

## **SUMMARY OF POLICY JHC—*CHILD ABUSE AND NEGLECT***

The Montgomery County Board of Education is seeking public comment on proposed changes to Policy JHC—*Child Abuse and Neglect*. The policy guides Montgomery County Public Schools (MCPS) procedures and protocols for recognizing, reporting, and preventing suspected child abuse and neglect of students.

The Board tentatively approved revisions to the policy Monday (April 27, 2015) and is accepting public comment until June 8, 2015. The Board is expected to give final approval to the policy at its June 29, 2015 meeting.

The revisions to Policy JHC outline strategies for ensuring that:

- All employees understand and are held accountable for the highest ethical standards in their conduct, as well as adhering to legal mandates and the moral imperative to recognize, report, and prevent suspected child abuse and neglect;
- Children and vulnerable adults who are alleged victims of abuse and/or neglect are supported;
- Human resource management systems and processes for screening new and existing employees are developed;
- Professional learning for MCPS employees is developed and implemented; and
- Opportunities are provided for parents, outside contractors, volunteers, and the broader community to develop awareness on recognizing, reporting, and preventing abuse and neglect of children and vulnerable adults.

Individuals who wish to provide comments should respond in writing one of two ways. Responses should be mailed to the Office of the Superintendent of Schools, 850 Hungerford Drive, Rockville, Maryland 20850, or sent by email to [boe@mcpsmd.org](mailto:boe@mcpsmd.org). All responses will be shared with the Board of Education and the Interim Superintendent of Schools. For additional context, MCPS also has posted publicly a draft of regulations for implementing the revised policy.

### **Overview**

#### Reporting and responding to suspected child abuse and neglect

The revised policy requires all MCPS employees, contractors, and volunteers to report any suspected instances of abuse or neglect of a child to Child Protective Services (CPS). Prior to reporting, it is not the role of MCPS employees, contractors, or volunteers to investigate or determine the validity of suspected abuse or neglect. Even where it may not be clear if abuse or neglect has occurred, a person should err on the side of reporting. In situations where the alleged perpetrator is a MCPS employee, contractor, or volunteer, an action plan will be created to protect the safety of the alleged victim or victims and other children in consultation with County partner agencies, including CPS, the Montgomery County Police Department (MCPD) and the Montgomery County State's Attorney's Office. County agencies will take the lead in investigating suspected abuse. No MCPS internal investigation will be conducted in a way that interferes with or jeopardizes an investigation by CPS, MCPD or another outside agency.

#### Confidentiality, immunity, and protection against retaliation

No MCPS employee, contractor, or volunteer may intentionally prevent or interfere with the reporting of an allegation of abuse or neglect. Any person who, in good faith, reports an allegation of abuse or neglect or participates in an investigation of such an allegation has immunity under Maryland law. MCPS

will strive to protect anyone who reports an allegation of abuse or neglect from intimidation, harassment or retaliation, and maintain the reporter's confidentiality, unless required by law to reveal the source.

#### Consequences for knowingly failing to report abuse or neglect or interfering with reporting

Any MCPS employee, contractor, or volunteer who suspects a child is being abused and/or neglected and either does not report it or prevents someone from reporting it will be subject to discipline. That discipline can include suspension or dismissal of an employee, discontinuation of contract services, and loss of volunteer privileges. Additionally, any certification or licensing can be revoked in accordance with state law.

#### Consequences for offenses with respect to abuse or neglect

If MCPS determines that a district employee, contractor or volunteer has been involved in abuse or neglect, the individual will face discipline up to and including suspension or dismissal of an employee, termination of a contract or volunteer privileges, and loss of applicable certification or license, in accordance with state law.

### **Implementation**

In order to implement this policy, MCPS will:

- Establish a memorandum of understanding with county partners agencies (CPS, MCPD and the State's Attorney's Office) to establish procedures for reporting and investigating allegations of abuse and/or neglect;
- Designate MCPS child abuse contacts and establish a process for providing support to students who are victims of abuse;
- Provide professional development to support MCPS employees in understanding and implementing this policy, and provide training and informational opportunities, as appropriate, to contractors and volunteers;
- Develop processes for screening new and existing employees, outside contractors, and volunteers who have direct, unsupervised access to students on school property;
- Develop a code of conduct and other guidance for MCPS employees, with clear standards for responsible behavior and appropriate conduct between adults and students; and
- Raise awareness about child abuse and neglect through education of students, as well as parents/guardians and community members.

### **Review and Reporting**

The Superintendent of Schools will submit an annual report to the Board of Education—and additional reports as appropriate—that include:

- The number of suspected abuse or neglect cases reported by MCPS to law enforcement and/or protective services agencies;
- The implementation of strategies outlined in Policy JHC; and
- Information about collaborative efforts regarding child abuse or neglect carried out between MCPS and county partner agencies.