

**Administrative Procedures for Policy#1460 (Administration) of the Board of Education
Regarding the Maryland Child Abuse and Neglect Law and Calvert County**

I. Definitions

A. Abuse means:

1. The physical or mental injury of a child by anyone, under circumstances that indicate that the child's health or welfare is harmed or at substantial risk of being harmed, or
2. Sexual abuse of a child, whether physical injuries are sustained or not.

B. Child - Any person under the age of eighteen (18) years or a student enrolled in Calvert County Public Schools

C. Employees - Individuals whose compensation is paid by the Calvert County Public Schools

D. Mental Injury - The observable, identifiable, and substantial impairment of a child's mental or psychological ability to function

E. Neglect – The leaving of a child unattended or other failure to give proper care and attention to a child by any parent or other person who has permanent or temporary care or custody or responsibility for the supervision of the child under circumstances that indicate:

1. That the child's health or welfare is harmed or placed at substantial risk of harm, or
2. Mental injury to the child or a substantial risk of mental injury

F. School Vehicle: Any motor vehicle that is used for the exclusive transportation of children, students, teachers or faculty for educational purposes or in connection with a school activity and is either a Type I or Type II school vehicle as defined in the Transportation Article of the Annotated Code of Maryland

G. School Vehicle Driver: Any individual who is employed by Calvert County Public Schools (CCPS) or any entity contracting with CCPS as a school vehicle driver, or is an owner-operator of a school vehicle

H. Sexual Abuse

1. Any act that involves sexual molestation or exploitation of a child by anyone;
2. Includes, but is not limited to, incest, rape, sexual offense in any degree; sodomy; and unnatural or perverted sexual practices.

- I. Volunteers – Any Person at the request of the principal or designee, who provide services for the Calvert County Public School System without receiving monetary compensation.

II. Reporting

- A. Title 5 Subtitle 7 of the Family Law Article of the Annotated Code of Maryland requires that every education professional, health practitioner, human service worker or law enforcement officer who has a reason to believe that a child has been subjected to abuse, sexual abuse, and/or neglect shall immediately report to local Department of Social Services.
 1. Any employee, school vehicle driver, or volunteer of the Calvert County Public Schools must make an immediate oral report of suspected child abuse, child sexual abuse or child neglect to the following:
 - a. Calvert County Department of Social Services, Monday through Friday, 8am to 5pm (443)550-6969. After 5pm weekdays and on weekends (800) 787-9428, and
 - b. The appropriate school principal as soon as possible following the report to the Department of Social Services
 2. The person making the oral report of abuse or neglect must also submit a written report within 48 hours after making the oral report. DHR/SSA Form 180(Report of Suspected Abuse/Neglect) is to be used when submitting the report.
 - a. Copies of the DHR/SSA Form 180 are available in each school’s main office.
 - b. A copy of the completed form must be sent to the following agencies:
 - 1) Department of Social Services - (2) copies
200 Duke Street
Prince Frederick Md. 20678
 - 2) State’s Attorney Office - (1) copy
Calvert County Courthouse
175 Main Street
Prince Frederick Md. 20678
 - 3) Calvert County Public Schools
Director of Student Services
1305 Dares Beach Road
Prince Frederick Md. 20678
 3. Effective October 1, 2016, if a local department has reason to believe that a mandated reporter knowingly failed to make a report of suspected child abuse or neglect, the local department must file a complaint with the appropriate licensing board or employer of the mandated reporter.

III. Suspected Abuse and Neglect Investigations

Administration #1460.1

Procedure Written: 12/23/09

Procedure Revised: 4/29/10; 11/26/14; 10/24/18; 4/7/22, 12/12/25

A. Cooperation

1. Calvert County Public Schools' employees, contractors, and volunteers will cooperate with the Department of Social Services (DSS) and the police in investigations of suspected abuse and neglect.
 - a. DSS and law enforcement are responsible for the validation of suspected abuse or neglect.
 - b. Once it is determined that a report must be made, the employee, contractor, or volunteer reporting the alleged abuse or neglect, the school principal, or any other school-based employees are not to discuss any aspect of the case or attempt to conduct any internal investigation or independent review of the facts. If the allegation is against a school system employee, CCPS Administrative Policy and applicable Procedures 1750 Regarding Employee Discipline shall apply.
 - c. School system employees are prohibited, in general, from taking action that prejudices the ongoing case, such as giving an indication to the alleged offender of the report of suspected abuse or neglect.
 - d. Interviews on School Property
 - 1) The principal will permit DSS and the police to question a student who is an alleged victim or a non-victim witness of abuse or neglect on school premises during the school day, whether or not the student has already been interviewed, in an investigation involving suspected abuse or neglect under the Family Law Article.
 - 2) The principal will determine, after consultation with the individual from DSS or the police, whether a school official should be present during questioning. The school official should be selected, with input from the victim, on a case-by-case basis for the purpose of providing support and comfort to the student who will be questioned. All questioning of the victim or the nonvictim witness must be done by the police or representative of DSS.
 - 3) The principal/designee, in collaboration with the Department of Student the Division of Child Protective Services, DSS, or police will decide who will notify parents of a report or interview and when that notification will occur. Notification by the principal/designee is not required in a case where, in the judgment of the principal/designee and personnel from the Division of Child Protective Services, DSS and/or the police, such a disclosure to parents would create a threat to the investigation or well-being of the student. In these cases, the DSS social worker or police officer are responsible for the notification of parents.

