

Title: Reporting of Suspected Child Abuse and Neglect

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 - Board Resolution:** 13-024, 20-066
 - Last Revised:**
 - Policy:** 10/2020
 - Procedure:** 10/2020
 - Last Reviewed:**
 - Effective:** 12/3/2020
 - Next Review:** 10/2023
 - Responsibility:** Administrative Services Division- Public Safety Department
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Policy:

The purpose of this Policy is to provide guidance to staff, faculty and students, volunteers, visitors, and individuals or groups using College facilities for any reason regarding the mandatory requirements in Maryland law that govern the reporting of suspected cases of Child Abuse and Child Neglect, and to affirm the commitment of the College to the protection of the safety and welfare of children who come into contact with the College Community.

The reporting requirements addressed in this policy implement the mandatory Child Abuse and Neglect reporting provisions of the Family Law Article of the Maryland Annotated Code, Sections 5-701 through 5-708 and the Maryland Attorney General opinion (78 Op. Att’y Gen. 189, December 3, 1993), which requires Maryland state agencies, including the College, to report suspected child abuse and neglect disclosed by a victim who is now an adult with the purpose of protecting other minors who may be at risk for child abuse or neglect by the perpetrator. Failure to report as provided in this Policy may have serious legal implications for faculty, staff, students, volunteers, visitors, and individuals or groups using College facilities and the College, and may result in disciplinary action.

Procedures

I. Reporting Requirements apply to:

Any person who has reason to believe a child has been subjected to abuse or neglect must make a report to government authorities. The mandatory reporting requirements apply to College employees, students, volunteers, visitors, and individuals or groups using College facilities for any person.”

II. Action Steps for Reporting Suspected Child Abuse or Neglect

In an emergency or in the event the Abuse or Neglect is presently occurring, dial 911.

All individuals as noted in Section I are required to report to Public Safety Director or Officer immediately after forming the suspicion that abuse or neglect has occurred.

Health practitioners, police officers, educators, and human service workers, acting in a professional capacity in Maryland who have reason to believe that a child has been subjected to abuse or neglect, must notify the local department or the appropriate law enforcement agency; and if acting as a staff member of a hospital, public health agency, child care institution, juvenile detention center, school, or similar institution, shall immediately notify and give all information required by this section to the head of the institution or the designee of the head.

An individual who notifies the appropriate authorities must make: (i) an oral report, by telephone or direct communication, as soon as possible to the local department or appropriate law enforcement agency; and (ii) a written report: (1) to the local department not later than 48 hours after the contact, examination, attention, or treatment that caused the individual to believe that the child had been subjected to abuse or neglect; and (2) with a copy to the local State's Attorney.

Reporting of Past Abuse or Neglect. The obligation to report suspected child abuse or neglect applies, even if the individual who may have been the victim of past child abuse or neglect is no longer a child at the time the past abuse or neglect is disclosed or otherwise suspected.

Public Safety (or the individual making report) will make an oral report followed by a written incident report to Child Protective Services at:

<https://dhs.maryland.gov/child-protective-services/reporting-suspected-child-abuse-or-neglect/>

The report should also be provided to the Cecil County Department of Social Services and/or to the local police department.

In the event the suspected abuse or neglect occurred on College property, Public Safety will forward a report to the Vice President of Administrative Services.

The report must include the following information (if known):

- The name, age and home address of the Child;
- The name and home address of the parent or other person responsible for the care of the Child;
- The Child's current whereabouts;
- The names and ages of other children in the home;
- The nature and extent of the suspected abuse or neglect, including any information regarding possible previous instances of abuse or neglect; and

- Any other information that may help to identify the person responsible for the abuse or neglect or to determine the cause.
- Location alleged abuse/neglect occurred.

III. Investigation

Any individual responsible for reporting suspected child abuse or neglect shall not be obligated to investigate or question any other individual in an effort to secure more information in connection with a report under this Policy. Any investigation shall be conducted by the Cecil County Department of Social Services and/or State Law Enforcement Agency and, therefore, the individual making the report may not know the outcome of the investigation.

Confidentiality: The confidentiality of a report of suspected child abuse or neglect, including the identity of an individual who makes a report under this Policy, the individual suspected of abuse or neglect, and the Child who may have been abused or neglected, will be protected consistent with relevant Federal and State laws.

Questions regarding these requirements to a particular individual or situation may be directed to the Cecil County Department of Social Services or the Director of Public Safety for the reporting of suspected child abuse or neglect.

IV. Implications and Consequences

A. **Immunity and Non-Retaliation.** Under State law (Family Law Article Section 5-708), any individual who in good faith makes or participates in making a report under the law shall be immune from any civil liability or criminal prosecution. The College will not retaliate against any person for making a good faith report under this Policy.

B. **Failure to Report.** Any member of the College community as defined in Section I who fails to report suspected child abuse or neglect

1. May be in violation of State law and may be subject to prosecution; and
2. Is in violation of this Policy and may be subject to disciplinary action as follows:

Employees/Volunteers/Board members. Discipline for professional misconduct, up to and including termination of employment or appointment.

Persons under Contract with the College. Immediate termination of underlying contract with the College for cause.

Students/Prospective Students. Discipline for violation of the Student Code of Conduct, up to and including dismissal from the College or revocation of offer of acceptance for admission.

C. **Responsibilities of the College.** The College shall take the following actions to implement this Policy and comply with State law requirements:

1. **President's Designee.** The President of the College hereby designates the Director of Security under the supervision of the Vice President of Administrative Services to receive oral and written reports of suspected child abuse or neglect from employees, students and others at the College as defined above in this Policy.
2. **Information Dissemination.** Employees, students and other members of the College community shall be informed of this Policy and related State law requirements through employee or student handbooks, College websites, contracts and other appropriate means of communication. The Human Resources Office is responsible for annual dissemination of this information.
3. **Training.** Faculty and staff who have regular contact with children shall receive periodic training in the requirements of this Policy through the Office of Human Resources. .
4. **Cooperation with Other Agencies.** The College shall cooperate fully and appropriately with any investigation of suspected child abuse or neglect by a local department of social services or law enforcement agency. If the individual suspected of child abuse or neglect is an employee, student or contractor of the College, the College shall coordinate its own investigation or other activities in response to a report with the appropriate local agency.
5. **Disciplinary Action.** The College shall ensure that its own policies and procedures for addressing alleged employee, student and contractor misconduct include provisions and measures to respond swiftly to reports of suspected child abuse and neglect.
 - **Board of Trustees, Board of Directors and Advisory Board Members:** To the President.
 - **Employees/Volunteers.** To that person's supervisor and the Director of Human Resources.
 - **Persons under Contract with the College.** To the Vice President for Administrative Services.
 - **Students/Recruits/Prospective Students.** To the Vice President of Student Services and Institutional Effectiveness.

6. **Reporting to the Board of Trustees Chair.** The President shall inform the Chair of any serious incident arising at the College under this Policy, consistent with the confidentiality requirements of Federal and State law.

V. **Definitions** (in alphabetical order)

Abuse means:

1. The physical or mental injury of a child under circumstances that indicate that the child's health or welfare is harmed or at substantial risk of being harmed by: a parent; a household member or family member; a person who has permanent or temporary care or custody of the child; a person who has responsibility for supervision of the child; or a person who, because of the person's position or occupation, exercises authority over the child being harmed; or
2. Sexual abuse of a child, regardless of whether physical injuries are sustained.

Sexual Abuse means:

1. Any act that involves sexual molestation or exploitation of a child by a parent; a household or family member; a person who has permanent or temporary care or custody of the child; a person who has responsibility for supervision of the child; or a person who, because of the person's position or occupation, exercises authority over the child's temporary care or custody or responsibility for supervision of a child, or by any household or family member; or
2. Sex trafficking of a child by an individual.

Sexual trafficking means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a child for the purpose of a commercial sex act.

Administrative Employee means a person employed by the College as a:

- Faculty member;
- Administrator (vice president, dean, director, coordinator, manager)
- Coach; or
- Other employee who provides academic support, student service or institutional support activities, whose duties require either a college degree or comparable experience.

Child means any individual under the age of 18 years.

College Community means all College administrators, faculty, staff, students, volunteers, Trustees, Directors of the Foundation, Advisory committee members, agents

and some third parties, such as contractors hired by the College or agents under contract with and acting on behalf of the College, regardless of location.

Director means the Director of Public Safety:

Walt Beaupre
wbeaupre@cecil.edu
Technology Center, Room 205
410-287-1601 Or if on campus at extension 1601

Local Department of Social Services means the Department of Social Services for the county jurisdiction in which:

- i. The child resides; or
- ii. The abuse or neglect occurred; or,
- iii. If neither location is known, the jurisdiction in which the College is located.
The Cecil County Department of Social Services in the College's jurisdiction may be contacted during business hours at 410-996-5350 or 911.

Mental Injury means the observable, identifiable, and substantial impairment of a child's mental or psychological ability to function caused by an intentional act or series of acts, regardless of whether there was an intent to harm the child.

Neglect means leaving 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 supervision of the child under circumstances that indicate:

- that the child's health or welfare is harmed or placed at substantial risk of harm; or
- mental injury to the child or a substantial risk of mental injury.

Other Person(s) means members of the College community and people affiliated with the College, other than an Administrative Employee acting as a staff member of the College including, but not limited to, other staff, students, volunteers, Trustees, Directors of the Foundation, agents and entities under contract with or acting on behalf of the College.

VI. Related Information:

- A. College website and MyCecil - Child Abuse or Neglect Policy
- B. Child Abuse or Neglect Checklist
- C. Cecil County Department of Social Services Contact Information for Child Abuse or Neglect Report