

STUDENTS: SERVICES TO STUDENTS [Elementary and Secondary]

Child Abuse and Neglect

I. PURPOSE

- A. TO ESTABLISH PROCEDURES FOR THE REPORTING OF PHYSICAL ABUSE, NEGLECT, SEXUAL ABUSE, MENTAL INJURY, OR OTHER OFFENSIVE CONDUCT AGAINST A CHILD OR VULNERABLE ADULT BY EMPLOYEES OF THE BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS) AND ITS SERVICE PROVIDERS AND TAKING APPROPRIATE DISCIPLINARY ACTION FOR THOSE INDIVIDUALS WHO HAVE FAILED TO REPORT ABUSE.
- B. EMPLOYEES SHALL REFER TO BOARD OF EDUCATION POLICY AND SUPERINTENDENT’S RULE 4004 FOR PROCEDURES FOR REPORTING CHILD ABUSE/NEGLECT AND ANY INAPPROPRIATE BEHAVIOR TOWARD A STUDENT BY A BCPS’ EMPLOYEE OR SERVICE PROVIDER.

II. [I.] Definitions

A. ABUSE TYPES

- 1. *MENTAL INJURY* - THE OBSERVABLE, IDENTIFIABLE, AND SUBSTANTIAL IMPAIRMENT OF A CHILD’S MENTAL OR PSYCHOLOGICAL ABILITY TO FUNCTION CAUSED BY AN ACT OF A PARENT, CARETAKER, HOUSEHOLD, OR FAMILY MEMBER.
- 2. *PHYSICAL ABUSE* - THE PHYSICAL INJURY OF A CHILD BY A PARENT OR OTHER PERSON WHO HAS PERMANENT OR TEMPORARY CARE OR CUSTODY OR RESPONSIBILITY FOR SUPERVISION OF A CHILD, OR BY A FAMILY MEMBER, UNDER CIRCUMSTANCES THAT INDICATE THAT THE CHILD’S HEALTH OR WELFARE IS HARMED OR AT SUBSTANTIAL RISK OF BEING HARMED.
- 3. *SEXUAL ABUSE* - ANY ACT THAT INVOLVES SEXUAL MOLESTATION OR EXPLOITATION OF A CHILD BY A PARENT OR OTHER PERSON WHO HAS PERMANENT OR TEMPORARY CARE, CUSTODY, OR RESPONSIBILITY FOR SUPERVISION OF A CHILD, OR BY ANY HOUSEHOLD OR FAMILY MEMBER WHETHER PHYSICAL INJURIES ARE

SUSTAINED OR NOT. CHILD SEXUAL ABUSE INCLUDES, BUT IS NOT LIMITED TO, INCEST, RAPE, OR SEXUAL OFFENSE IN ANY DEGREE, SODOMY, AND UNNATURAL OR PERVERTED SEXUAL PRACTICES.

- B. *CHILD* - ANY PERSON UNDER THE AGE OF EIGHTEEN (18) YEARS OF AGE.
- C. *CHILD PROTECTIVE SERVICES (CPS) LIAISON* - SITE-BASED STUDENT SERVICES PERSONNEL APPOINTED BY THE PRINCIPAL, WHO IS SPECIALLY TRAINED IN THE REPORTING PROCESS, TO BE A LIAISON WITH DSS, THE SCHOOL STAFF, AND THE FAMILY.
- D. *EMPLOYEE* - BOTH CERTIFICATED AND NON-CERTIFICATED PERSONNEL EMPLOYED BY THE BCPS.
- E. *NEGLECT* - INCLUDES THE LEAVING OF A CHILD (UNDER 8) 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, CUSTODY, OR RESPONSIBILITY FOR SUPERVISION OF THE CHILD UNDER CIRCUMSTANCES THAT INDICATE THE CHILD'S HEALTH OR WELFARE IS HARMED OR PLACED AT SUBSTANTIAL RISK OR THAT MENTAL INJURY TO THE CHILD OR A SUBSTANTIAL RISK OF MENTAL INJURY MAY RESULT.
 - 1. THE FOLLOWING INSTANCES OF NEGLECT, WHILE NOT ALL INCLUSIVE, SHALL BE REPORTED TO THE DEPARTMENT OF SOCIAL SERVICES:
 - a. CHILD IS LEFT UNATTENDED OR INADEQUATELY SUPERVISED FOR LONG PERIODS OF TIME OR WITH RESPONSIBILITIES BEYOND THE CHILD'S CAPACITIES.
 - b. CHILD IS SHOWING SIGNS OF FAILURE TO THRIVE THAT CANNOT BE EXPLAINED BY A MEDICAL CONDITION.
 - c. EVIDENCE THAT A THE CHILD IS RECEIVING INSUFFICIENT FOOD.
 - d. CHILD IS NOT RECEIVING ESSENTIAL MEDICAL, MENTAL HEALTH, OR DENTAL TREATMENT TO THE EXTENT THAT THE CHILD'S HEALTH OR WELFARE IS HARMED OR AT SUBSTANTIAL RISK OF HARM.
 - e. CHILD IS WEARING WEATHER-INAPPROPRIATE CLOTHING THAT CREATES RISK TO THE CHILD'S HEALTH.

