocols as Adult Protective Services (APS), in the case of vulnerable adults; and (iv) the Tree House Child Assessment Center of Montgomery County. In cases of alleged abuse or neglect where the accused is a MCPS employee, contractor or volunteer, the MCPS System-wide Child Abuse Contact may be involved in MDT meetings or consultation for the purpose of ascertaining information and determining the appropriate course of action, as well as debriefing incidents to assess lessons learned and opportunities for continuous improvement. In addition, a MCPS System-wide Child Abuse Contact may invite a School-Based Child Abuse Liaison(s) to join a MDT meeting or consultation solely for the purpose of assisting in the care and providing coordinated services to a student in their school that is the subject of a report.

- D. MCPS Child Abuse Coordinating Team.** This Team shall ensure a coordinated response within MCPS to reported instances of child abuse and neglect. It shall include the MCPS System-wide Child Abuse Contact(s) as well as representatives from the Office of School Support and Improvement (OSSI), the Office of Human Resources and Development (OHRD), the Department of Student Services (DSS), the Office of General Counsel (OGC), the Department of School Safety and Security, the Office of Communications, the MCPS Title IX Coordinator, and other offices and departments as appropriate.
- 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. Mental Injury.** The observable, identifiable, and substantial impairment of a child's or vulnerable adult's mental or psychological ability to function.
- G. MCPS Employees.** Both certificated and non-certificated personnel employed by MCPS, including substitute teachers.
- H. MCPS Property.** Any school or other facility, including grounds owned or operated by MCPS, buses and other MCPS vehicles, and the facility and grounds of any MCPS-sponsored activity involving students, including field trips.
- I. MCPS Contractors.** Outside contractors and other individuals who provide services to MCPS, including the contractor's direct employees, subcontractors, and/or independent contractors that the contractor uses to perform the work required by its contract with MCPS. This regulation applies to MCPS contractors while they are providing services to MCPS and have direct access to or interaction

with MCPS students, either on MCPS property or during MCPS-sponsored activities.

- J. MCPS System-wide Child Abuse Contact(s).** The Deputy Superintendent for School Support and Improvement shall designate one or more System-wide Child Abuse Contacts(s) in the Office of School Support and Improvement (OSSI), who shall be the primary system-wide contact(s) for MCPS in convening the MCPS Child Abuse Coordinating Team and consulting with the County Multi-Disciplinary Team.
- K. MCPS Volunteers.** Volunteers include parents/guardians and other family members, as well as other members of the community interested in the education of children, who donate their time and energies to support the students of Montgomery County, subject to the provisions set forth in MCPS Regulation IRB-RA, *Volunteers in Schools*. This regulation applies to MCPS volunteers who have direct access to or interaction with MCPS students, while those volunteers are on MCPS property or participating in MCPS-sponsored activities.
- L. Neglect.** The leaving of a child or vulnerable adult unattended² 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 a parent, guardian, adoptive parent, family or household member, neighbor, MCPS employee, volunteer or contractor, 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.
- M. School-Based Child Abuse Liaisons.** Each principal shall appoint a school counselor or other staff member as a School-Based Child Abuse Liaison. The School-Based Child Abuse Liaison shall assist in providing professional development for school-based personnel in recognizing, reporting, and preventing abuse and neglect. After a report of alleged abuse or neglect is made, the School-Based Child Abuse Liaison shall support the school principal in responding to the allegation and serving as a point of contact for County MDT participating agencies and coordinating support for the alleged student victim. In addition, School-Based Liaisons may be invited by a MCPS System-wide Child Abuse Contact to join a

² In Maryland, a child under the age of eight years may not be left unattended at home, at school, or in a car. If a parent or guardian needs to leave a child younger than eight years old unattended, the parent or guardian must ensure that a reliable person, who is at least thirteen years old will stay to protect the child. Separately, suggestions regarding young students walking to school are available at this link: <http://www.montgomeryschoolsmd.org/parents/basics/transportation/>.

County MDT meeting or consultation solely for the purpose of assisting in the care and providing coordinated services to a student in their school that is the subject of a report. School-Based Child Abuse Liaisons shall receive targeted professional development in recognizing, reporting, and preventing abuse and neglect.

- N. **Retaliation.** The act or process of threatening or otherwise penalizing a person for: (1) reporting an alleged violation of a law, policy, or regulation; or (2) participating in an investigation of an alleged violation.
- O. **Vulnerable Adult.** A person eighteen 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.