- 4) If a student is removed from school grounds the school principal or designee will promptly notify the student's parent/guardian. This is not discretionary. By mutual agreement, such notification may be delegated to DSS or the police, but responsibility for ensuring that prompt notification occurs is that of the school principal. A student may not be removed from the school grounds for questioning or medical investigation without parental approval unless DSS has guardianship or an authorization for shelter care to remove the student or unless there is a medical emergency which is caused by suspected abuse or neglect. Such an authorization does not need to be in hand but will be verified by telephone.

B. Allegations of Abuse or Neglect Against an Employee, Contractor, or Volunteer

1. The process for addressing allegations of abuse or neglect that involves a school system employee, contractor, or volunteer will adhere to appropriate state law and the Memorandum of Understanding.
 - a. Whenever an employee, contractor, or volunteer makes a report of suspected abuse or neglect against a CCPS employee, contractor, or volunteer, the reporter will also notify the Director of Human Resources/designee as soon as possible.
 - b. In every case of alleged abuse or neglect, an internal investigation will be conducted by the school principal and Superintendent's designee.
 - 1) There will be no internal investigation of the allegations until it is clear that such investigation will not interfere with the efforts of either the police or DSS.
 - 2) To the extent that some preliminary inquiry must be made to determine what action should be taken by the school system on an interim basis, the inquiry may be pursued only with the permission of law enforcement and DSS.
 - 3) The DSS and/or the police might decide not to pursue a report. If DSS does investigate, it will make one of three determinations:
 - i. Indicated by preponderance of the evidence: a finding that there is credible evidence, which has not been satisfactorily refuted, that abuse or neglect occurred
 - ii. Unsubstantiated: a finding that there is insufficient evidence to support a finding of Indicated or Ruled Out
 - iii. Ruled Out: a finding that abuse or neglect did not occur
 - 4) The State's Attorney makes a separate determination as to whether to bring criminal charges.

- 5) The school system's investigation can proceed when permission is granted by DSS and the police.
- 6) The primary purpose of the CCPS investigation is to determine if there is evidence of employee, contractor, or volunteer misconduct, violation of law, or CCPS policy violation.
- 7) In addition, the investigation should determine whether the matter was reported in a manner consistent with the law and school system policy and procedures.
- 8) The Department of Human Resources will ensure the Superintendent is informed of allegations against the employee, contractor, or volunteer, who will provide the Calvert County Board of Education with periodic updates on the status of the investigation. In the case of a contractor, the appropriate official of the contractor's business must also be notified.
- 9) Employees may be placed on a status that restricts their access to students, and contractors' or volunteers' services may be discontinued, until the investigation is complete.

IV. Training

- A. The Director of Student Services, Director of Human Resources and Director of Transportation will ensure that, upon hire, all employees and school vehicle drivers are trained on their responsibilities to report child abuse and neglect. Volunteers are notified of their responsibilities to report child abuse and neglect during the application process. School-based employees and vehicle drivers are trained annually on the procedures for reporting child abuse and neglect. Training will be conducted by Pupil Personnel Workers from the Department of Student Services in cooperation with the Department of Social Services.
- B. Training will include information about the potential consequences of failing to make an oral and written report to the local Department of Social Services and of the individual's immunity from civil liability or criminal penalty when making a report.

V. Other

- A. A school administrator will promptly notify the parent or guardian after a child is removed under these circumstances.
 1. If the local department of social services plans to remove a child from school, the school principal or designee should call the Director of Student Services or designee as soon as possible to discuss who will notify the parent or guardian.
- B. Records and reports regarding child abuse and neglect are not part of the student record and shall not be maintained in the student file.
- C. Records and reports regarding child abuse and neglect are confidential and their unauthorized disclosure by any employee is a criminal offense.