



ADMINISTRATIVE PROCEDURE

SUSPECTED CHILD ABUSE AND NEGLECT

5145

Procedure No.

July 1, 1988

Date

- I. **PURPOSE:** To notify all employees of the Prince George's County Public Schools that it is mandatory that they make a direct report when they have reason to suspect:
- A. A child has been physically abused, or
 - B. A child has been sexually abused, whether physical injuries sustained or not, or
 - C. A child has been neglected as defined below.
- II. **POLICY:** Maryland State Law mandates the direct reporting of suspected child abuse, both physical and sexual abuse by every health practitioner including psychologist; every educator, including teacher, counselor, or other professional employee of any school; social worker or law enforcement officer who believes or has reason to believe that a child has been abused by any parent, adoptive parent, or other person who has permanent or temporary care and anyone who is responsible for the supervision of a child under the age of 18 years. Any other person, including any volunteer of the school system, who has reason to believe a child is abused is also obligated to make such a report. Immunity from civil liability or criminal penalty is extended by the law to those who report in good faith or participate in an investigation or judicial proceeding resulting therefrom.
- Any person who has reasonable belief that a child is a neglected child due to the absence of or negligence of the child's parent(s), legal guardian(s), or custodian(s) shall report it. Immunity from civil liability or criminal penalty is extended to those who report in good faith incidents of child neglect or participate in an investigation or judicial proceeding resulting therefrom.
- The net effect is to require any employee or volunteer of the Prince George's County Public School System who observes or suspects physical abuse or sexual abuse or child neglect to report directly and personally such observation or suspicion to the appropriate agency or designated person, following the procedures outlined below. Where school personnel or volunteers are unsure whether abuse or neglect has taken place, this situation should be discussed with the local Department of Social Services by the supervisor or building principal. Note that any person making such a report is reporting only a "reasonable belief" of such abuse or neglect and is immune from any civil liability and/or criminal penalty. Formal investigation procedures are the responsibility of the agency authorities to whom the report is made.
- III. **DEFINITIONS:** The following definitions are applicable to the content of these procedures.
- A. **Child:** Any person under the age of 18 years.
 - B. **Abuse:** Physical injury or injuries sustained by a child as a result of cruel or inhumane treatment or as a result of a malicious act or acts by any parent, adoptive parent, or other person who has the permanent or temporary care or custody or responsibility for supervision of a minor child under circumstances that indicate that the child's health or welfare is harmed or threatened thereby; any sexual abuse of a child, whether or not physical injuries are sustained.

Sexual Abuse: Sexual abuse shall mean any act or acts involving sexual molestation or exploitation, including but not limited to incest, rape, carnal knowledge, sodomy, or unnatural or perverted sexual practices on a child by any parent, or other person who has permanent or temporary care or responsibility for supervision of a minor child.
 - C. **Neglected Child:**



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1. A child who has suffered or is suffering significant physical or mental harm or injury as a result of conditions created by the absence of the parent(s), guardian(s), or custodian(s), or
2. A child who by the failure of the parent(s), guardian(s), or custodian(s) to give proper care and attention to the child and his/her problems under circumstances that indicate that the child's health or welfare is harmed or threatened thereby or that there is mental injury to the child or a substantial risk of mental injury.

A child may not be considered to be neglected solely because he/she is receiving non-medical remedial care and treatment recognized by state law in lieu of medical treatment.

IV. **REPORTING PROCEDURES:** In general, the child suspected of having been abused or neglected should be dealt with and examined with the same concern and in the same manner as any child evidencing pain, injury, discomfort, or physical or emotional need. The legal right to make a determination of abuse or neglect is vested in the agency authorities to whom the report is made; legal immunity for the reporting person is attached to the non-accusatory report of suspicion only.

A. Suspected Child Abuse

1. Prior to making the oral report to Protective Services, the employee will inform his/her immediate supervisor or building principal of the intent to so report and shall supply the supervisor or principal with all relevant information upon which the suspicion is based. The supervisor or building principal will assure that the case has been properly and completely reported, both orally and in writing.
2. After informing the supervisor or principal, any employee of the Board of Education who suspects that a child has been abused by the parent, adoptive parent, or other person with permanent or temporary custody of the child shall call the Department of Social Services Central Intake and make an oral report to the Division of Protective Services.
 - a. On weekdays between 8:30 a.m. and 4:30 p.m., call 422-5336, 422-5337, or 422-5338..
 - b. On weekdays before 8:30 a.m. and after 4:30 p.m., call 699-8605.
 - c. On weekends and holidays, call 699-8605.
3. Within 48 hours of the occurrence of the situation giving rise to suspicion of abuse, the employee or volunteer will complete a written report of Form PS-60 (Revised 10/88), Report of Suspected Child Abuse, Child Neglect (copy attached).