II. Reporting Responsibilities for MCPS Employees, Contractors, and Volunteers

- A. **Scope of Reporting Responsibilities.** 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:
 - 1. Whether the alleged victim is personally known by the reporting individual or not.
 - 2. 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.
 - 3. Regardless of where the child or vulnerable adult lives and regardless of where the suspected abuse or neglect is alleged to have occurred.
- B. **Oral Report.** MCPS employees, contractors, or volunteers must make an immediate oral report of suspected abuse or neglect.
 - 1. **Notification of CPS/APS.** Each MCPS employee, contractor, or volunteer who suspects the abuse or neglect is personally responsible for ensuring that an oral report is made.
 - a. Oral reports of child abuse or neglect must be made immediately to CPS, which maintains a 24-hour telephone service (240-777-4417).
 - b. Oral reports of abuse or neglect of vulnerable adults must be made to the Aging and Disabilities Services Information and Assistance Unit in the Montgomery County Department of Health and Human Services (240-777-3333).
 - c. If an individual has any doubt about whether to report abuse or neglect, he/she should err on the side of reporting the allegation to CPS (or APS for vulnerable adults).

- d. Prior to making a report of suspected abuse or neglect, 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.
 - e. If a child or vulnerable adult provides information pertaining to suspected abuse or neglect to a MCPS employee, contractor, or volunteer, that individual may ask limited follow-up questions to assist in obtaining a brief description of the incident and injuries, where they occurred, and the name or a description of the alleged offender. Prior to making a report, however, MCPS employees, contractors, or volunteers shall not interrogate or collect written statements from any alleged victim or witness to prevent unnecessary trauma that may result from repetitive, detailed questioning.
 - f. Prior to making a report, MCPS employees, contractors, or volunteers shall not interview the alleged perpetrator or discuss the alleged incident with him or her.
 - g. MCPS employees, contractors, and volunteers attempting to determine if there is reason to suspect abuse or neglect shall not pressure students to recant allegations of abuse or neglect.
2. **Notification of Principal/Supervisor.** After making an oral report to CPS (or APS for vulnerable adults), the MCPS employee, contractor, or volunteer must immediately notify the school principal, if the person reporting is school-based. If the person reporting is not school-based, he/she shall notify his/her direct supervisor as well as the principal of the school which the child or vulnerable adult attends, as appropriate. Notification should be made even if CPS or APS informs the reporter that it is declining to proceed with or screening out the investigation.
- a. Upon notification, the principal or direct supervisor shall initiate the follow-up procedures set forth in Section III below, and contact the Special Victims Investigations Division of the MCPD under the circumstances set forth in Section II(B)(4)(c) below.
 - b. Once an oral report is made to CPS (or APS for vulnerable adults), neither the principal nor any other MCPS employees shall conduct further internal investigations, except as set forth in Section III below.
 - c. The principal or direct supervisor must make certain that a written report is submitted as described in Section II(C) below.
 - d. While this regulation requires notification of the principal or supervisor, the notification does not fulfill the reporting obligations of MCPS employees, contractors, and volunteers. As stated above, they are also personally and

directly required to make a report to CPS (or APS for vulnerable adults).

- e. In those circumstances where the MCPS employee, contractor, or volunteer may have concerns about notifying his/her school principal or direct supervisor, the person reporting may notify a MCPS System-wide Child Abuse Contact instead.
- f. The MCPS employee, contractor, or volunteer making the oral report will immediately update his/her principal or direct supervisor, as appropriate, regarding any further consultation with or information received from CPS, MCPD, or any other agency participating in the County MDT regarding or related to the report.

3. **Notification of MCPD.** To facilitate and streamline tracking of reports, MCPS and the members of the County MDT have agreed that CPS, or APS in the case of vulnerable adults, shall be the primary reporting agencies for MCPS employees, contractors, and volunteers. In addition, as a critical member of the County MDT, the Special Victims Investigations Division of the Montgomery County Police Department (MCPD) will be regularly consulted, and it will be immediately notified of suspected abuse or neglect incidents, as set forth below:

- a. When CPS (or APS for vulnerable adults) receives an oral report involving an abuse or neglect situation that may rise to the level of a criminal offense, it is MCPS' understanding that CPS (or APS for vulnerable adults) shall immediately contact the Special Victims Investigations Division of MCPD.
- b. In addition to ensuring that any MCPS employee, contractor, or volunteer under their supervision reports personally and directly to CPS (or APS for vulnerable adults), principals and supervisors shall immediately notify the Special Victims Investigation Division of the MCPD if they receive notification of a suspected abuse incident involving an alleged sexual offense, as defined in Section I(A)(2), above, or an alleged sexual offense involving an adult victim.
- c. In responding to other suspected abuse or neglect incidents, MCPS employees, contractors, or volunteers may also seek assistance from the Special Victims Investigations Division of the MCPD, but they must still fulfill their obligation to personally and directly make an immediate report to CPS (or APS for vulnerable adults) as described above.