- f. CHILD IS LIVING IN A HOME WHERE SAFETY STANDARDS PUT THE CHILD'S HEALTH OR WELFARE AT SUBSTANTIAL RISK OF HARM.
 - g. CHILD IS LEFT AT SCHOOL FOR EXTENDED PERIODS OF TIME AFTER A PARENT FAILS TO PICK THE CHILD UP AFTER THE SCHOOL DAY OR AFTER-SCHOOL PROGRAM.
- F. *PARENT* - THE BIOLOGICAL PARENT, LEGAL GUARDIAN, OR PERSON ACTING IN THE ABSENCE OF THE PARENT OR GUARDIAN.
- G. *SERVICE PROVIDER* - INDIVIDUALS WHO PROVIDE SERVICE TO BCPS, EITHER THROUGH CONTRACT OR ON A VOLUNTEER BASIS, WHEN THOSE SERVICES INVOLVE DIRECT ACCESS TO STUDENTS. THIS INCLUDES, BUT IS NOT LIMITED TO, SUBSTITUTE TEACHERS, STUDENT INTERNS, MENTORS, VOLUNTEERS, CHAPERONES, BUS DRIVERS, CHILD CARE VENDORS, AND INDIVIDUALS WHO PARTICIPATE IN PARTNERSHIP PROGRAMS.
- H. *STUDENT* - AN INDIVIDUAL CURRENTLY ENROLLED IN A BALTIMORE COUNTY PUBLIC SCHOOL.
- I. *VULNERABLE ADULT* - A STUDENT WHO IS 18 YEARS OR OLDER AND/OR ANY ADULT WHO LACKS THE PHYSICAL OR MENTAL CAPACITY TO PROVIDE FOR HIS/HER DAILY NEEDS.
- [A. *ABUSE*:
The physical or mental injury of a child (under 18) by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child or by a family member, under circumstances that indicate that the child's health or welfare is harmed or at substantial risk of being harmed. Mental injury includes the observable, identifiable, and substantial impairment of a child's mental or psychological ability to function caused by an act of a parent, caretaker, household, or family member. For any person 18 years old or over, consultation for situations involving abuse should be sought with the Department of Social Services (DSS). Sexual abuse of a child (under 18), whether physical injuries are sustained or not means any act that involves sexual molestation or exploitation of a child by parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household or family member. Sexual abuse includes, but is not limited to incest, rape, or sexual offense in any degree, sodomy, and unnatural or perverted sexual practices. For any persons 18 years old or over,

consultation for situations involving sexual abuse should be sought with the Department of Social Services (DSS).

B. NEGLECT:

The leaving of a child (under 18) 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 under circumstances that (1) indicate that the child's health or welfare is harmed or (2) placed at substantial risk of harm or mental injury to the child or a substantial risk of mental injury. Mental injury includes the observable, identifiable, and substantial impairment of a child's mental or psychological ability to function caused by an omission or series of omissions by a parent or caretaker. For any person 18 years old or over, consultation for situations involving neglect should be sought with the Department of Social Services (DSS).

The following are examples of child neglect that may be appropriate for referral to Baltimore County Department of Social Services (BCDSS), Child Protective Services (CPS):

- (1) Child left unattended or inadequately supervised for long periods of time or with responsibilities beyond the child's capacities.
- (2) Child showing signs of failure to thrive, that have not been explained by a medical condition. There may be other evidence that the child is receiving insufficient food.
- (3) Child not receiving essential medical, mental, health, or dental treatment to the extent that the child's health or welfare is harmed or at substantial risk of harm.
- (4) Child wearing weather-inappropriate clothing that creates risk to the child's health.
- (5) Child living in a home where safety standards put the child's health or welfare at substantial risk of harm.

Neglect referrals are investigated by DSS. Situations which do not meet the criteria for acceptance as neglect investigations by Child Protective Services CPS may be referred to appropriate school resources (e.g., pupil personnel worker or school-based personnel such as school nurse, counselor, etc.).]

III. [II.] REPORTING PROCEDURES

A. REPORTING REQUIRED

1. EACH EMPLOYEE OR SERVICE PROVIDER WHO HAS REASON TO BELIEVE THAT A CHILD OR VULNERABLE ADULT HAS BEEN ALLEGEDILY SUBJECTED TO ABUSE, ON OR OFF OF SCHOOL PROPERTY BY ANY PERSON, INCLUDING BUT NOT LIMITED TO, A PARENT, GUARDIAN, CARETAKER, OR A HOUSEHOLD OR FAMILY MEMBER SHALL NOTIFY THE DEPARTMENT OF SOCIAL SERVICES OR THE APPROPRIATE LAW ENFORCEMENT AGENCY AS SOON AS POSSIBLE.
 2. EACH EMPLOYEE OR SERVICE PROVIDER WHO HAS REASON TO BELIEVE THAT A CHILD OR VULNERABLE ADULT HAS BEEN SUBJECTED TO NEGLECT SHALL NOTIFY DSS.
 3. EACH EMPLOYEE OR SERVICE PROVIDER SHALL NOTIFY DSS OR THE POLICE DEPARTMENT IF HE/SHE HAS REASON TO BELIEVE THAT A PARENT, GUARDIAN, OR CAREGIVER OF A CHILD ALLOWS THE CHILD TO RESIDE WITH, OR BE IN THE PRESENCE OF, AN INDIVIDUAL, OTHER THAN THE CHILD'S PARENT OR GUARDIAN, WHO IS A REGISTERED SEX OFFENDER.
 4. CLARIFICATION ON WHETHER A SPECIFIC SITUATION REGARDING SUSPECTED CHILD ABUSE OR NEGLECT SHOULD BE REPORTED SHOULD BE DETERMINED THROUGH CONSULTATION WITH THE DSS CHILD PROTECTIVE SERVICES SCREENING UNIT (410-853-3000).
 5. ANY DOUBT ABOUT REPORTING A SUSPECTED SITUATION IS TO BE RESOLVED IN FAVOR OF THE CHILD AND THE REPORT MADE IMMEDIATELY.
- [A. Consultation services to all employees, volunteers, student teachers, or student interns are available from Child Protective Services, Baltimore County Department of Social Services at 410-887-2800.
- B. Any person who has reason to believe that a child has been subjected to abuse, on or off school property by a parent, guardian, caretaker, or a household or family member shall notify DSS or the appropriate law enforcement agency as soon as possible.
- C. Any person who has reason to believe a child has been neglected by a parent, guardian, or custodial person shall notify DSS as soon as possible.

III. PENALTY

Any employee, volunteer, student teacher, or student intern who knowingly fails to report suspected child abuse or neglect is subject to suspension or dismissal and/or revocation of Maryland certificate issued by the Maryland State Department of Education and/or Maryland license to practice issued by the Department of Health and Mental Hygiene.

IV. IMMUNITY

Any employee, volunteer, student teacher, or student intern who, in good faith, participates in the making of a report or the investigation of child abuse or neglect, or in any judicial proceedings is immune from any civil liability or criminal penalty. A good faith report is based upon honest beliefs, absence of malice, and no conscious attempt to falsify information.

V. SUSPECTED CHILD ABUSE/NEGLECT BY SCHOOL PERSONNEL

If the suspected abuser/neglector is an employee or volunteer of Baltimore County Public Schools, the same reporting procedures as listed below are to be followed. However, if the suspected abuser/neglector is a school administrator (as with any other suspected abuser/neglector), the administrator shall not be notified of the report without consultation and agreement by DSS and the appropriate law enforcement agency

VI. PROCEDURES

The procedures below are to be followed in suspected physical abuse, sexual abuse, and neglect cases.]

B. [A.] ORAL REPORT

1. THE EMPLOYEE OR SERVICE PROVIDER WHO SUSPECTS ABUSE OR NEGLECT THAT INVOLVES A CHILD OR VULNERABLE ADULT IS PERSONALLY RESPONSIBLE FOR ENSURING THAT A REPORT IS MADE.

a. IN ORDER TO FACILITATE PROMPT INVESTIGATION, THE FOLLOWING INFORMATION SHALL BE AVAILABLE WHEN MAKING AN ORAL REPORT: NAME, ADDRESS, TELEPHONE NUMBER, AND DATE OF BIRTH OF THE CHILD; SIBLINGS, INCLUDE NAMES AND SCHOOL OF ATTENDANCE; NAME,

ADDRESS, AND TELEPHONE NUMBERS OF THE PARENTS/GUARDIANS.

- b. THE EMPLOYEE OR SERVICE PROVIDER MAY CONSULT WITH THE SCHOOL'S CHILD PROTECTIVE SERVICES LIAISON, ADMINISTRATORS, SCHOOL NURSE, SCHOOL COUNSELOR, SCHOOL SOCIAL WORKER, PUPIL PERSONNEL WORKER, OR SCHOOL PSYCHOLOGIST FOR ASSISTANCE IN THE REPORTING PROCESS. HOWEVER, USING THIS SUPPORT SYSTEM DOES NOT RELEASE THE EMPLOYEE OR SERVICE PROVIDER FROM HIS/HER OBLIGATION TO FILE A REPORT WITH DSS.
 2. IF ABUSE OCCURS ON A BUSINESS DAY DURING BUSINESS HOURS, AN ORAL REPORT MUST BE MADE IMMEDIATELY TO DSS (410-853-3000).
 3. THE EMPLOYEE MAKING THE REPORT WILL IMMEDIATELY NOTIFY HIS/HER PRINCIPAL OR IMMEDIATE SUPERVISOR THAT A CASE OF SUSPECTED CHILD ABUSE OR NEGLECT HAS BEEN REPORTED.
 4. IN CASES OF ABUSE OR IF UNABLE TO CONTACT DSS, ORAL REPORTS SHALL BE MADE TO THE BALTIMORE COUNTY POLICE DEPARTMENT, CRIMES AGAINST CHILDREN UNIT (410-853-3650).
 5. SCHOOL SYSTEM EMPLOYEES ARE PROHIBITED FROM TAKING ACTION THAT PREJUDICES THE ONGOING CASE, INCLUDING INFORMING THE ALLEGED OFFENDER OF THE REPORT OF SUSPECTED ABUSE OR NEGLECT.
- [1. Between 8:30 a.m. and 4:30 p.m., on business days, all employees, volunteers, students teachers, or student interns of the Baltimore County Public Schools shall orally report suspected child abuse or neglect to Child Protective Services, Baltimore County DSS (887-2800). In cases of abuse, if unable to contact CPS/DSS, oral reports shall be made to the Baltimore County Police Department, Family Crimes Unit (410-887-5686).
 2. To facilitate this reporting procedure, employees, volunteers, student teachers, or student interns may consult with administrators, nurses, counselors, school social workers, pupil personnel workers, and psychologists to assist in this reporting process. Using this support system does not release employees or volunteers from their

obligation to make sure the referral is completed as required.

3. At the time an oral report is made, the referring person should have available the following information to facilitate prompt investigation: name, address, telephone number, and birth date of child; if at all possible, name(s) and school(s) of other known siblings, and names, addresses, and telephone numbers of parents/caretakers.
 4. For abuse reports made outside business hours, call 911.
 5. Clarification of whether or not a specific situation regarding suspected child abuse or neglect is to be reported should be resolved through consultation with Child Protective Services, Screening Unit, Baltimore County DSS, at 410-887-2800. Any doubt about reporting a suspected situation is to be resolved in favor of the child and the report made immediately.
 6. Inform the local school principal that a case of suspected child abuse or neglect has been reported.]
- C. [B.] WRITTEN REPORT [(Each incident of suspected abuse/neglect should be reported separately.)]
1. WITHIN 48 HOURS OF MAKING AN ORAL REPORT, THE EMPLOYEE OR SERVICE PROVIDER MUST FILE A WRITTEN REPORT WITH DSS.
 2. REPORTS WILL BE MADE BY COMPLETING AND FOWARDING FORM BCDSS 92-180A, *SCHOOL'S REPORT OF SUSPECTED CHILD ABUSE* (SEE RULE 5440, FORM A) OR FORM BCDSS 92-180B, *SCHOOL'S REPORT OF SUSPECTED CHILD NEGLECT* (SEE RULE 5440, FORM B);
 3. COPIES OF THE WRITTEN REPORT SHALL BE FORWARDED TO THE FOLLOWING:
 - a. DEPARTMENT OF SOCIAL SERVICES
DRUMCASTLE GOVERNMENT CENTER
6401 YORK ROAD
TOWSON, MD 21212
 - b. OFFICE OF SCHOOL COUNSELING
BALTIMORE COUNTY PUBLIC SCHOOLS
6901 CHARLES STREET
ESS BUILDING, SUITE 118

- c. TOWSON, MD 21204
OFFICE OF THE STATE’S ATTORNEY (ABUSE ONLY)
CIRCUIT COURT FOR BALTIMORE COUNTY
401 BOSLEY AVENUE, ROOM 511
TOWSON, MD 21204
- d. SCHOOL PRINCIPAL

[The person making the oral report, whether to DSS or to the police, is also responsible for submitting a written report (see attached BCDSS Form 92-180A, Child Abuse, and Form 180S, Child Neglect). A written report must follow the oral report within 48 hours of the contact which disclosed the existence of possible abuse or neglect.