One copy of the Form PS-60 will be sent to:

- a. Prince George's County Department of Social Services
6111 Ager Road
Hyattsville, Maryland 20782
- b. State's Attorney for Prince George's County
Courthouse



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Upper Marlboro, Maryland 20772

- c. Supervisor of Psychological Services
Sasscer Administration Building
Upper Marlboro, Maryland 20772
 - d. One copy will be retained and maintained at the school as directed in Section VII of this Administrative Procedure.
 - e. If the suspected abuser is a system employee or volunteer, forward a copy to the Chief Divisional Administrator of Personnel, Sasscer Administration Building.
4. In determining the need to report a suspicion of abuse, the following in-school procedures are to be followed.
- a. The staff member will inform the principal of the basis for the suspicion and that he/she is making a report, following the above procedures for reporting. (Section IV, A, 1-3)
 - b. School personnel may examine and/or question the child only as necessary to verify injury and the possibility that such injury resulted from cruel, inhumane, or malicious act(s) by the child's permanent or temporary caretaker; no attempts should be made to validate the suspension.
 - c. A short statement may be prepared and signed, briefly describing the injury and the basis for suspicion of abuse. The signed statement will be attached to the copy of the Form PS-60 report to be maintained as described in Section VII of this Administrative Procedure.

B. Suspected Child Neglect

1. Any employee of the Board of Education who suspects child neglect will first ascertain the presence of one of the two basic conditions defining neglect:
 - a. The absence of parent(s)/guardian(s)/custodian(s) resulting in significant physical or mental harm or injury to the child, or
 - b. The failure of parent(s)/guardian(s)/custodian(s) to give proper care under circumstances that indicate that the child's health or welfare is harmed or threatened thereby.
2. If the school person determines there is a legitimate basis for the suspicion of neglect, he/she will make the oral report to the Division of Protective Services by calling:
 - a. On weekdays between 8:30 a.m. and 4:30 p.m., call 422-5336, 422-5337, or 422-5338.
 - b. On weekdays before 8:30 a.m. and after 4:30 p.m., call 699-8605.
 - c. On weekends and holidays, call 699-8605.



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3. The written report on Form PS-60 will be disseminated within 48 hours of the oral report, following the same steps as outlined for the reporting of child abuse. (Section IV, A, 3-4)

V. **INTERVIEWING PROCEDURES:**

- A. In the investigation of either child abuse or child neglect cases, if a child is questioned by the Protective Services worker and/or police during the school day on school premises, whether the child is the alleged victim or a non-victim witness, a school official* should be present throughout that questioning.

(*The school official is designated as the principal.)

- B. Whenever investigative questioning of pupils is permitted on the school premises, the school official should advise the Superintendent's Office or the Superintendent's designee of the nature of the investigation and such other details as may be relevant. The copy of Form PS-60 sent to the Supervisor of Psychological Services will suffice as notification to the Superintendent's designee.

School officials are not required to notify parents or guardians of investigations on school premises involving suspected child neglect or abuse.

- C. In the course of the investigation, if Protective Services personnel feel it necessary to remove the child from the school, they are legally authorized to do so and will complete and leave with the principal or designee the Limited Custody Form as a part of that procedure.

The principal shall then call the parent/guardian to inform him/her that the child has been taken into protective custody and will provide the parent/guardian with the telephone number listed on the Limited Custody Form.

- D. In circumstances where the police are in a building for any reason and a child requests to talk to the officer, that request may be granted without informing the parent/guardian.

- VI. **CONFIDENTIALITY:** All records and reports concerning child abuse or child neglect are confidential, and provision will be made by the principal for the protection of the identity of the reporter or any other person whose life or safety is likely to be endangered by disclosing the information.

- VII. **LIMITED MAINTENANCE OF REPORTS:** All child abuse and child neglect reports will be maintained by the principal, separate and apart from the student's Cumulative Record and Limited Access Folder, in one special Abuse and Neglect Folder for all cases. Information contained in said reports may be disclosed only under the following conditions.

1. Under a court order;
2. To personnel of local or state Department of Social Services, law enforcement personnel, and members of multidisciplinary case consultation teams who are investigating a report of known or suspected child abuse or neglect, or who are providing services to a child or family that is the subject of the report;



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3. To local or state officials responsible for the administration of the child protective services as necessary to carry out their official functions;
 4. To a person who is the alleged child abuser or the person suspected of child neglect if that person is responsible for the child's welfare, provided, however, that all references to the person who reported the suspected abuse or neglect or any other person whose life or safety is likely to be endangered by disclosing the information shall be removed before disclosure to the suspected abuser or person who is suspected of child neglect;
- VIII. **MAINTENANCE AND UPDATE OF THESE PROCEDURES:** The Division of Pupil Services will review and update these procedures as required. Questions are to be referred to the Division of Pupil Services.
- IX. **CANCELLATIONS AND SUPERSEDURES:** This Administrative Procedure specifically cancels and supersedes Administrative Procedure 5145, dated April 28, 1986.
- X. **EFFECTIVE DATE:** This Administrative Procedure is effective July 1, 1988.

Approved by:
John A. Murphy
Superintendent of Schools

Attachment: Form PS-60, Report of Suspected Child Abuse, Child Neglect (Revised 10/88)
(Facsimile)

DISTRIBUTION: All Administrative Handbook Holders.