

**Tuesday, December 17, 2019**  
**POLICY COMMITTEE MEETING**  
**JORDAN CONFERENCE ROOM**  
**3:00 p.m.**

- **MEETING AGENDA**

- **FIRST READING:**

1. JLF - Reporting Child Abuse and Neglect
2. JLFA - Child Sexual Abuse Prevention and Response
3. JLF - R (Procedures)
4. JLF-E (Reporting Form)

Adjourn Meeting

Time: \_\_\_\_\_

\_\_\_\_\_



## 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 knows or has reason to suspect that a child has been or is likely to be abused or neglected must immediately notify the building principal or designated agent.
1. In addition to notifying the building principal/designated agent, 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 principal/designated agent or 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 employee does receive written confirmation from the building principal/designated agent or Superintendent within 24 hours of his/her report (i.e., 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 principal/administrator or Superintendent.

### III. ADMINISTRATOR REPORTING AND CONFIRMATION DUTIES

All building principals and the Superintendent are designated agents to make child abuse and neglect reports. A building principal may also designate a specific agent to receive reports.

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

- A. If a building principal/designated agent receives the report, he/she shall notify the Superintendent immediately.
- B. The Superintendent or building principal shall immediately make a report by telephone to DHHS, and if requested by DHHS, provide a written report of the suspected abuse or neglect to DHHS within 48 hours. In addition, if the person suspected of abuse or neglect is not the parent, guardian or other custodian of the child, the Superintendent/building principal shall also make a report to the District Attorney.
1. 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 principal.
- 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 principal 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 principal.

- E. If requested by the relevant agency, 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

- A. DHHS personnel shall be permitted to meet with and interview the child named in the report when the child is present at school without prior notification to the parent or custodian when DHHS has reasonable grounds to believe that prior notice would increase the threat of serious harm to the child or another person. The Department may conduct one initial interview with a child without prior notification to the parent or custodian of the child when the child contacts DHHS or a person providing services puts the child into contact with DHHS.
- B. Upon request of a DHHS employee to meet with and interview the child named in the report when the child is present at school, the building principal or designee shall:
  - 1. 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;
  - 2. 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 principal as the caseworker deems is necessary to provide needed emotional support to the child prior to and following the interview;

3. 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;
4. Provide an appropriate, quiet and private place for the interview; and
5. 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 principal/designee is permitted to release a child's school records without prior consent of the parent/guardian to DHHS or law enforcement officials in response to a lawful subpoena, or as necessary to protect the health or safety of the child or other individuals under federal law.

#### VII. TRAINING

Any school unit employee who is required to make a report shall, at least once every four years, complete mandated training approved by DHHS.

**[NOTE: The DHHS training is available online at [https://www.maine.gov/dhhs/ocfs/documents/MRT Online APR2018.pdf](https://www.maine.gov/dhhs/ocfs/documents/MRT%20Online%20APR2018.pdf).**

#### VIII. 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.

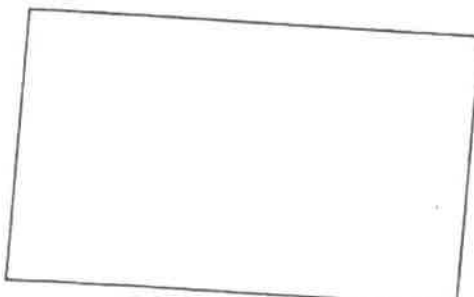
**Legal Reference:**

22 MRSA §4011-A  
20 USC § 1232g, Family Educational Rights and Privacy Act  
20-A M.R.S.A. §§ 5051-A(1)(C); 5051-A(2)(C)

**Cross Reference:**

ACAA – Harassment and Sexual Harassment of Students  
JLF-R – Reporting Child Abuse and Neglect Administrative  
Procedure  
JLF-E – Suspected Child Abuse and Neglect Report Form  
JRA – Student Records

**Adopted:** \_\_\_\_\_







## 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 knows or has reason to suspect that a child has been or is likely to be abused or neglected must immediately notify ~~the building principal~~ a school administrator, the Title IX Coordinator, or the Superintendent.

1. In addition to notifying the ~~building principal~~ school administrator, Title IX Coordinator, or Superintendent, the employee may also make a report directly to the Department of Health and Human Services (DHHS) and/or the District Attorney (DA).

B. If the reporting notifying 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 the DA, 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 DA. In such cases, the employee shall then complete the Suspected Child Abuse, Including Sexual Abuse, and Neglect Report Form (JLF-E) and give it to the Superintendent.