C. Written Report. The person making an oral report of abuse or neglect must submit a written report to CPS (or APS for vulnerable adults) on MCPS Form 335-44: *Report of Suspected Abuse and/or Child Neglect*.

- 1. The written report must be submitted to CPS (or APS for vulnerable adults) within 48 hours after the contact that disclosed the existence of possible abuse

and/or neglect. The written report must be made even if CPS, APS, and/or the MCPD informs the reporter that it is declining to proceed with or screening out the investigation.

2. The principal or direct supervisor shall distribute a copy of the report, as indicated on MCPS Form 335-44, to the MCPS Department of Student Services, which shall maintain copies in a confidential file. In cases of abuse only, the principal or direct supervisor also shall distribute copies of the report to the MCPD and the Montgomery County State's Attorney's Office. All written reports and copies shall be sent in a plain envelope, sealed, addressed, and marked confidential. The envelope shall be enclosed in the usual interoffice mailer.
3. Principals and supervisors shall not keep any copies of reports, but they shall keep a confidential log of all reported cases which will include only: (a) the name of child or vulnerable adult; (b) the name of the alleged perpetrator, if known; (c) the date and hour of oral report; (d) the name of the staff member and agency to whom the report was made; and (e) the date that the form was mailed.

III. Follow-Up Responsibilities After Allegations Are Reported

A. Investigations

1. MCPS expects all of its employees, contractors, and volunteers to cooperate fully with the County MDT participating agencies and other external agencies in investigations of suspected abuse and neglect. Timelines for information sharing regarding those agencies' investigations are set forth in the Memorandum of Understanding between MCPS and the members of the County MDT. The County MDT participating agencies have agreed to consult with the MCPS System-wide Child Abuse Contacts(s) and school staff to ensure that their investigations are conducted in a timely manner and minimize disruption to the classroom and school community.
2. During the course of an abuse or neglect investigation, CPS, APS, or the MCPD may question a student on MCPS property during school hours. The principal shall determine whether a school official should be present during the questioning. In making this determination the principal may consult as appropriate with representative staff from County MDT agencies and the MCPD System-Wide Child Abuse Contact. Notification of parents/guardians is addressed in Section III.D., below.
3. MCPS employees, contractors, and volunteers shall not take any action that may prejudice a CPS, APS or MCPD investigation of suspected abuse or neglect, such as informing the alleged offender that suspected abuse or neglect has been reported. To the extent that some preliminary inquiry or action must be taken

by MCPS to accommodate or protect the alleged victim or in the best interest of other children or vulnerable adults, that inquiry or action should be pursued in consultation with the County MDT.

B. Additional Procedures for Handling Allegations of Abuse or Neglect on MCPS Property or Involving MCPS Employees, Contractors, or Volunteers

1. **Follow-up by the Principal or Direct Supervisor.** A principal or direct supervisor shall take the following additional steps immediately after he/she receives notification of an oral report to CPS (or APS for vulnerable adults) regarding alleged abuse and neglect on MCPS property or involving allegations of abuse or neglect by a MCPS employee, contractor, or volunteer.
 - a. Confirm that an oral report has been made to CPS (or APS for vulnerable adults), and a written report is submitted within 48 hours thereafter, as set forth in Section III above.
 - b. Notify the Special Victims Investigations Division of MCPD in suspected incidents involving a sexual offense, as set forth in Section III above
 - c. Contact and consult with a MCPS System-wide Child Abuse Contact.
 - d. Develop an action plan to protect the safety of the alleged victim and other students. To the extent possible, the plan shall be developed in collaboration with a MCPS System-wide Child Abuse Contact, and it shall avoid informing the alleged offender that suspected abuse or neglect has been reported, except as necessary to protect the best interests of children or vulnerable adults.
 - e. Collaborate with the MCPS System-wide Child Abuse Contact to develop a plan for prompt notification of parents/guardians of student victims, following the steps set forth in Section III(D) below, as well as to determine whether others in the community should be notified and develop a plan for doing so, following the steps set forth in Section III(E) below.
2. **Follow-up by MCPS System-wide Child Abuse Contact.** Upon receipt of notification of a report of alleged abuse or neglect, the MCPS System-wide Child Abuse Contact will:
 - a. Consult with appropriate members of the MCPS Child Abuse Coordinating Team, including OSSI, to provide necessary support for the principal or direct supervisor in responding to the situation.
 - b. Ensure that communication with CPS, the MCPD, and other County MDT participating agencies is established as appropriate. The County MDT participating agencies have agreed to respond promptly to MCPS requests

