

## **University of Maryland Eastern Shore Procedures for Reporting Suspected Child Abuse and Neglect**

As a member of the University of Maryland Eastern Shore (UMES) campus community, you must make a report under requirements of State law if you ever suspect that child abuse or neglect has occurred. These State law requirements are rigorous and they apply whenever you have reason to believe that a current or past incident of child abuse or neglect has occurred.

These procedures are intended to assist in implementing the University System of Maryland's Policy on the Reporting of Suspected Child Abuse and Neglect (VI—1.50), which provides direction and guidance on how Maryland's mandatory child maltreatment reporting laws apply in the institution setting. The policy may be found at:

<http://www.usmd.edu/regents/bylaws/SectionVI/>

In addition, the UMES Office of Human Resources website has other useful guidance and web links regarding the specific reporting requirements that apply to you, as well as the legal definitions of child abuse and neglect, indicators of different forms of child maltreatment, University System of Maryland (USM) reporting form, Frequently Asked Questions and other information that will help you meet your responsibilities under the law and the USM policy.

### **1. Determining Whether You Need to Make a Report**

Under Maryland law, you must report if you have “reason to believe that a child has been subjected to abuse or neglect”, Maryland Annotated Code, Family Law Article, Section 5-704(a) and 5-705(a). In some instances, you may witness an incident or receive information that obviously will require a report. In other situations, the need to make a report may not be clear, especially when the information that you have is vague or substantially incomplete. In these cases, consider the following:

A. Would reporting the information provide Child Protective Services (CPS) or the police with enough information to initiate an investigation of possible incident? Essential information includes:

- i. Sufficient information to identify and contact the victim; and
- ii. Information that will allow Child Protective Services (CPS) or the police to determine whether the incident constituted child abuse or neglect under the law, including:
  - a. Whether the victim was a child (i.e., under age 18) when the incident occurred;
  - b. Whether the alleged perpetrator was a parent, household or family member, or other person who had care, custody or supervision of the child when the maltreatment occurred;
  - c. Whether the child was injured, harmed or at substantial risk of harm as a result of the alleged maltreatment.

B. In the absence of this information, you are not required to report the incident, but you still should consider making a report if you genuinely suspect that it was child abuse or neglect.

- i. The decision to make a report is appropriate, and protected under the law and the policy, as long as it is made in good faith.
- ii. Child Protective Services (CPS) encourages individuals, who have **any** genuine suspicion that child abuse or neglect may have occurred, to report it.

C. If you have any concerns or doubts as to whether to report an incident, feel free to direct any questions to Child Protective Services (CPS) or to consult with our designee for the reporting of child abuse or neglect: **Marie Billie, Director of Human Resources, suite 1109 Bird Hall or at 410-651-7502**. Also the “Frequently Asked Questions about Reporting Suspected Child Abuse in the USM” on our website may provide you with helpful guidance.

## **2. Making a Report**

- A. Call the Child Protective Services (CPS) Hotline or the police in the locality where the suspected abuse or neglect took place as soon as possible.
  - i. A link to local Child Protective Services Reporting Hotline Numbers appears on the CPS website at: <http://www.dhr.state.md.us/cps/address.php>
  - ii. You can report to the police by calling 911 and, in turn, call UMES Public Safety at x3300
  - iii. If you are unsure of the location where the suspected maltreatment occurred, call CPS or the Somerset County police or UMES Public Safety at x6590 (non-emergency).

**Always call 911 immediately if you witness child abuse or neglect actually taking place. Also call the UMES Department of Public Safety at x3300.**

- B. After making a report to Child Protective Services (CPS), also promptly inform Ms. Marie Billie, the President’s Designee to receive reports of suspected child abuse and neglect, if:
  - i. You are a professional employee of the institution and you learn of the maltreatment in the course of your duties at the institution; or
  - ii. The abuse or neglect involves:
    - a. A USM employee, contractor, volunteer or student;
    - b. An incident on institution property; or
    - c. An incident that took place in connection with an institution-sponsored or recognized program or activity.

## **3. Submitting a Written Report**

If you are a professional employee who makes a report in the course of your work duties, you must follow up your oral report with a written report within 48 hours of when you suspected that an incident of abuse or neglect occurred.

- A. Please use the USM/UMES Form “Report of Suspected Child Abuse/Neglect” for reporting child abuse/neglect, which appears at [www.umes.edu/hr](http://www.umes.edu/hr)

- B. Although only USM professional employees are required to submit a written report, other individuals are encouraged to complete and submit the form if they suspect child abuse or neglect.
- C. This form should be sent to Child Protective Services (CPS) and the local state's attorney, and, if appropriate, under Section 2.B to Ms. Marie Billie, Designee.
- D. Every effort should be made by those making a report to protect the privacy of the child, the child's family and the information exchanged. Reports should be sent in a sealed envelope marked "confidential."

