



## **Child Abuse and Neglect Reporting Procedures**

Reason this policy is important: Besides being illegal, child abuse and neglect interfere with healthy child development and later achievement in life.

### **Defining Abuse and Neglect:**

Maryland statutes define "Abuse" as:

"(1) the physical or mental injury of a child by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household or family member, 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."

See Md. Code Ann. [Family Law] § 5-701.

Maryland statutes define "Neglect" as:

"[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 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."

### **Mandated Reporter Law:**

Maryland law identifies educators as mandated reporters. See Md. Code Ann. [Family Law], § 5-704. Maryland law requires that educators who have reason to believe that a child has been subjected to abuse or neglect: (1) notify the local department or the appropriate law enforcement agency; and (2) if acting as a staff member of a child care institution, immediately notify and give all information required by Maryland Law to the head of the institution or the designee of the head. See Md. Code Ann. [Family Law], § 5-704.

Accordingly, GCDC staff members who have reason to believe that a child has been subjected to abuse or neglect, shall immediately: (1) notify the GSFC Chief of the Protective Services Division; and (2) notify and give all information regarding the suspected abuse or neglect to the GCDC Director.

Maryland Regulation 13A.16.07.02 explains that when an employee has reason to believe a child has been abused or neglected, the GCDC Director “may not require an employee to report through [the GCDC Director], rather than directly to the local department or a law enforcement agency.” Thus, GCDC staff members are not required to receive the concurrence of the GCDC Director prior to notifying the GSFC Chief of the Protective Services Division.

## **GSFC Procedures**

Upon notification of suspected abuse or neglect, the GSFC Chief of the Protective Services Division, Code 240, will contact the U.S. Park Police Major Crimes Unit, the law enforcement agency that has jurisdiction over reported child abuse incidents at GCDC. In addition, the GSFC Chief of the Protective Services Division will contact the appropriate local or state law enforcement agency to notify them of the report.

After the GSFC Chief of the Protective Services Division has been notified, the GCDC Director shall provide notice of the incident to the following individuals:

- GEWA Operations Manager
- GSFC Associate Center Director
- GSFC Chief Counsel
- Maryland State Department of Education licensing Specialist
- National Association for the Education of Young Children

If a GCDC staff member is suspected of abuse or neglect, they shall be removed from the premises until there is a determination made by the GCDC Director that it is safe for them to return.

If the GCDC Director is suspected of abuse or neglect, they shall be removed from the premises until there is a determination made by the GSFC Associate Center Director that it is safe for them to return.

## **Reports**

Maryland law requires that an individual who provides notices of suspected child abuse or neglect to authorities is required to make both oral and written reports to the appropriate investigative and law enforcement agencies.

The GSFC Chief of the Protective Services Division shall ensure that statements of all individuals involved are taken to preserve the facts in time. At a minimum, these statements will contain information to satisfy the minimum reporting requirements set forth by Maryland law:

- (1) The name, age, and home address of the child;
- (2) The name and home address of the child’s parent or other person who is responsible for the child’s care;
- (3) The whereabouts of the child;
- (4) The nature and extent of the abuse or neglect of the child, including any evidence or information available to the reporter concerning possible previous instances of abuse or neglect; and
- (5) Any other information that would help to determine the cause of the suspected abuse

or neglect and the identity of any individual responsible for the abuse or neglect.

See Maryland Code Ann., [Family Law] §5-704(c).

These statements shall be given to the GCDC Director to (1) determine if an employee (if an employee was involved) may return to work and (2) to have on file for Maryland State Department of Education and Social Services review. These records shall be maintained at GCDC for 10 years.

### **GCDC Posting and Instruction Requirements**

In accordance with Maryland Regulation 13A.16.07.02(C), the GCDC Director shall:

- (1) Instruct the GCDC Staff to monitor all children daily for signs and symptoms of child abuse and neglect;
- (2) Instruct staff about their legal obligations to report suspected child abuse or neglect directly to the GSFC Chief of the Protective Services Division; and  
Post, near each telephone in the facility, the telephone number of the Child Protective Services unit and the GSFC Chief of the Protective Services Division.