C. If the reporting notifying employee 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~~ a copy of the Suspected Child Abuse, Including Sexual Abuse, and Neglect Report Form (JLF-E) within 24 hours of their report. They 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~~ school administrators, the Title IX Coordinator, and the Superintendent are designated agents to make child abuse and neglect reports. Other administrators employees may also be designated at the discretion of the Superintendent.

A. If a ~~building~~ school administrator or the Title IX Coordinator receives the report, they shall notify the Superintendent immediately.

B. The Superintendent or ~~building administrator~~ designee shall then immediately make a ~~verbal and written report(s) of suspected abuse or neglect to DHHS~~ report by telephone to DHHS, and if requested by DHHS, provide a written report of the suspected abuse or neglect to DHHS within 48 hours. In addition, if the person suspected of abuse or neglect is not the parent, guardian, or other custodian of the child, the Superintendent/~~building administrator~~ or designee shall also make a report to the DA.

1. The law requires the ~~reporting~~ notifying employee to make their own report to DHHS and/or the DA if they have not received confirmation within 24 hours that such a report has been made by the Superintendent/~~building administrator~~ or designee.

C. The person making the report to DHHS and/or the DA shall complete the Suspected Child Abuse, Including Sexual Abuse, and Neglect Form (JLF-E).

D. The Superintendent/~~building administrator~~ or designee shall provide a copy of the Suspected Child Abuse, Including Sexual Abuse, and Neglect Form (JLF-E) to the ~~reporting~~ notifying employee within 24 hours of the employee's initial report. The ~~reporting~~ notifying employee shall sign the report form and return it to the Superintendent/~~building administrator~~.

E. If requested by the relevant agency, the form will be forwarded to DHHS and/or the DA, 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 agreements, 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

A. 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 without prior notification to the parent or custodian when DHHS has reasonable grounds to believe that prior notice would increase the threat of serious harm to the child or another person. The Department may conduct one initial interview with a child without prior notification to the parent or custodian of the child when the child contacts DHHS or a person providing services puts the child into contact with DHHS.

B. Upon request of a DHHS employee to meet with and interview the child named in the report when the child is present at school, the ~~building administrator~~ school principal or designee shall:

1. 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;

2. 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 counselor, school nurse, social worker, or ~~building administrator~~ school principal as the caseworker deems is necessary to provide needed emotional support to the child prior to and following the interview;

3. 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;
4. Provide an appropriate, quiet, and private place for the interview; and
5. 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~~ school principal or designee is permitted to release a child's school records without prior consent of the parent/guardian to DHHS or law enforcement officials in response to a lawful subpoena or as necessary to protect the health or safety of the child or other individuals under federal law.

#### VII. TRAINING

Any school unit employee who is required to make a report shall at least once every four years complete mandated training approved by DHHS

#### VIII. 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.

Legal Reference: 22 MRSA §4011-A  
20 USC § 1232g, Family Educational Rights and Privacy Act  
20-A MRSA §§ 5051-A(1)(C); 5051-A(2)(C)

**Cross Reference:**    **ACAA – Harassment and Sexual Harassment of Students**  
                              **JLF-R – Reporting Child Abuse and Neglect Administrative Procedure**  
                              **JLF-E – Suspected Child Abuse, Including Sexual Abuse, and Neglect**  
  **Report Form**  
                              **JRA – Student Records**

**Adopted:**    **May 13, 2008**  
**Revised:**    **December 11, 2012**  
                  **April 14, 2015**  
                  **January 12, 2016**



## **CHILD SEXUAL ABUSE PREVENTION AND RESPONSE**

The Board recognizes that Maine law requires every school unit with a Pre-K through 5<sup>th</sup> grade program to adopt a policy for child sexual abuse prevention education and response. The Board adopts this policy in the interest of promoting the well-being of students and providing a supportive learning environment as well as compliance with the law.

For the purpose of this policy, "child sexual abuse" means any sexual engagement either through "hand on" or "hands off" activities between an adult and a child. Sexual engagement between children can also be sexual abuse when there is a significant age difference between the children involved or if the children are very different in development, size, or other power differential.

[Note: There is no universal definition of "child sexual abuse." For the sake of simplicity, MSMA has elected to use the definition in the DOE's model policy.]

