

RSU #63

- a. **NEPN/NSBA Code:** **JLF**
b. **Title:** **Reporting Child Abuse and Neglect**
c. **Author:** **MSMA**
d. **Replaces Policy:**
e. **Date Approved:** **08/24/2026**
f. **Previously Approved:** **01/24/2022 RSU #63**
04/24/2017
g. **Policy Expiration:** **Review as Needed**
h. **Responsible for Review:** **Superintendent & Policy Committee**
i. **Date Reviewed:** **08/24/2026 Superintendent & Policy Committee**
12/19/2021 Superintendent
01/10/2022 Policy Committee
j. **References:** **22 MRSA Chap. 1071, Child and Family Services and Child Protection Act**
Me. P.L. Ch. 407 (2016)
20 USC § 1232g, Family Educational Rights and Privacy Act
20-A MRSA § 5051
22 MRSA § 4002; 20-A MRSA § 3272
Cross Reference – ACAA-Harassment and Sexual Harassment of Students
JLF-E-Suspected Child Abuse and Neglect
JRA-Student Record
Form

k. Narrative:

Definitions

A. Child abuse or neglect. Child abuse or neglect is defined by Maine law as:

- (i) A threat to a child's health or welfare by physical, mental or emotional injury or impairment, sexual abuse or exploitation or lack of protection from these by a person responsible for the child;
- (ii) Serious harm or threat of serious harm by a person responsible for the child due to inadequate care or supervision of the child or deprivation of food, clothing, shelter, education or medical care necessary for the child's health or welfare by that person when that person is financially able to provide food, clothing, shelter, education or medical care necessary for the child's health or welfare or is offered lawful and reasonable financial means or resources to do so;
- (iii) Truancy (for a child who is either (a) age 5 and under age 6 and who has been voluntarily enrolled in school; or (b) six years of

- age and has not completed grade six; if a child described in (a) or (b) has the equivalent of seven full days of unexcused absences or five consecutive school days of unexcused absences during a school year) when the absence is the result of the neglect by a person responsible for the child; or
- (iv) (A threat to a child's health or welfare caused by child sex trafficking by any person, regardless of whether or not the person is responsible for the child.

B. Person responsible for the child: A "person responsible for the child" means a person with responsibility for a child's health or welfare, whether in the child's home or another home; a facility which, as part of its function, provides for the care of the child; or a person licensed or subject to licensure that, as part of its function, provides for care of the child. It includes the child's parent, guardian, or other custodian. For the purpose of this RSU #63 (the District) policy, subsequent use of the word "student" is used in place of the word "child".

C. Child Sex Trafficking. Child sex trafficking means the recruitment, harboring, transportation, provision, or obtaining of a child for the purposes of a commercial sex act.

II. EMPLOYEE'S DUTY TO REPORT:

- A.** Any employee of the school unit (hereinafter referred to as the "notifying employee") who has reason to suspect that a child has been or is likely to be abused or neglected must immediately:
- i.** Notify the building administrator, and
 - ii.** Whenever possible, make a report directly to the Department of Health and Human Services (DHHS) in consultation with the Superintendent or building administrator. If the notifying employee is unavailable to make the report, the Superintendent or building administrator shall make the report. Notifying employees may make reports independently to DHHS. All reports must be made to DHHS within twenty-four (24) hours of the notifying employee acquiring knowledge of potential child abuse or neglect.
- B.** Any school volunteer who has reason to suspect that a child has been or is likely to be abused or neglected is also expected to make a report to the Superintendent or building administrator and/or directly to DHHS within twenty-four (24) hours of the school volunteer acquiring knowledge of potential child abuse or neglect.
- i.** In addition, if the person suspected of abuse or neglect is not the parent, guardian, or other custodian of the child, the designated agent may, in consultation with the notifying employee, also make a verbal report to the appropriate district attorney's office.
- C.** The notifying employee and designated agent shall complete the Suspected Child Abuse or Neglect Form (see JLF-E).

III. REPORTING AND CONFIRMATION DUTIES

All building administrators and the Superintendent are designated agents to make child abuse and neglect reports. Other administrators may also be designated at the discretion of the Superintendent. At RSU 63, school counselors are also designated agents.

- A. If a building administrator receives a report of suspected child abuse or neglect from an employee, they will notify the Superintendent immediately.
- B. A designated agent (in consultation with the notifying employee whenever possible, as outlined above) shall then make an immediate report by telephone of suspected abuse or neglect to DHHS. DHHS must be notified within twenty-four (24) hours of the school employee acquiring knowledge of potential child abuse or neglect
- C. The person making the report to DHHS and/or District Attorney and/or local law enforcement will complete the Suspected Child Abuse or Neglect Form (JLF-E).
- D. The form shall be retained by the school unit for ten (10) years, along with any other information relevant to the case.

This retention period is specified in the Maine State Archives Local Government Record Retention Schedules.

IV. INTERNAL INVESTIGATION AND DISCIPLINE

- A. **Employees.** If the person suspected of abuse or neglect is an employee, the Superintendent/designee shall investigate and take appropriate action, in accordance with applicable Board policies, collective bargaining contracts, and federal and state laws...
- B. **Students.** If the person suspected of abuse or neglect is a student, and the abuse or neglect occurred on school premises, during a school activity, or is otherwise related to the school, the Superintendent/designee shall investigate and take appropriate action, in accordance with applicable Board policies and federal and state laws.
- C. School officials should attempt to coordinate investigations with DHHS and law enforcement to the extent possible, in light of the school's obligation to protect the safety and security of the school environment. When reasonably possible, any internal interviews of a child who may have been abused or neglected will be conducted by a person who has knowledge of appropriate techniques for

interviewing alleged victims of abuse or neglect.