for consultation, especially regarding the development of action plans for: (i) prompt notification of parents/guardians of student victims; and (ii) ensuring that the alleged offender does not present an immediate danger to the safety of the alleged victim and other students.

- c. Contact OHRD if the alleged offender is a MCPS employee, contractor, or volunteer.
 - d. Coordinate ongoing consultation with and support for the principal and School-Based Child Abuse Liaison.
3. **Follow-up by OHRD.** If the alleged offender is a MCPS employee, contractor, or volunteer, OHRD shall:
- a. Establish a case file.
 - b. Review personnel files to determine if there is other relevant information regarding the alleged offender.
 - c. Develop a plan, in consultation with the principal/supervisor, the MCPS System-wide Child Abuse Contact, the MCPS Child Abuse Coordinating Team, and the County MDT participating agencies, to place the alleged offender on administrative leave or otherwise restrict access to students, while any investigation is pending.
 - i. OHRD shall place a MCPS employee on administrative leave, unless there is significant, credible information that another course of action is warranted.
 - ii. If the alleged offender is a contractor, OHRD will work with other staff in the Office of the Chief Operating Officer (OCOO) to notify the vendor and discontinue the services of the individual suspected of abuse or neglect until the investigation is complete, unless there is significant, credible information that another course of action is warranted.
 - iii. If the alleged offender is a volunteer, OHRD shall work with OSSI and OCOO to restrict the individual from volunteering on MCPS property or in MCPS-sponsored activities until the investigation is complete, unless there is significant, credible information that another course of action is warranted.
 - iv. In implementing this plan, care must be taken to ensure that the MCPS employee, contractor, or volunteer is notified only of the details pertinent to the administrative leave, discontinuation of services, or suspension of volunteer privileges. MCPS employees shall not discuss the allegations with the alleged offender, without prior consultation with

the County MDT, in order to avoid compromising the integrity of pending investigations by external agencies.

- d. **Follow-up MCPS Investigation.** In every case of alleged abuse or neglect by a MCPS employee, contractor, or volunteer, OHRD will conduct an internal investigation consistent with all applicable MCPS policies and regulations, and recommend appropriate discipline. OHRD will conduct an internal investigation even when CPS and the MCPD screen out or close out the case without taking action and/or the State's Attorney declines to bring criminal charges because such cases may involve violations of MCPS policies, regulations, contracts, and/or other guidance including the Employee Code of Conduct.
- i. MCPS internal investigations may proceed only after consultation with the County MDT participating agencies and in accordance with the Memorandum of Understanding between MCPS and the County MDT participating agencies. Any such internal investigation must be conducted in a manner that does not interfere with or jeopardize any investigation by CPS, the MCPD, or other external agencies.
 - ii. To the extent possible, MCPS's investigation should make use of police reports, statements, and other information obtained by MDT participating agencies, in accordance with Annotated Code of Maryland, Human Services Article, Section 1-202, to preclude repetitive questioning of alleged victims and witnesses.
 - iii. The primary purpose of the MCPS investigation is to determine whether there is evidence of misconduct by the MCPS employee, contractor, or volunteer. In addition, the investigation should determine whether the matter was reported as required by law and MCPS policy and regulations, and whether additional professional development or other process enhancements warranted.
 - iv. The investigation shall comply with MCPS policies and regulations regarding due process rights of MCPS employees, and the employee shall be informed of the results of the investigation.
 - v. The results of the investigation will be retained in a confidential OHRD file as long as the individual continues to provide services to MCPS and for at least five years thereafter. These files will then be placed in permanent storage.
 - vi. OHRD's confidential investigation files also track information reported by principals/supervisors regarding alleged violations of the Employee Code of Conduct, as well as other potentially inappropriate interactions between students and MCPS employees, contractors, or volunteers that

do not independently give reason to suspect abuse or neglect but may merit further investigation if additional information comes to light, such conduct is repeated, or a pattern is identified.