#### **4. Necessary Information**

- A. Reports should include all of the following information, to the extent that it is known, by the individual reporting:
  - i. the name, age, address and whereabouts of the child;
  - ii. the name and address of the child's parents or other caregiver;
  - iii. the nature and extent of the suspected maltreatment;
  - iv. any other information that may help in identifying the abuser or neglector or determine the cause.
- B. The reporter is only required to report information that is either witnessed by you, disclosed to you, or which you have learned as part of your regular professional responsibilities (e.g., a health care practitioner's review of medical reports or records).
  - i. You are **not** expected or encouraged to interview the child or conduct any independent inquiry into the incident or disclosure that led to the belief that abuse or neglect has occurred. Reporters should not initiate their own investigation of the alleged maltreatment.
  - ii. In some cases, you will not have sufficient information to complete the form. Simply report the information that you have and leave the other items blank.
- C. While you are personally responsible for reporting suspected child maltreatment, duplicative reporting is not required under the law or USM policy in these situations:
  - i. If you are a USM employee or student working at a location off-campus where the law requires that you report suspected abuse or neglect to the head of that facility (e.g., a teaching intern assigned to a public school), you are only required to report the suspected maltreatment to Child Protective Services (CPS) and the head of that facility, not to the UMES Designee, unless the suspected abuser or neglector is an employee, contractor or volunteer of the institution.
  - ii. If you and another institution colleague develop a reason to believe that child abuse or neglect has occurred in the process of your work together (e.g., as members of a treatment team, or through an employee/supervisor relationship), you may file a single, joint report.
  - iii. If a disclosure of past abuse or neglect is made in a public group setting (e.g., in class or at a campus event), the individual(s) responsible for convening the group or event is responsible for making the report on behalf of the other attendees.

## 5. Reporting Follow-Up

- A. Depending upon the specific circumstances of the alleged child maltreatment, you may be contacted by Child Protective Services (CPS) or the Ms. Marie Billie/UMES Designee, for more information after making a report.
- B. Your identity as a reporter of suspected child abuse or neglect will be kept confidential by both Child Protective Services (CPS) and the institution.
- C. Maryland law and USM policy offer immunity from reprisal to any member of the campus community for making a good faith report of child maltreatment.
- D. Under State and Federal child abuse confidentiality laws, it is possible that you will not be informed of the results of the child maltreatment investigation that was initiated in response to your report. If you are not contacted by Child Protective Services (CPS) or Ms. Marie Billie/UMES Designee, please do not assume that the concern which you reported was not investigated or addressed.
- E. By following the provisions of the USM policy and these procedures in good faith, you will have met your obligations under the law and the policy to report suspected child maltreatment.

## 6. Special Concerns when Reporting Past Abuse Disclosed by an Adult Victim

Under the official Attorney General's Opinion interpreting Maryland's child abuse reporting laws, <http://www.oag.state.md.us/Opinions/1993/78oag189.pdf>, Maryland citizens are required to follow the State's reporting requirements for suspected child abuse or neglect, even if you learn about the maltreatment for the first time from an **adult** victim who was under the age of 18 when the incident occurred. USM institutions are obligated to follow this requirement.

- A. The reporting requirements are the same for information about past abuse. According to Child Protective Services (CPS), these reports are important to **“determine whether children in the household or care of the alleged abuser or neglecter are currently in need of protection.”** (Department of Human Resources Circular Letter SSA 95-14).
- B. In many instances of past abuse disclosed by an adult victim, the information disclosed to you may be incomplete.
  - i. Use the guidance in Section 1 of these procedures to determine whether the information is sufficient to make a report.
  - ii. Once again, it is not necessary for you to approach or interview the victim to obtain additional information. Simply report the information that you do have available, especially any information that helps CPS to determine whether children currently are at risk of abuse or neglect:
    - a. The identity and whereabouts, if known, of the alleged abuser or neglecter;
    - b. The identity and whereabouts of any children who may currently require protection from the alleged abuser or neglecter; and
    - c. Any other information that would help to determine the nature and cause of the suspected maltreatment and the identity of the suspected abuser/neglector.

- C. You are required to report the name and contact information that you have regarding the adult victim. However, if you have any reason to be concerned that the adult victim may be distressed or will otherwise experience negative consequences as a result of your report:
- i. Make that concern clear when you make your report orally and, if required, in writing;  
and
  - ii. Consult with Ms. Marie Billie/UMES Designee.
- D. While it is not required that you inform the adult victim that you are making a report, you should feel free to do so.