### **I. REPORTING CHILD SEXUAL ABUSE**

- A. Any employee of the school unit who has reason to suspect that a child has been sexually abused is to immediately notify the building principal or designated agent.
1. In addition to notifying the building principal/designated agent, the employee may also make a report directly to the Department of Health and Human Services (DHHS).
  2. School volunteers who have reason to suspect that a child has been sexually abused may report their suspicions directly to DHHS.
  3. Neither the employee or volunteer nor the building principal/designated agent should attempt to further question or interview the child nor otherwise undertake an investigation.
- B. If the reporting employee or volunteer does not receive written confirmation from the building principal/designated agent or Superintendent within 24 hours of his/her report that a report has been made to DHHS, the employee or volunteer shall make an immediate report directly to DHHS. In such cases, the employee or volunteer shall then complete a copy of the school unit's Suspected Child Abuse and Neglect Reporting Form (JLF-E).

- C. If the reporting employee or volunteer does receive written confirmation from the building principal/designated agent or Superintendent within 24 hours of his/her report (i.e., 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 principal/administrator or Superintendent.
- D. The administrator reporting and confirmation duties shall be the same as provided in Section III of the Board's policy JLF, Reporting Child Abuse and Neglect.

## II. CHILD SEXUAL ABUSE AWARENESS AND PREVENTION EDUCATION FOR SCHOOL PERSONNEL

All school personnel [OR: All school personnel who are required to be certified, authorized or approved by the DOE] shall be required to complete a minimum of one hour of training in child sexual abuse awareness and prevention, with training to be updated at least once every four years thereafter. New employees must complete training within six months of hire.

[NOTE: Although the alternative language is used in the DOE model policy, the Board may wish to "go wider" with the training requirement, since bus drivers and custodians may also be in a position to suspect child sexual abuse based on their own contacts with students.]

Training must be "evidence-informed" (i.e., based on research and best practices) and delivered by a qualified instructor (i.e. a person with appropriate knowledge, skills, and experience or training in child sexual abuse awareness and prevention). The trainer may be an employee or volunteer with an agency/organization specializing in sexual assault and/or child sexual abuse or an employee of the school unit (e.g., school social worker, guidance counselor, school nurse, health educator) who has received appropriate training from such an agency/organization.

The goals of the training for school personnel are:

- Increased awareness of developmentally appropriate and inappropriate sexual behaviors in children;
- Increased ability to recognize indicators of child sexual abuse;



- Enhanced ability to respond effectively when a student or student's friend or peer discloses sexual activity or the staff member suspects child sexual abuse has occurred; and
- Awareness of local resources available to students, parents, schools, and community members, and how these resources may be accessed.

Training should also address confidentiality/disclosure concerns (beyond the mandated reporting).

[NOTE: This last bullet is not in the DOE model policy, but is an important issue.]

### III. CHILD SEXUAL ABUSE PREVENTION EDUCATION IN THE PRE-K THROUGH 5<sup>TH</sup> GRADE CURRICULUM

The school unit will provide child sexual abuse prevention programming to its Pre-K through grade 5 students. Such instruction will be aligned with the health education standards of Maine's system of Learning Results for this grade span, and incorporated into the written school health education curriculum.

Programming of appropriate scope and sequence will be delivered by qualified instructors, who may be from a local or regional agency/organization with experience and expertise in sexual assault and child sexual abuse or by a school unit employee deemed competent by the Superintendent/designee to deliver such instruction. If the instructor is a school unit employee, the Board anticipates that this will be a person with the knowledge, skills, sensitivity and "comfort level" necessary to deliver the curriculum in the classroom setting, i.e., school nurse, school social worker, guidance counselor, or teacher with experience in health education. Any instructor who is a school employee is expected to take full advantage of the evidence-informed educational resources available on websites hosted by the DOE and/or MECASA. Any instructor who is a school employee should be familiar with the local community-based agencies/organizations that provide assistance or services to children and families that are experiencing or have experienced sexual assault or child sexual abuse.

It is the intent that the curriculum, as delivered in the classroom, will:

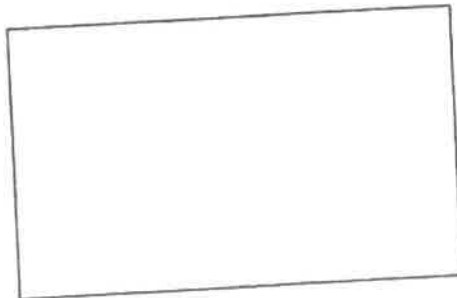
- Include age-appropriate education regarding physical and personal boundaries; including biologically accurate body terminology;

- Help children identify unsafe or uncomfortable situations including a range of feelings, touches, or violations of physical boundaries;
- Help children identify safe adults with whom they can talk about unsafe or uncomfortable situations; and
- Help children identify and develop skills to support a friend who may be experiencing safe or uncomfortable situations.