C. Student Support Services

1. If a child or vulnerable adult involved in an alleged abuse or neglect situation is in need of emergency medical or mental health treatment, the principal or the principal's designee shall arrange for the child to be taken immediately to the hospital under appropriate adult supervision. A representative from CPS (or APS for vulnerable results) should be notified either in advance or as soon thereafter as possible. In all other non-emergency instances, MCPS shall consult with a CPS, APS, or MCPD representative regarding medical or mental health treatment for the child or vulnerable adult.
2. The School-Based Child Abuse Liaison will ensure that guidance counselors, school psychologists, pupil personnel workers, nurses, and other appropriate school system personnel are available to provide support and counseling to students who come forward to report or confirm allegations of abuse or neglect.
3. To coordinate services to the alleged victim of abuse or neglect, as well as students who report abuse and neglect, the MCPS System-wide Child Abuse Contact may consult with County MDT participating agencies to share or obtain information, or to discuss concerns, to the extent permitted by laws protecting confidentiality of MCPS personnel and students. MCPS staff may participate in the MDT meetings or consultations in accordance with the procedures established between MCPS and other MDT agencies.
4. When a MCPS principal becomes aware that a student who is the subject of investigations of abuse or neglect has withdrawn and/or moved out of his/her home school within three months of the initiation of an investigation, the principal should notify the MCPS System-wide Child Abuse Contact who, in turn, shall consult with County MDT participating agencies as appropriate.

D. Notification of Parents/Guardians of Student Victims

1. Principals, in collaboration with the MCPS System-wide Child Abuse Contact, will develop a plan to promptly notify parents/guardians of students involved in an alleged abuse or neglect situation, except when such notification would create a threat to the well-being of the student (such as when a parent/guardian or family or household member is suspected of committing abuse or neglect). In these cases, CPS, APS (for vulnerable adults), or the Special Victims Investigations Division of the MCPD are responsible for notification of the parents/guardians.
2. MCPS will offer confidential interpretation services if necessary to facilitate

communication with the parents/guardians.

3. Decisions as to who will notify parents/guardians of a report of alleged abuse or neglect and when notification will occur will be made by the principal in consultation with the MCPS System-wide Child Abuse Contact and County MDT participating agencies.
4. A student may not be removed from the school grounds for questioning or medical investigation without parental approval unless: (a) the Montgomery County Department of Health and Human Services has guardianship or an authorization for shelter care to remove the student; or (b) there is a medical emergency which is caused by suspected abuse or neglect.
5. When a student is removed, the principal shall ensure that prompt notification of the removal is made to parents/guardians. By mutual agreement, such notification may be delegated to CPS, APS, or the Special Victims Investigations Division of the MCPD.

E. Notification of Others in the School Community

1. The principal will collaborate with the MCPS System-wide Child Abuse Contact, members of the MCPS Child Abuse Coordinating Team, including the Office of Communications and OSSI, and County MDT agencies to determine whether others in the school community should be notified and develop a plan, including a timeline, for doing so.
 - a. While any investigation is pending and prior to an arrest or the filing of any charges, the principal shall collaborate with the MCPS System-wide Child Abuse Contact, members of the MCPS Child Abuse Coordinating Team, including the Office of Communications, and County MDT agencies to determine whether notification of the school community would: (a) be in the best interests of the alleged victim; or (b) interfere with an ongoing investigation.
 - b. The County MDT partner agencies will inform MCPS in advance if they have knowledge of an impending arrest or filing of charges involving an alleged child abuse or neglect incident that occurred on MCPS property or during a MCPS-sponsored activity or that involves a MCPS employee, contractor, or volunteer. MCPS will encourage County MDT partner agencies to make arrests away from school premises and during non-school hours, when possible.
 - c. When MCPS learns that an arrest has been made or charges have been filed

for an alleged abuse and neglect incident that occurred on MCPS property, the principal shall collaborate with the MCPS System-wide Child Abuse Contact, members of the MCPS Child Abuse Coordinating Team, including the Office of Communications and OSSI, and County MDT agencies, to make appropriate notification of the community.