Copies of the written report shall be sent to:

Child Protective Services
Baltimore County Department of Social Services
One Investment Place
Towson, MD 21204

Office of Pupil Personnel
Baltimore County Public Schools
6901 Charles Street
Towson, MD 21204

State’s Att’y. for Baltimore County (abuse reports only)
Court House
Towson, MD 21204

School Principal]

IV. INVESTIGATION

- A. EMPLOYEE AND SERVICE PROVIDER RESPONSIBILITIES
 - 1. BCPS EMPLOYEES AND SERVICE PROVIDERS SHALL COOPERATE WITH INVESTIGATIONS CONDUCTED BY DSS AND/OR THE BALTIMORE COUNTY POLICE DEPARTMENT (POLICE DEPARTMENT) WHEN THEY HAVE MADE A REPORT CONCERNING CHILD ABUSE AND/OR CHILD NEGLECT.
- B. [C.]CHILD PROTECTIVE SERVICES (CPS) LIAISON

RESPONSIBILITIES

1. DURING THE INVESTIGATION, THE CPS LIAISON WILL:
 - A. ENSURE THAT THE SCHOOL NURSE DOCUMENTS THE EXISTENCE OF PAST/PRESENT PHYSICAL INJURIES TO THE STUDENT, WHEN APPROPRIATE.
 - B. SERVE AS THE SCHOOL'S CONTACT PERSON FOR ALL DSS AND/OR POLICE DEPARTMENT INVESTIGATIONS CONDUCTED IN THE SCHOOL.
 - C. FACILITATE THE QUESTIONING OF STUDENTS ON SCHOOL PREMISES DURING THE SCHOOL DAY IN A LOCATION THAT ENSURES MAXIMUM CONFIDENTIALITY AND PRIVACY FOR THE DSS WORKER AND/OR POLICE OFFICER QUESTIONING A STUDENT.
 - D. ACT AS THE SCHOOL'S LIAISON FOR ALL REQUESTS FOR STUDENT RECORDS SPECIFIC TO THE INVESTIGATION OF SUSPECTED ABUSE OR NEGLECT.
2. FOLLOWING THE INVESTIGATION, THE CPS LIAISON WILL:
 - A. SERVE AS THE SCHOOL CONTACT PERSON FOR DSS SOCIAL WORKERS SERVING FAMILIES PARTICIPATING IN THE CONTINUING CPS/DSS PROGRAM.
 - B. PROVIDE INFORMATION TO THE DSS SOCIAL WORKER CONCERNING RESOURCES IN THE SCHOOL COMMUNITY.
 - C. ENSURE THAT ANY CHILD RECEIVING CPS CONTINUING SERVICES FOR PHYSICAL ABUSE OR NEGLECT WILL BE SEEN BY THE SCHOOL NURSE FOR HEALTH ASSESSMENTS AS AGREED TO BY THE CHILD'S PARENT.
- C. DSS WILL ADVISE THE EMPLOYEE OR SERVICE PROVIDER MAKING A REPORT ITS DECISION ON WHETHER DSS WILL TAKE THE CASE FOR INVESTIGATION.
 1. THE EMPLOYEE OR SERVICE PROVIDER WILL IMMEDIATELY ADVISE THE SCHOOL PRINCIPAL OF THE DECISION ISSUED BY DSS.

[The Child Protective Services Liaison (CPS liaison) serves as a point of contact for all Child Protective Services/Police Department investigative

personnel visits to the school. The CPS liaison is an identified member of the school-based Pupil Services Team who will facilitate the interviews and subsequent services of a Baltimore County Department of Social Services' CPS social worker and/or Baltimore County Police Department personnel following a report of child abuse or neglect.

1. In collaboration with the school principal/administrator, CPS liaison arranges for a location to assure maximum confidentiality and privacy for the CPS/DSS social workers' and/or police department personnel's interview with the child.
2. The CPS liaison assures that the child will be available for the CPS/DSS social worker's and/or police department personnel's interview.
3. The CPS liaison assures that the school nurse documents the existence of past/present physical injuries to the child, when appropriate.
4. The CPS liaison gathers information pertinent to the specific investigation of suspected abuse or neglect. Such information may include medical data and the names, ages, and location of parents, caretakers, and siblings. Administrators should inform the CPS/DSS social worker and/or police department's child abuse detective if the student's record contains psychological records. All psychological records must be requested from the Office of Psychological Services 410-887-4210. DSS or the police department would need a signed parental release, court order, or subpoena to obtain other information from the student record.
5. The CPS liaison assures that the school is prepared to accommodate the CPS social worker and/or police department personnel for both planned and emergency visits.
6. Subsequent to a CPS investigation, the CPS liaison serves as a point of contact for the Department of Social Services' social workers serving families participating in the continuing CPS/DSS program, including the provision of pertinent information to the CPS/DSS social worker.
7. The CPS liaison will provide information to the Department of Social Services/social worker about relevant resources in the school community.

8. The CPS liaison will assure that any child receiving CPS continuing services for physical abuse or neglect will be seen by the school nurse for health assessments on an agreed upon schedule.

