INTRODUCTION

Under Maryland law, you must make a report if you have “reason to believe that a child has been subjected to abuse or neglect,” as specified in the Maryland Annotated Code, Family Law Article, Section 5-704(a) and 5-705(a). As a member of the University of Maryland campus community, it is our goal to comply fully with these standards. These State law requirements are rigorous, and apply whenever you suspect that a current or past incident of child abuse or neglect has occurred.

These procedures are intended to implement the University System of Maryland’s Policy on the Reporting of Suspected Child Abuse and Neglect (VI-1.50), which provides guidance on how the State of Maryland’s mandatory child maltreatment reporting laws apply in the university setting. This System Policy is attached to these procedures and may also be found at: http://www.president.umd.edu/policies/vi-150.html

In addition, the Department of Public Safety’s website (http://www.umpd.umd.edu/umpd2a_detail.cfm?id=1597) has other useful guidance and resources 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, USM Report Form, Frequently Asked Questions, and other information that will help you meet your responsibilities under the law and USM Policy.

You are encouraged to direct any questions regarding the need to report an incident of suspected child abuse or neglect to Child Protective Services for Prince George’s County (301-909-2450; after hours 301-699-8605). You may also consult with the Chief of Police, the President’s designee (301-405-3555), with any questions about the USM policy or these procedures.

I. MAKING A REPORT

If you are an actual witness to an act of child abuse or neglect, you must call 911 and ask for an officer immediately. If you have reason to believe a child has been subjected to abuse or neglect, you must also notify the Chief of Police. In either case, you must file a written report with Child Protective Services (CPS) and the Police within 48 hours.

A. Procedures

1. If you witness child abuse or neglect in progress, you must call the Police (911) or 301-405-3333 (University Police) and request an officer to respond immediately.
2. If you have reason to believe a child has been subjected to abuse or neglect, you must notify the Chief of Police, the President’s designee for receiving reports of suspected child abuse and neglect.

3. Notify your department director or unit head.

4. Submit a written report to Child Protective Services within 48 hours as follows:
   a. Thoroughly complete the USM Report Form (USM Report of Suspected Child Abuse.Neglect Form-1.pdf) to the extent possible including,
      i. Name, age, address, and whereabouts of the child;
      ii. Name and address of the child’s parents or other caregiver;
      iii. Nature and extent of the suspected maltreatment;
      iv. Any other information that may help in identifying the abuser or neglector.
   b. Send a copy of this same report to the direct attention of the Chief of Police, the President’s designee, within 48 hours.
   c. 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 may be hand-delivered or otherwise sent in a sealed envelope marked “Confidential.”

B. Reporting Guidance

1. The reporter is only required to report information that is either witnessed or disclosed, or which is obtained as part of regular professional responsibilities (e.g., a health care practitioner’s assessment or review of medical records).

2. Reporters should not initiate their own investigation of the alleged maltreatment; this is restricted to the professional within CPS and the Department of Public Safety. 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.

3. In some cases, the information that you have will be incomplete. Simply report the information that you have and leave the other items blank.

C. Documentation & Redundant Reporting

1. University department or unit directors are expected to briefly document that these procedures have been followed. The unit name, name of the CPS caseworker and the date/time the report will suffice. Do not maintain a copy of the confidential USM Report Form, unless you are required to do so as a function
of your professional position (physician, mental health professional, or other health care professional, etc.).

2. While you are responsible for reporting suspected child maltreatment in every instance, duplicative reporting is not required under the law or USM policy in these situations:

   a. 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 CPS and the head of that facility, and not to the President’s Designee — unless the suspected abuser or neglector is an employee, contractor or volunteer of the institution.

   b. If, in the course of your work with another colleague (e.g., as members of a treatment team, or through an employee/supervisor relationship), you develop reason to believe that child abuse or neglect has occurred or is occurring, you may file a single, joint report.

   c. 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 responsible for convening the group or event is responsible for making the report on behalf of the other attendees.

II. REPORTING FOLLOW-UP

A. Generally, it is not common practice for CPS to follow up with reporters who file child abuse reports and you should not expect to be advised of the results of any investigation. If you are not contacted by CPS or the Chief of Police, the President’s Designee, please do not assume that the concern which you reported was not investigated or addressed.

B. However, depending upon the specific circumstances of the alleged child maltreatment, you may be contacted by CPS and/or the Chief of Police, the President’s designee, for more information after making a report.

   1. Your identity as a reporter of suspected child abuse or neglect will be kept confidential by both CPS and the institution.

   2. 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.

   3. By following the provisions of the USM policy and these procedures, you will have met your obligations under the law and the policy to report suspected child maltreatment.
III. OF SPECIAL CONCERN: PAST CHILD ABUSE/NEGLECT DISCLOSED BY AN ADULT VICTIM

A. Under the Maryland Attorney General’s Opinion interpreting Maryland’s child abuse reporting laws, Maryland citizens are required to follow the State’s reporting requirements for suspected child abuse or neglect, even if they learn about it for the first time from an adult victim who was under the age of 18 when the suspected maltreatment occurred. USM institutions are obligated to follow this requirement.

B. The reporting requirements are the same in cases of past abuse. According to CPS, these reports are important to “determine whether children in the household or care of the alleged abuser or neglector are currently in need of protection.” (Department of Human Resources Circular Letter SSA 95-14)

1. In many instances, the information disclosed to you by an adult victim may be incomplete. 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, especially any information that provides:
   a. A description of the past abuse or neglect disclosed by the adult victim;
   b. The identity and whereabouts, if known, of the alleged abuser or neglector;
   c. The identity and whereabouts of any children who may currently require protection from the alleged abuser or neglector; and
   d. Any other information that would help CPS to determine 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 otherwise experience negative consequences as a result of your report:

1. Make that concern clear when you make your report orally and, if required, in writing; and

2. Consult with Chief of Police, the President’s designee, or University mental health staff (Director of the Counseling Center, Director of the Health Center, Director of Mental Health). Mental health professionals are considered “mandated reporters” by law and are exempt from reporting past abuse to the Chief of Police when providing counseling, psychotherapy, and referral services except for the following:
   a. If a mental health professional is an actual witness to an act of child abuse or neglect or has reason to believe a minor child has been subjected to abuse or neglect;
b. If there is any allegation of past or current abuse that occurred or is occurring on University property or if the abuse if perpetrated by any person affiliated with the University or University System of Maryland.

3. While you are not required to inform the adult victim that you are making a report, you should feel free to do so.