2. MCPS will strive to implement any community notification in a manner that:
(a) safeguards the privacy and confidentiality of students and families affected by the allegations of abuse or neglect; (b) provides information to assure the community that is properly handling the allegations in a manner to ensure the safety of all students in the school community; and (c) is consistent with due process for the alleged offender.
3. Copies of any community notification letter, email, or electronic voicemail shall be shared with the MCPS System-wide Child Abuse Contact and other members of the MCPS Child Abuse Coordinating Team.
4. Agencies participating in the County MDT have agreed to support MCPS staff in responding, as appropriate, to questions from members of the community regarding their investigations of suspected abuse or neglect.

IV. Confidentiality, Immunity, and Protection Against Retaliation

- A. 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.
- B. Under Maryland law, no MCPS employee, contractor, or volunteer may intentionally prevent or interfere with the making reports of abuse and neglect.
- C. When MCPS employees, contractors, and volunteers come forward and make good-faith reports of abuse or neglect and/or participate in an investigation of abuse or neglect, MCPS shall strive to protect them from intimidation, harassment, or reprisals/retaliation for those actions.
- D. When students are victims or witnesses of abuse or neglect or when they come forward and make good-faith reports of abuse or neglect and/or participate in an investigation of abuse or neglect, MCPS shall strive to protect them from intimidation, harassment, or reprisals/retaliation for those actions.
- E. All MCPS employees, contractors, and volunteers are required to protect the identity of the reporter unless required by law to reveal the source.

V. Consequences for Knowingly Failing to Report Abuse or Neglect or for Interfering with Reporting

- A. Any MCPS employee who suspects child abuse and/or neglect and knowingly fails to report it, or who intentionally prevents or interferes with reporting, shall be subject to discipline up to and including suspension or dismissal for misconduct in office.
- B. Any MCPS contractor who suspects child abuse and/or neglect and knowingly fails to report it shall be subject to discipline up to and including discontinuation of services.
- C. Any MCPS volunteer who suspects child abuse and/or neglect and knowingly fails to report it shall be subject to discipline up to and including discontinuation of volunteering privileges.
- D. In addition, any certification issued under the authority of the Maryland State Board of Education or another licensing or certification board may be suspended or revoked, based on the criteria forth in Maryland law, including Code of Maryland Regulations (COMAR) 13A.12.05.02.

VI. Consequences for Offenses With Respect to Abuse or Neglect

- A. If MCPS determines that a MCPS employee has been involved in abuse or neglect or otherwise violated MCPS policies, regulations, or guidance, including the MCPS Employee Code of Conduct, the individual shall be subject to discipline up to and including suspension or dismissal for misconduct in office.
- B. If MCPS determines that a MCPS contractor or volunteer has been involved in abuse or neglect or otherwise violated MCPS policies, regulations, contracts, or guidance, the individual shall be subject to discipline up to and including termination of services or volunteering privileges, as appropriate.
- C. In addition, any certification issued under the authority of the Maryland State Board of Education or another licensing or certification board may be suspended or revoked, based on the criteria forth in Maryland law, including COMAR 13A.12.05.02.

VII. Professional Development

- A. MCPS, with support from national and local experts, including County MDT partner agencies, will provide appropriate professional development to support MCPS employees in carrying out this regulation.
 - 1. Prior to working with students, all new MCPS employees shall receive mandatory training in recognizing, reporting, and preventing abuse and neglect

of a child or vulnerable adult. OHRD shall maintain records to confirm that all MCPS employees completed this new hire training.

2. At the start of each new school year, all existing MCPS employees shall complete training including a mandatory assurance certificate and assessment to confirm up-to-date knowledge and understanding of protocols for recognizing and reporting child abuse and neglect. Trainings will be tailored specifically to meet the needs of employees at each level of the organization and include face-to-face and/or online instruction. As appropriate, the training will also address due process for alleged offenders. OHRD shall maintain records to confirm that all MCPS employees have completed a mandatory assurance certificate on an annual basis.
- B. With support from national and local experts, including County MDT partner agencies, MCPS will offer workshops, information, and online training modules, as appropriate, for MCPS volunteers and contractors, as well as for parents and others in the broader MCPS community, on recognizing, reporting, and preventing abuse and neglect of children and vulnerable adults, as well as MCPS policies and regulations regarding these issues.
- C. In addition, those MCPS volunteers and contractors who have access to and interact with students, in circumstances where they are not under the direct supervision of MCPS employees, will be required to certify that they have received training and/or reviewed informational materials, as appropriate, regarding recognizing, reporting, and preventing abuse and neglect, consistent with the content provided in professional development for MCPS employees. MCPS will retain copies of the certification forms.