Legal Reference: 20-A MRSA §§ 254(18), 4502(5-C)  
22 MRSA §4011-A  
20-A MRSA §§ 5051-A(1)(C); 5051-A(2)(C)  
20 USC § 1232g, Family Educational Rights and Privacy Act

Cross Reference: JLF – Reporting Suspected Child Abuse and Neglect  
JLF-E – Suspected Child Abuse/Neglect Report Form

**[NOTE: The Board should be aware that JLF-E is for documenting and confirming to a school employee that the principal or other designated agent has in fact made a report to DHHS based on the employee's reporting his/her suspicions to that principal or designated agent. This form is not to be sent to DHHS. If DHHS wants more information, it will initiate contact.]**



### CHILD SEXUAL ABUSE PREVENTION AND RESPONSE

The Board recognizes that Maine law requires every school unit with a Pre-K through Grade 5 program to adopt a policy for child sexual abuse prevention education and response. The Board adopts this policy in the interest of promoting the well-being of students and providing a supportive learning environment as well as compliance with the law.

For the purpose of this policy, "child sexual abuse" means any sexual engagement either through "hand on" or "hands off" activities between an adult and a child. Sexual engagement between children can also be sexual abuse when there is a significant age difference between the children involved or if the children are very different in development, size, or other power differential.

#### I. REPORTING CHILD SEXUAL ABUSE

A. Any employee of the school unit who has reason to suspect that a child has been sexually abused is to immediately notify a school administrator, the Title IX Coordinator, or the Superintendent. ✓

1. In addition to notifying a school administrator, the Title IX Coordinator, or the Superintendent, the employee may also make a report directly to the Department of Health and Human Services (DHHS) or the DA. ✓

2. School volunteers who have reason to suspect that a child has been sexually abused may report their suspicions directly to DHHS or the DA.

3. Neither the employee, volunteer, school administrator, Title IX Coordinator, nor Superintendent should attempt to further question or interview the child or otherwise undertake an investigation.

B. If the reporting employee or volunteer does not receive written confirmation from the school administrator, Title IX Coordinator, or Superintendent within 24 hours that a report has been made to DHHS, the employee or volunteer shall make an immediate report directly to DHHS. In such cases, the employee or volunteer shall then complete the Suspected Child Abuse and Neglect Report Form (JLF-E) and give it to the Superintendent. ✓

C. If the reporting employee or volunteer does receive a copy of the Suspected Child Abuse and Neglect Report Form (JLF-E) from the school administrator, Title IX

*Including Sexual Abuse,*  
CAPE ELIZABETH SCHOOL DEPARTMENT

Coordinator, or Superintendent within 24 hours of their report, they shall sign the form as acknowledgement that the report was made and return it to the Superintendent.

- D. The administrator reporting and confirmation duties shall be the same as provided in Section III of Policy JLF - Reporting Child Abuse and Neglect.

## II. CHILD SEXUAL ABUSE AWARENESS AND PREVENTION EDUCATION FOR SCHOOL PERSONNEL

All school personnel shall be required to complete a minimum of one hour of training in child sexual abuse awareness and prevention, with training to be updated at least once every four years thereafter. New employees must complete training within six months of hire.

Training must be "evidence-informed" (i.e., based on research and best practices) and delivered by a qualified instructor (i.e. a person with appropriate knowledge, skills, and experience or training in child sexual abuse awareness and prevention). The trainer may be an employee or volunteer with an agency/organization specializing in sexual assault and/or child sexual abuse or an employee of the school unit (e.g., school social worker, school counselor, school nurse, health educator) who has received appropriate training from such an agency/organization.

The goals of the training for school personnel are:

1. Increased awareness of developmentally appropriate and inappropriate sexual behaviors in children;
2. Increased ability to recognize indicators of child sexual abuse;
3. Enhanced ability to respond effectively when a student or student's friend or peer discloses sexual activity or the staff member suspects child sexual abuse has occurred; and
4. Awareness of local resources available to students, parents, schools, and community members, and how these resources may be accessed.

Training should also address confidentiality/disclosure concerns (beyond the mandated

reporting).

### III. CHILD SEXUAL ABUSE PREVENTION EDUCATION IN THE PRE-K THROUGH GRADE 5 CURRICULUM

The Cape Elizabeth School Department (CESD) will provide child sexual abuse prevention programming to its Pre-K through Grade 5 students. Such instruction will be aligned with the health education standards of Maine's system of Learning Results for this grade span, and incorporated into the written school health education curriculum.

Programming of appropriate scope and sequence will be delivered by qualified instructors, who may be from a local or regional agency/organization with experience and expertise in sexual assault and child sexual abuse or by a CESD employee deemed competent by the Superintendent to deliver such instruction. If the instructor is a CESD employee, the Board anticipates that this will be a person with the knowledge, skills, sensitivity, and "comfort level" necessary to deliver the curriculum in the classroom setting (i.e., school nurse, school social worker, school counselor, or health teacher). Any instructor who is a school employee is expected to take full advantage of the evidence-informed educational resources available on websites hosted by the DOE and/or MECASA. Any instructor who is a school employee should be familiar with the local community-based agencies/organizations that provide assistance or services to children and families who are experiencing or have experienced sexual assault or child sexual abuse.

It is the intent that the curriculum, as delivered in the classroom, will:

1. Include age-appropriate education regarding physical and personal boundaries, including biologically accurate body terminology;
2. Help children identify unsafe or uncomfortable situations including a range of feelings, touches, or violations of physical boundaries;
3. Help children identify safe adults with whom they can talk about unsafe or uncomfortable situations; and
4. Help children identify and develop skills to support a friend who may be experiencing safe or uncomfortable situations.

**Legal Reference:** 20-A MRSA §§ 254(18), 4502(5-C)  
22 MRSA §4011-A  
20-A MRSA §§ 5051-A(1)(C); 5051-A(2)(C)  
20 USC § 1232g, Family Educational Rights and Privacy Act

**Cross Reference:** JLF – Reporting Child Abuse and Neglect  
JLF-R – Reporting Child Abuse, Including Sexual Abuse, and Neglect  
Administrative Procedure  
JLF-E – Suspected Child Abuse, Including Sexual Abuse, and Neglect  
Report Form

**Adopted:**

**\*MSMA SAMPLE ADMINISTRATIVE PROCEDURE\***

NEPN/NSBA Code: JLF-R

**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 any employee of the school unit who has the information that gives rise to the reasonable suspicion that a child has been or is likely to be abused or neglected and is required by law or Board policy to report it.

- A. The notifying person should immediately notify the building principal or other designated agent of the suspected abuse or neglect. The person may notify the Department of Health and Human Services (DHHS) directly, and if appropriate, the District Attorney (DA).
- B. The building principal or designated agent should immediately notify the Superintendent. The building principal/designated agent or Superintendent should immediately make a report by telephone to DHHS, and if requested by DHHS, should provide a written report of the suspected abuse or neglect to DHHS within 48 hours. If the person suspected of abuse or neglect is not the parent, guardian or other custodian of the child, the building principal or Superintendent shall also make a report to the DA.
- C. The building principal/designated agent or Superintendent 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.

Cross Reference: JLF – Reporting Suspected Child Abuse and Neglect  
JLF-E – Suspected Child Abuse and Neglect Report Form

Adopted: \_\_\_\_\_

MAINE SCHOOL MANAGEMENT ASSOCIATION





## REPORTING CHILD ABUSE, INCLUDING SEXUAL ABUSE, AND NEGLECT ADMINISTRATIVE PROCEDURE

This procedure implements the Board's policies JLF - Reporting Suspected Child Abuse and Neglect and JLFA - Child Sexual Abuse Prevention and Response. It summarizes the steps to be taken when a school department employee suspects that a child has been or is likely to be abused or neglected.