V. INTERVIEW OF CHILD AND SCHOOL PERSONNEL

DHHS personnel shall be permitted to meet with and interview the child named in the report when the child is present at school as provided in this section. The building administrator or designee shall:

- A.** Require the DHHS employee requesting to interview the child to provide written certification that in the Department's judgment, the interview is necessary to carry out its duties;
- B.** Require the DHHS caseworker to discuss the circumstances of the interview and any relevant information regarding the alleged abuse or neglect with the child's teacher, guidance counselor, school nurse, social worker, or building administrator as the caseworker deems is necessary to provide needed emotional support to the child prior to and following the interview;
- C.** Not place conditions on how the interview is conducted, including, but not necessarily limited to requiring that certain persons be present during the interview; prohibiting certain persons from being present during the interview; or requiring notice to or consent from a parent or guardian;
- D.** Provide an appropriate, quiet, and private place for the interview; and
- E.** Not disclose any information about DHHS's intention to interview the child except to school officials or the school's attorney who need the information to comply with the interview request.

VI. CONFIDENTIALITY OF INFORMATION AND RECORDS

All records, reports and information concerning alleged cases of child abuse or neglect shall be kept confidential to the extent required by Board policies and applicable law. The building administrator/designee is permitted to release a child's school records without prior consent of the parent/guardian to DHHS or law enforcement officials if, based on the totality of the circumstances, the school unit determines there is an articulable or significant threat to the health or safety of the child or other individuals and disclosure is necessary to protect the health or safety of the child or other individuals.

VII. GOOD FAITH IMMUNITY FROM LIABILITY; RETALIATION PROHIBITED

Any person who in good faith reports child abuse or neglect, assists DHHS in making the child available for an interview, or participates in the investigation or proceedings of a child protection investigation will be immune from any criminal or civil liability for the act of reporting or participating in the investigation or proceeding. Good faith does not include instances when a false report is made, and the person knows the report is false.

The school unit prohibits any retaliation against an employee who makes a good faith report of child abuse or neglect in accordance with this policy.

VIII. CHILD ABUSE AWARENESS AND PREVENTION TRAINING FOR SCHOOL EMPLOYEES

- A.** All school employees shall receive training on child abuse/neglect and reporting procedures every two (2) years as required by law.
- B.** All school employees will receive a minimum of one hour of child sexual abuse awareness and prevention training within six months of hire and every two (2) years thereafter.
- C.** The training about child sexual abuse awareness and prevention shall be delivered by a qualified instructor(s) and be “evidence-informed.”
- D.** The training about sexual abuse awareness and prevention is intended to:
 - i.** Increase awareness of developmentally appropriate and inappropriate sexual behaviors in children;
 - ii.** Increase ability to identify indicators of sexual abuse, including physical and psychosocial indicators on a spectrum (including lower to higher probability);
 - iii.** Increase ability to effectively respond to sexual behavior or disclosures or suspicions of child sexual abuse; and
 - iv.** Include local child sexual abuse and sexual assault resources.

IX. CHILD SEXUAL ABUSE PREVENTION EDUCATION FOR STUDENTS

Students in public pre-school through grade 5 will receive child sexual abuse prevention education curriculum programs delivered by qualified instructors as part of the health education curriculum aligned with the Learning Results Health

Education Standards and follow an appropriate scope and sequence. The curriculum will be consistent with evidence-informed, age-appropriate child sexual abuse prevention education for students, and include:

- A. Age-appropriate education regarding physical and personal boundaries, including biologically accurate body terminology;
- B. Age-appropriate education for children regarding identifying unsafe or uncomfortable situations including a range of feelings, touches or violations of physical boundaries;
- C. Age-appropriate education for children regarding identifying safe adults with whom they could discuss unsafe or uncomfortable situations; and
- D. Age-appropriate education for children regarding identifying and developing skills to support a friend who may be experiencing unsafe or uncomfortable situations.

Legal References: 22 MRSA Ch. 1071, Child and Family Services and Child Protection Act
20 U.S.C. § 1232g, Family Educational Rights and Privacy Act
20-A MRSA § 5001-A

Cross References: ACAA – Unlawful Harassment and Sexual Harassment of Students
GBEB – Staff Conduct with Students
JEA – Compulsory School Attendance
JHB – Truancy
JLF-E – Suspected Child Abuse or Neglect Form
JRA – Student Education Records and Information

SUSPECTED CHILD ABUSE/NEGLECT REPORT FORM – JLF-E

1) Name/title/telephone number of person making first report:

2) Date and title of first report (i.e. 3/24/17 – Suspected abuse of student):

3) Name/title of school department official to whom first reported:

4) Did the person making first report contact DHHS independently? _____ Yes _____ No

Name of person contacted: _____ Date/Time: _____

5) Date/time/person making the report to Superintendent:

6) Name of student who is subject of report:

Birth date: _____ Sex: _____ Grade: _____

Known history of abuse/neglect? _____

Parent/Guardian Name(s): _____

Address (include directions to home): _____

Home and work telephone numbers: _____

Name(s) of sibling(s): _____

Parent(s) living outside the home (Name/address): _____

Non-relative adult living in the home (Name/relationship): _____

7) Statements or indicators leading to the suspicion of abuse/neglect (include all known

information, including date, time and location, name of alleged abuser, and relationship to student):

8) List any photographs taken or other materials collected related to the report:

9) Any actions taken or intended to be taken by reporting party or administration (i.e., contacting/advising anyone in the family – include date, time, & response):

10) Administrator notifying DHHS, District Attorney, or Local Law Enforcement Agency:

To whom reported: Name, Date, Time: _____

Reporting Party:

Signature: _____ Date:

Reporting Administrator:

Signature: _____ Date:
