

**WINSLOW PUBLIC SCHOOLS
25 MESSALONSKEE AVENUE
WATERVILLE, ME 04901**

REPORTING CHILD ABUSE AND NEGLECT

I. DEFINITIONS

- A. Child abuse or neglect. Child abuse or neglect is defined by Maine law as “threat to a child’s health or welfare by physical, mental or emotional injury or impairment, sexual abuse or exploitation, deprivation of essential needs or lack of protection from these, or failure to ensure compliance with school attendance requirements under Title 20-A” (specifically when a child who is at least seven years of age and has not completed grade six, has the equivalent of seven full days of unexcused absences or five consecutive school days of unexcused absences during a school year).
- 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 or a facility which, as part of its function, provides for the care of the child. It includes the child’s parent, guardian or other custodian.

II. EMPLOYEES’ DUTY TO REPORT

- A. Any employee of the school unit who has reason to suspect that a child has been or is likely to be abused or neglected must immediately notify the building principal.

In addition to notifying the building principal, the employee may also make a report directly to the Department of Health and Human Services (DHHS) or the District Attorney (see also Section III.B which provides further information about reporting to DHHS and/or the District Attorney).

- B. If the reporting employee does not receive written confirmation from the building administrator/Superintendent within 24 hours of his/her report that a report has been made to DHHS and/or District Attorney, the employee shall make an immediate report directly to DHHS and, if the person suspected is not a person responsible for the child, to the District Attorney. In such cases, the employee shall then complete a copy of the Suspected Child Abuse and Neglect Reporting Form (JLF-E).
- C. If the reporting employees does receive written confirmation from the building administrator/Superintendent within 24 hours of his/her report (which is a copy of the Suspected Child Abuse and Neglect Reporting Form (JLF-E), he/she shall sign the form as acknowledgement that the report was made and return it to the building administrator/Superintendent.

III. ADMINISTRATOR REPORTING AND CONFIRMATION DUTIES

All building administrators and the Superintendent are designated agents to make child abuse and neglect reports.

[NOTE: Other administrators may also be designated at the discretion of the Superintendent.]

- A. If a building administrator receives the report, he/she shall notify the Superintendent immediately.
- B. The Superintendent or building administrator shall then make a verbal and written report(s) of suspected abuse or neglect to DHHS. In addition, if the person suspected is not the parent, guardian or other custodian of the child, the Superintendent/building administrator shall also make a report to the District Attorney.

The law requires the reporting employee to make his/her own report to DHHS and/or the District Attorney if he/she has not received confirmation within 24 hours that such a report has been made by the Superintendent/building administrator.

- C. The person making the report to DHHS and/or the District Attorney shall complete the Suspected Child Abuse or Neglect Form (JLF-E).
- D. The Superintendent/building administrator shall provide a copy of the Suspected Child Abuse or Neglect Form to the reporting employee within 24 hours of the employee's initial report. The reporting employee shall sign the report and return it to the Superintendent/building administrator.
- E. The form will be forwarded to DHHS and/or the District Attorney, and shall be retained by the school unit for ten years, as specified in the Maine Archives Rules, along with any other information relevant to the case.

IV. INTERNAL INVESTIGATIONS 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.

V. INTERVIEWS 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, 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; and 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 and 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 as necessary to protect the health or safety of the child or other individuals under federal law.

VII. GOOD FAITH IMMUNITY FROM LIABILITY

Any person who in good faith reports, assists DHHS in making the child available for an interview, or participates in the investigation or proceedings of a child protection investigation is 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.

ADOPTED: May 14, 1985; REVISED: 4/22/92; REVISED: 11/15/05;
REVISED: 1/25/16

SOURCE: Board Policy

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**REPORTING CHILD ABUSE AND NEGLECT-
ADMINISTRATIVE PROCEDURE**

This procedure implements the Board's policy JLF – Reporting Suspected Child Abuse and Neglect. It summarizes the steps to be taken when a school employee suspects that a child has been or is likely to be abused or neglected.

The “notifying person” refers to the person who has the information that gives rise to the suspicion that a child has been is likely to be abused or neglected and is required by law to report it, such as a teacher, principal, guidance counselor or bus driver.

- A. The notifying person should immediately notify the principal or other designated agent of the suspected abuse or neglect. The person may notify the Department of Health and Human Services (DHHS) directly, or if appropriate, the District Attorney (DA).
- B. The principal or designated agent should immediately directly report it to DHHS and, if appropriate, to the DA.
- C. The principal or designated agent should send a written confirmation containing the name of the person reporting, the date and time of the report and a summary of the information to the notifying person.
- D. The notifying person should acknowledge in writing that he/she has received the confirmation that the report has been made by the principal or designated agent.
- E. The confirmation and acknowledgement should be retained in the school's records.
- F. If the notifying person has not received written confirmation within 24 hours of making his/her report to the principal or designated agent has caused a report to be made to DHHS and, if appropriate, the DA, the notifying person shall immediately make a report to DHHS and, if appropriate, the DA.

January 25, 2016

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SUSPECTED CHILD ABUSE/NEGLECT REPORT FORM

Any employee of **Winslow Public Schools** who suspects that a child has been or is likely to be abused or neglected (the “notifying person”) must immediately notify the building principal using this form. The purpose of this form is to document your reporting and to facilitate confirmation to you that the building principal or other designated school official has made your report to the Department of Health and Human Services (DHHS) or, as appropriate to the District Attorney.

If you have not received written confirmation within 24 hours of submitting this form to the building principal, you must make your own report to DHHS or, if appropriate, to the DA.

- 1) Name/title/telephone number and email address of notifying person (person who originally has the information and is required to report it):

- 2) Date and time of notifying person’s report:

- 3) Name/title of school principal /designated agent first report made to:

- 4) Did notifying person contact DHS independently: ____ Yes ____ No

- 5) Name of student who is subject of report:

Birthdate: _____ Sex: _____ Grade: _____

Known history of abuse/neglect?

Parent/Guardian Name(s):

Address:

Home and work telephone numbers:

Name(s) of sibling(s):

6) 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):

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

8) Actions taken by school personnel (list date, time and personnel involved):

CONFIRMATION OF REPORT

(Used for confirming principal or designated agent's report to authorities)

Name of principal or designated agent: _____

Agency contacted by telephone: _____

Name and title of agency contact: _____

Date and time of telephone report:

Copy of report form sent (include date and addressee):

Principal/Designated Agent Signature Date and Time

EMPLOYEE'S ACKNOWLEDGEMENT OF RECEIPT OF CONFIRMATION

(To be returned to principal or designated agent)

I have received confirmation that my report has been made to DHHS or the DA by the Principal or other Designated Agent.

Notifying Person/Original Reporter's Signature Date and Time
(Employee's Signature)

January 25, 2016