VII. INVESTIGATION

Baltimore County Public School employees, volunteers, student teachers, or student interns have an obligation to reasonably cooperate with Child Protective Services, THE Department of Social Services and/or the Baltimore County Police Department in child abuse neglect investigations. Failure to cooperate with the Department of Social Services and/or the Baltimore County Police Department will be considered misconduct in office.

VIII. CONFIDENTIALITY

A. RECORDS

1. Child abuse and/or neglect reports and records shall not be placed in the student's school record.
2. All child abuse and/or neglect referrals or reports shall be kept in a separate file in the principal's office until the time the student turns twenty-four (24).

B. RELEASE OF INFORMATION

1. Child abuse and neglect investigation information contained in the child abuse and neglect file should only be released to DSS and the police department.
2. Parents/guardians seeking information regarding child abuse and/or neglect should be referred to DSS.
3. Child abuse and/neglect reports and records must be under a court order. Any other request for these records should be referred to the Law Office of Baltimore County Public Schools.

- C. Information on whether or not DSS has determined to investigate the report will be provided to the employee, volunteer, student teacher, or student intern making the report by Child Protective Services, Department of Social Services. This information is to be forwarded by the person making the report to the principal and kept in the separate child abuse/neglect file in the principal's office until the time the child turns twenty-four (24).]

V. [IX.] SCHOOL PROCEDURES

A. INTERVIEWS

1. PERSONNEL FROM DSS OR A POLICE OFFICER ARE AUTHORIZED TO QUESTION A STUDENT ON SCHOOL PREMISES DURING THE SCHOOL DAY IN AN INVESTIGATION INVOLVING SUSPECTED CHILD ABUSE AND/OR CHILD NEGLECT.
2. THE SCHOOL PRINCIPAL, SERVING IN THE CAPACITY AS THE SUPERINTENDENT'S DESIGNEE, SHALL DETERMINE, AFTER CONSULTING WITH THE DSS WORKER OR POLICE OFFICER, WHETHER A SCHOOL OFFICIAL SHALL BE PRESENT DURING THE QUESTIONING OF A STUDENT PURSUANT TO THIS SECTION.
 - A. THE CHILD'S AGE AND PREFERENCE SHOULD BE CONSIDERED WHEN MAKING A DETERMINATION.
 - B. THE FINAL DECISION ON WHETHER A SCHOOL OFFICIAL MAY BE PRESENT DURING QUESTIONING LIES WITH THE DSS WORKER OR POLICE OFFICER.
3. THE SCHOOL PRINCIPAL SHALL REQUIRE PROPER IDENTIFICATION FROM THE DSS WORKER OR POLICE OFFICER PRIOR TO AUTHORIZING QUESTIONING OF A STUDENT. THE FOLLOWING DOCUMENTATION IS REQUIRED AND SHALL BE RECORDED BY THE SCHOOL:
 - A. IDENTIFICATION CARD ISSUED BY THE DEPARTMENT OF SOCIAL SERVICES OR POLICE BADGE NUMBER. THE INFORMATION SHALL BE RECORDED; HOWEVER, THESE ITEMS MAY NOT BE PHOTOCOPIED.
 - B. FULL NAME OF THE DSS SOCIAL WORKER OR POLICE OFFICER.
 - C. CONTACT INFORMATION, INCLUDING TELEPHONE NUMBER AND ADDRESS OF AGENCY OR POLICE PRECINCT.

B. [A.] PARENT [/GUARDIAN] NOTIFICATION

1. SCHOOL OFFICIALS ARE NOT REQUIRED TO NOTIFY PARENTS OF INVESTIGATIONS ON SCHOOL PREMISES INVOLVING SUSPECTED CHILD ABUSE AND CHILD NEGLECT.
2. [The decision of when to notify the parent/guardian will be made after the child has been interviewed by the investigating social

worker or police officer.] The principal or principal's designee in consultation with the DSS WORKER [representative from social services] or the police officer shall [then] determine when THE CHILD'S parent [(s)/guardian(s)] shall be notified and by whom.

3. When in the judgment of the principal, DSS WORKER, OR POLICE OFFICER, [CPS/DSS social workers, or police department,] it is believed that disclosure OF THE INVESTIGATION OF ALLEGED ABUSE/NEGLECT would create a threat to the well-being of the child or another child in the household, or would impede the investigation, the DSS [social] worker or police officer will notify the parent [(s) /guardian(s)].

[B. INTERVIEWS

Whether or not the report of suspected physical and/or sexual abuse is initiated by school employees or volunteers, the CPS/DSS social worker and/or police officer have the authority to interview the child at the school without permission of the child's parents or guardians. The principal or assistant principal, as designated representatives of the superintendent, shall determine, after consultation with the CPS/DSS social worker from the local DSS or the police officer, whether a school official shall be present during the questioning of a pupil. The child's preference shall be considered in making this determination. Proper identification should be required of the social worker and the police officer. Name and agency of the CPS/DSS social worker and police officer should be recorded. Police badges and CPS/DSS social workers' identification cards may not be photocopied.]

C. RELEASE OF INFORMATION FROM THE STUDENT'S EDUCATIONAL [SCHOOL] RECORD

1. EXCEPT FOR INFORMATION THAT IS REQUIRED IN ORDER TO COMPLETE THE *SCHOOL'S REPORT OF SUSPECTED CHILD ABUSE AND/OR CHILD NEGLECT FORMS*, BCPS SHALL NOT PERMIT ACCESS TO OR RELEASE PERSONALLY IDENTIFIABLE INFORMATION FROM THE STUDENT'S EDUCATIONAL RECORD WITHOUT THE EXPRESS WRITTEN AUTHORIZATION OF THE CHILD'S PARENT, OR AS ALLOWED BY FEDERAL AND STATE LAW.

- A. IN ACCORDANCE WITH BOARD OF EDUCATION POLICY AND SUPERINTENDENT'S RULE 5230, *STUDENT RECORDS*, THE PRINCIPAL MAY DISCLOSE PERSONALLY IDENTIFIABLE INFORMATION FROM THE STUDENT'S EDUCATIONAL RECORD DURING A

HEALTH AND SAFETY EMERGENCY.