The "notifying person employee" refers to ~~the person~~ any employee of the Cape Elizabeth School Department who has the information that gives rise to the reasonable suspicion that a child has been or is likely to be abused or neglected and is required by law or Board policy to report it, ~~such as a teacher, principal, guidance counselor or bus driver.~~

- A. The notifying ~~person~~ employee should immediately ~~notify the principal or other designated agent~~ inform a school administrator, the Title IX Coordinator, or the Superintendent of the suspected abuse or neglect. The person may also notify the Department of Health and Human Services (DHHS) directly, and if appropriate, the District Attorney (DA).
- B. If a school administrator or the Title IX Coordinator receives the information, they shall immediately notify the Superintendent.
- C. The Superintendent or designee shall immediately make a report by telephone to DHHS, and if requested by DHHS, provide a written report of the suspected abuse or neglect to DHHS within 48 hours. If the person suspected of abuse or neglect is not the parent, guardian, or other custodian of the child, the Superintendent or designee shall also make a report to the DA.
- D. The person making the report to DHHS and/or the DA shall complete the Suspected Child Abuse, Including Sexual Abuse, and Neglect ~~Form~~ <sup>Report</sup> (JLF-E).
- E. ~~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.~~ The Superintendent or designee shall provide a copy of the Suspected Child Abuse, Including Sexual Abuse, and Neglect ~~Form~~ <sup>Report</sup> (JLF-E) to the notifying employee within 24 hours of the initial report. The notifying employee shall sign the form and return it to the Superintendent.

E. The confirmation and acknowledgement should be retained in the school's records.

F. If the notifying ~~person~~ employee has not received ~~written confirmation~~ a copy of the Suspected Child Abuse, Including Sexual Abuse, and Neglect Form (JLF-E) within 24 hours of ~~making their report that 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~~ informing a school administrator, the Title IX Coordinator, or the Superintendent, the notifying employee shall make an immediate report directly to DHHS and, if the person suspected is not a person responsible for the child, to the DA. In such cases, the employee shall then complete the form and give it to the Superintendent.

Cross Reference: JLF - Reporting Child Abuse and Neglect  
JLFA - Child Sexual Abuse Prevention and Response  
JLF-E - Suspected Child Abuse, Including Sexual Abuse, and  
Neglect Form

### SUSPECTED CHILD ABUSE/NEGLECT REPORT FORM

Any employee of [School unit name] 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.

**This form is for school use only. It is not to be sent to DHHS.**

- 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): \_\_\_\_\_

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

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

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(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

(Employee's Signature)

\_\_\_\_\_  
Date and Time



**SUSPECTED CHILD ABUSE, INCLUDING SEXUAL ABUSE, AND  
NEGLECT REPORT FORM**

Any employee of the Cape Elizabeth School Department who suspects that a child has been or is likely to be abused or neglected (the "notifying employee") must immediately inform a school administrator, the Title IX Coordinator, or the Superintendent. The Superintendent or designee shall immediately make a report by telephone to the Department of Health and Human Services (DHHS) and, if appropriate, the District Attorney (DA), and complete this form. A copy should be provided to the notifying employee for signature and returned to the Superintendent. If the notifying employee has not received a copy of the completed form within 24 hours of informing a school administrator, the Title IX Coordinator, or the Superintendent, the employee shall make an immediate report to DHHS and, if appropriate, the DA, complete the form, and give it to the Superintendent.

**This form is for school department use only. It is not to be sent to DHHS or the DA.**

Notification

1. Name/title/telephone number/email address of notifying employee (person who first raises the suspicion): \_\_\_\_\_  
\_\_\_\_\_
2. Date and time of notifying employee's report: \_\_\_\_\_
3. Name/title of administrator notifying employee's report first made to: \_\_\_\_\_  
\_\_\_\_\_
4. Name of student who subject of report: \_\_\_\_\_  
 Birthdate: \_\_\_\_\_ Gender: \_\_\_\_\_ Grade: \_\_\_\_\_  
 Known history of abuse/neglect? \_\_\_\_\_  
 Parent/Guardian Name(s): \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Home telephone number(s): \_\_\_\_\_  
 Work telephone number(s): \_\_\_\_\_  
 Cell telephone number(s): \_\_\_\_\_  
 Name(s) of sibling(s)/Others in the home: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

5. Brief statement of indicators leading to the suspicion of abuse, including sexual abuse, or neglect:

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Report

1. Name/title/telephone number/email address of reporting employee (person who calls DHHS and/or the DA):

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2. Agency contacted:

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3. Name/title/telephone of agency contact:

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4. Date and time of telephone report:

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\_\_\_\_\_  
Reporting Employee Signature

\_\_\_\_\_  
Date

5. Did the notifying employee contact DHHS or the DA independently?  Yes  No

6. **If No, the form should be given to the notifying employee for their signature and then returned to the Superintendent.**

I have received written confirmation that my report has been made to DHHS or the DA by the Superintendent or designee.

\_\_\_\_\_  
Notifying Employee Signature

\_\_\_\_\_  
Date