- B. BCPS MAY DISCLOSE RECORDS FROM THE STUDENT'S EDUCATIONAL RECORD TO DSS AND/OR THE POLICE DEPARTMENT WHEN NOTIFIED THAT DSS IS MAKING AN EMERGENCY PLACEMENT OF THE CHILD AND/OR REMOVING THE CHILD FROM SCHOOL UNDER PARAGRAPH V.D. OF THIS RULE.
- C. PRINCIPALS SHOULD CONSULT WITH THEIR CHILD PROTECTIVE SERVICES (CPS) LIAISON TO DETERMINE WHETHER A HEALTH AND SAFETY EMERGENCY EXISTS.

2. DIRECTORY INFORMATION MAY BE RELEASED, UNLESS THE PARENT HAS TIMELY NOTIFIED THE SCHOOL PRINCIPAL THAT DESIGNATED INFORMATION ABOUT HIS/HER CHILD MAY NOT BE DISCLOSED

3. THE SCHOOL PRINCIPAL MAY INFORM THE DSS WORKER IF THE STUDENT'S EDUCATIONAL RECORD CONTAINS PSYCHOLOGICAL RECORDS.

A. PSYCHOLOGICAL RECORDS MAY NOT BE RELEASED TO THE DSS WORKER OR POLICE OFFICER BY THE SCHOOL.

B. ALL PSYCHOLOGICAL RECORDS MUST BE REQUESTED FROM THE OFFICE OF PSYCHOLOGICAL SERVICES.

[Besides information provided by school personnel on the child abuse/neglect forms, further information may be provided regarding appropriate medical data, and the names, ages, and locations of parents, caretakers, and siblings. Administrators should inform the Protective Services worker if the student's school record contains psychological records. Psychological records may not be released to the DSS Protective Services worker by the school administrators. All psychological records must be requested from the Office of Psychological Services, 6901 Charles Street, Towson, MD 21204. DSS or the police department would need a signed parental release, court order, or subpoena to obtain other information from the student's school record.]

D. REMOVAL OF STUDENT [CHILD] FROM SCHOOL

1. A STUDENT [The pupil] may be removed from school premises UNDER THIS SECTION, WITHOUT PARENT

AUTHORIZATION, BY ANY OF THE FOLLOWING: [if that pupil is a suspected victim of child abuse or neglect and the local]

- A. DSS has guardianship of the child.[,]
- B. IN ACCORDANCE WITH a court order. [,]
- C. IN ACCORDANCE WITH [or has in their possession] a shelter CARE AUTHORIZATION OR SHELTER CARE order [pursuant to Courts and Judicial Proceedings Article, §§3-814 and 3-815.].
- D. BY A POLICE OFFICER IF HE/SHE BELIEVES THE CHILD IS IN SERIOUS, IMMEDIATE DANGER AND THAT THE CHILD'S REMOVAL IS NECESSARY FOR THE CHILD'S PROTECTION.

- [2. Under Maryland Law, Courts and Judicial Proceedings Article §3-814, AND WITH THE PERMISSION OF DSS, a police officer has the authority to remove the child from the school setting without the permission of the parents/guardians. This action is taken by the police when reasonable grounds exist to believe the child is in immediate danger from his/her surroundings and his/her removal is necessary for the child's protection.]
- 2. [3.] The PRINCIPAL [school administrator], in consultation with the DSS [social] worker or police officer, shall ENSURE [assure] that PROMPT notification of a STUDENT'S [pupil's] removal from school is made to the STUDENT'S [pupil's] parent [s or guardians].
- 3. When, in the judgment of the principal, DSS [CPS/] [social] worker, or police OFFICER [department], it is believed that disclosure would create a threat to the well-being of the child or another child in the household, or would impede the investigation, the DSS [social] worker or police officer will notify the STUDENT'S parent [s or guardians].

[E. OBTAINING FEEDBACK FROM DSS REGARDING OUTCOME OF REPORT

Information contained in Child Protective Services reports and records, including the outcome of investigations, is highly confidential, and disclosure is restricted by law (*Annotated Code of Maryland*, Article 88A, §6(b)). Information may be disclosed by CPS/DSS under the following circumstances:

- 1. Information on whether or not CPS/DSS has determined to investigate the report [will] MAY be provided to the employee,

volunteer, student teacher, or student intern making the report.

2. Where CPS/DSS finds it in the best interest of the child; e.g., to develop a safety plan or treatment plan which might include the support of school personnel, CPS/DSS may disclose information to an agency, institution, or program providing treatment or care to the child.
3. For complex cases, information may also be shared in the context of a multidisciplinary consultation team conference in order to coordinate interagency treatment planning. Requests for this type of team review may be initiated by the superintendent's designee or multidisciplinary team members. Contact the Office of Pupil Personnel Services 410-887-4211 for future information.]

VI. CONFIDENTIALITY

A. REPORTS AND RECORDS

1. CHILD ABUSE AND/OR NEGLECT REPORTS AND RECORDS MADE UNDER THIS SECTION ARE CONFIDENTIAL AND SHALL NOT BE PLACED IN THE STUDENT'S EDUCATIONAL RECORD.
2. ALL CHILD ABUSE AND/OR NEGLECT REFERRALS OR REPORTS SHALL BE KEPT IN A SEPARATE CONFIDENTIAL FILE IN THE PRINCIPAL'S OFFICE AND SHALL BE MAINTAINED BY THE SCHOOL UNTIL SUCH TIME AS THE STUDENT TURNS 24 YEARS OF AGE.

B. RELEASE OF INFORMATION

1. REPORTS MADE UNDER THIS SECTION SHALL BE RELEASED ONLY TO THE DSS WORKER AND/OR POLICE OFFICER INVESTIGATING THE ABUSE.
2. A PARENT OR GUARDIAN SEEKING INFORMATION CONCERNING A CHILD ABUSE OR NEGLECT INVESTIGATION SHOULD BE REFERRED TO THE DSS WORKER OR POLICE OFFICER INVESTIGATING THE ALLEGATION.
3. CHILD ABUSE AND NEGLECT REPORTS AND RECORDS SHALL BE RELEASED ONLY UPON ISSUANCE OF A COURT ORDER BY DSS. ALL REQUESTS FOR RECORDS MADE IN ACCORDANCE WITH THIS SECTION SHALL BE REFERRED TO THE BCPS' OFFICE OF LAW.

VII. TRAINING

- A. [F.] STUDENTS [AWARENESS]
 - 1. The Office of [Guidance and] SCHOOL Counseling [Services], in collaboration with other pupil services team members, shall [continue to] coordinate and develop programs [and] to educate students about physical abuse, sexual abuse, and neglect.
 - 2. These programs shall be developmental, comprehensive, and current for students [.Programs should] AND exist on all levels of the curriculum.
- B. [G.] EMPLOYEES [STAFF/COMMUNITY AWARENESS]
 - 1. NEW EMPLOYEES ARE REQUIRED TO ATTEND [Appropriate staff of Baltimore County Public Schools shall provide] in-service training [for new employees in] ON CHILD abuse/neglect policies, to ENSURE [insure] they have knowledge about all areas of abuse and neglect, the EMPLOYEE’S [staff’s] obligation to report suspected abuse/neglect cases, and the steps required IN making the oral/written reports.
 - 2. Principals, office heads, or designees must review abuse/neglect POLICIES AND PROCEDURES [information] with all staff, INCLUDING SERVICE PROVIDERS, annually. [Members of the students’ community, such as volunteers, must be informed about their duty to report abuse and neglect, as well.]
 - 3. [2.] Verification of participation in the awareness training program on child abuse/neglect must be kept at respective schools and offices.
- C. COMMUNITY AWARENESS
 - 1. [3.]The Office of SCHOOL COUNSELING [the Assistant to the Superintendent for Communications and Special Projects] will assist in informing the public about abuse/neglect issues, programs, and initiatives within the school system.
 - 2. SCHOOLS ARE ENCOURAGED TO INFORM THEIR SCHOOL COMMUNITIES [Further communication] about abuse and neglect [can be accomplished] through school newsletters, meetings, and the school calendar.

VIII. DISCIPLINE

- A. ANY EMPLOYEE OR SERVICE PROVIDER WHO KNOWINGLY FAILS TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT WILL BE SUBJECT TO DISCIPLINARY ACTION, UP TO AND INCLUDING DISMISSAL.

- B. IF A CERTIFICATED EMPLOYEE KNOWINGLY FAILS TO REPORT SUSPECTED CHILD ABUSE IN VIOLATION OF THIS SECTION, THE SUPERINTENENT WILL RECOMMEND SUSPENSION OR REVOCATION OF HIS/HER TEACHING CERTIFICATE ISSUED BY THE MARYLAND STATE DEPARTMENT OF EDUCATION AND/OR MARYLAND LICENSE TO PRACTICE ISSUED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.
- C. ANY EMPLOYEE OR SERVICE PROVIDER WHO FAILS TO COOPERATE WITH DSS AND/OR POLICE DEPARTMENT INVESTIGATION UNDER THIS SECTION WILL BE DEEMED TO HAVE COMMITTED MISCONDUCT IN OFFICE AND WILL BE SUBJECT TO DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION.
- D. IN THE CASE OF SERVICE PROVIDERS, THE ASSISTANT SUPERINTENDENT AND/OR EXECUTIVE DIRECTOR WILL MAKE A DECISION ON WHETHER TO CONTINUE SERVICES.

IX. IMMUNITY

ANY EMPLOYEE OR SERVICE PROVIDER WHO IN GOOD FAITH MAKES OR PARTICIPATES IN MAKING A REPORT OF CHILD ABUSE OR NEGLECT, OR PARTICIPATES IN AN INVESTIGATION OR A RESULTING JUDICIAL PROCEEDING IS IMMUNE FROM ANY CIVIL LIABILITY OR CRIMINAL PENALTY IN ACCORDANCE WITH STATE LAW. A GOOD FAITH REPORT IS BASED UPON HONEST BELIEFS, ABSENCE OF MALICE, AND NO CONSCIOUS ATTEMPT TO FALSIFY INFORMATION.

X. Statute Of Limitations

- A. There is no statute of limitations in cases of abuse and neglect regardless of the age of the victim or the status of the alleged abuser.
- B. IF [Even if] the alleged victim OF ABUSE is an adult when the incident comes into light, a report must be made with DSS [the Department of Social Services]. The fact that the victim is now an adult should be part of the report. [This fact may be taken into account by the authorities, when they determine the actions to take in response to the report.]
- C. IF [Even if] the alleged abuser is believed to be deceased, a report must be made to DSS [the Department of Social Services]. Information that the alleged abuser is deceased should be included in this report. [The authorities need this information to process this report appropriately.]

XI. INTERAGENCY COLLABORATION

BCPS [Baltimore County Public Schools] will collaborate with DSS [the Baltimore County Department of Social Services], Baltimore County Police Department, and other agencies to implement child abuse and neglect [policies,] procedures [,] and training.

Legal References: *ANNOTATED CODE OF MARYLAND, COURTS AND JUDICIAL PROCEEDINGS ARTICLE §3-814, TAKING A CHILD INTO CUSTODY*
ANNOTATED CODE OF MARYLAND, CRIMINAL LAW ARTICLE §§3-601 TO -606, ABUSE AND OTHER OFFENSIVE CONDUCT
ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §4-205, POWERS AND DUTIES OF COUNTY SUPERINTENDENT
ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §6-108, IMMUNITY OF SCHOOL EMPLOYEES FROM CIVIL LIABILITY FOR CERTAIN ACTIONS
ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §6-202, SUSPENSION OR DISMISSAL OF TEACHERS, PRINCIPALS AND OTHER PROFESSIONAL PERSONNEL
ANNOTATED CODE OF MARYLAND, FAMILY LAW ARTICLE §§5-701, ET SEQ., CHILD ABUSE AND REPORTING
ANNOTATED CODE OF MARYLAND, HUMAN SERVICES ARTICLE §1-202, CONFIDENTIALITY OF INFORMATION – CHILD ABUSE AND NEGLECT REPORTS AND RECORDS
 COMAR 13A.08.01.13, *QUESTIONING ON SCHOOL PREMICES*
 COMAR 13A.12.05, *SUSPENSIONS AND REVOCATIONS*
 [Annotated Code of Maryland, Family Law Article, §5-701 et seq.
 Annotated Code of Maryland, Article 88A - Social Services Administration, §6(b)
 Annotated Code of Maryland, Education Article, §§6-107, -108, -202
 Education COMAR 13A.12.05.02C(4)
 Education COMAR 13A.08.01.13]

RELATED POLICIES: BOARD OF EDUCATION POLICY 4004, *SUSPECTED CHILD ABUSE, NEGLECT, AND/OR INAPPROPRIATE BEHAVIOR TOWARD A STUDENT BY AN EMPLOYEE OF THE BALTIMORE COUNTY PUBLIC SCHOOLS*

BOARD OF EDUCATION POLICY 4008, *OBLIGATIONS OF
THE EMPLOYEES OF THE BOARD OF EDUCATION OF
BALTIMORE COUNTY*

BOARD OF EDUCATION POLICY 4115, *EMPLOYEE
CONDUCT AND RESPONSIBILITIES*

BOARD OF EDUCATION POLICY 5230, *STUDENT
RECORDS*

Rule

Superintendent of Schools

Approved: 10/27/77

Revised: 10/22/87

Revised: 09/08/88

Revised: 06/27/95

Revised: 06/16/98

REVISED: _____

SCHOOL'S REPORT OF SUSPECTED CHILD ABUSE

TO: BALTIMORE COUNTY DEPARTMENT OF SOCIAL SERVICES

FROM: Name of Person Making Report and Name of School

ADDRESS OF SCHOOL:

Name of Child:

Address (where child may be seen)

Tel. No: (H) (W)

Age or Birthdate

Name of Person(s) Responsible for Child's Care

Address

Tel. No: (H) (W)

Relationship

Name of Suspected Abuser

Address

Relationship (of suspected abuser) to Child

The nature and extent of the current injury to the child in question: circumstances leading to the suspicion that the child is a victim of abuse: (Continue on back if necessary)

Information concerning previous injury to this child or other children in this family situation, including previous action taken if any:

Blank lines for information concerning previous injury.

Signature of Person Making Report

Date of this written report

Copies mailed to:

Date of Oral Report

- Department of Social Services
Office of Pupil Personnel Services - Greenwood
State's Attorney's Office
Principal

Oral Report made to: (Name of DSS staff who received oral report)

School's Report of Suspected Child Abuse

To: Baltimore County Department of Social Services

From: _____
Name of person making report and name of school

Address of school: _____

Name of child: _____

Address (where child may be seen): _____

Phone numbers: (C) _____ (H) _____ (W) _____

Age or date of birth: _____

Name(s) of person(s) responsible for child's care: _____

Address: _____

Phone numbers: (C) _____ (H) _____ (W) _____

Relationship: _____

Name of suspected abuser: _____

Address _____

Relationship (of suspected abuser) to child _____

The nature and extent of the current injury to the child in question: circumstances leading to the suspicion that the child is a victim of abuse: (Continue on back if necessary)

Information concerning previous harm to this child or other children in this family situation, including previous action taken if any:

Signature of person making report

Date of this written report

Copies mailed to:

Date of oral report

- ____ Department of Social Services
- ____ Office of School Counseling
- ____ State's Attorney's Office
- ____ Principal

Oral report made to: _____

(Name of DSS staff who received oral report)

SCHOOL'S REPORT OF SUSPECTED CHILD NEGLECT

TO: BALTIMORE COUNTY DEPARTMENT OF SOCIAL SERVICES

FROM: Name of Person Making Report and Name of School

ADDRESS OF SCHOOL:

Name of Child:

Address (where child may be seen)

Tel. No: (H) (W)

Age or Birthdate

Name of Person(s) Responsible for Child's Care

Address

Tel. No: (H) (W)

Relationship

Name of Suspected Neglector

Address

Relationship (of suspected neglecter) to Child

The nature and extent of any current harm or risk to the child in question: circumstances leading to the suspicion that the child is a victim of neglect: (Continue on back if necessary)

Information concerning previous harm to this child or other children in this family situation, including previous action taken if any:

Signature of Person Making Report

Date of this written report

Copies mailed to:

Date of Oral Report

- Department of Social Services
Office of Pupil Personnel Services - Greenwood
State's Attorney's Office
Principal

Oral Report made to: (Name of DSS staff who received oral report)

RULE 5440, FORM B

School's Report of Suspected Child Neglect

To: Baltimore County Department of Social Services

From: _____
Name of person making report and name of school

Address of school: _____

Name of child: _____

Address (where child may be seen): _____

Phone numbers: (C) _____ (H) _____ (W) _____

Age or date of birth: _____

Name(s) of person(s) responsible for child's care: _____

Address: _____

Phone numbers: (C) _____ (H) _____ (W) _____

Relationship: _____

Name of suspected neglecter: _____

Address _____

Relationship (of suspected neglecter) to child _____

The nature and extent of any current harm or risk to the child in question: circumstances leading to the suspicion that the child is a victim of neglect: (Continue on back if necessary)

Information concerning previous injury to this child or other children in this family situation, including previous action taken if any:

Signature of person making report

Date of this written report

Copies mailed to:

Date of oral report

____ Department of Social Services
____ Office of School Counseling
____ State's Attorney's Office
____ Principal

Oral report made to: _____

(Name of DSS staff who received oral report)