

Update on the Implementation of Board of Education Policy JHC, Child Abuse and Neglect for Fiscal Year 2021

Policy Management Committee
September 14, 2021

Annual Update

The policy outlines principles and goals grounded in federal, state, and local law with the desired outcomes as follows:

- 1) A safe, engaging, and supportive environment will be provided for all students through vigilant efforts by all members of the MCPS community to recognize, report, and prevent abuse and neglect of children and vulnerable adults.
- 2) MCPS and county partner agencies will efficiently and effectively collaborate to investigate reports of suspected abuse and neglect and to support children who are the subject of reports of suspected abuse and/or neglect.

POLICY BOARD OF EDUCATION OF MONTGOMERY COUNTY

JHC

Related Entries: ACF, ACF-RA, COB-RA, IOH-RA, IJA-RA, IRB-RA, JHC-RA, JHF, JHF-RA, JOA-RA
Responsible Office: School Support and Improvement
Human Resources and Development
Special Education and Student Services
Related Sources: *Annotated Code of Maryland*: Education Article §6-113, Family Law Article, §§5-560, 5-561, 5-701, 5-702, 5-705.2, 5-704, 5-705, 5-708, and Human Services Article, §1-202;
Code of Maryland Regulations 07.02.07.04-.05, 13A.12.05.02, and 13A.08.01.03

Child Abuse and Neglect

A. PURPOSE¹

The Montgomery County Board of Education (Board) reaffirms its commitment to the safety and physical, mental, and emotional well-being of all students. It is the Board's expectation that all children and vulnerable adults have the right to be protected from abuse and neglect. The Board embraces a comprehensive approach to recognizing, reporting, and preventing abuse and neglect of children and vulnerable adults. In addition, the Board recognizes the unique role that Montgomery County Public Schools (MCPS) may play in raising awareness for issues of child abuse and neglect among parents/guardians and the broader community. To this end, the Board emphasizes the importance of developing and implementing a systemic plan for—

1. ensuring that all employees understand and are held accountable for the highest ethical standards in their conduct, as well as adhering to legal mandates and the moral imperative to recognize, report, and prevent suspected child abuse and neglect;
2. cooperating fully with investigations of suspected abuse and/or neglect by Montgomery County (County) partner agencies, including the Montgomery

¹ Regulation JHC-RA, *Child Abuse and Neglect*, contains definitions of the following terms that are utilized in this Policy: abuse; neglect; school-based child abuse liaisons; child; vulnerable adult; MCPS employees; MCPS contractors; MCPS volunteers; and MCPS property.

COVID Pandemic

In July 2020, Montgomery County Board of Education approved the MCPS Recovery of Education plan. Specifically, the *Fall 2020: Reimagine, Reopen, Recover* plan provided a high-quality virtual learning experience to ensure the safety and wellness of students and staff. Student Welfare and Compliance developed “*Searching for Signs*” to assist and support school-based staff in recognizing and reporting child abuse and neglect in a virtual learning environment.

MCPS worked closely with the Department of Health and Human Services (DHHS) to permit Child Protective Services (CPS) social workers to visit our school buildings for the purpose of interviewing students during the second semester of the 2020-2021 school year. CPS social workers completed the **Return to In Person Learning 2021: COVID-19 Health and Safety Training** module and completed the health-attestation consent form for each school visit conducted.

Schools established and enhanced ***Student Well-being Teams*** (SWT) to increase outreach and wellness monitoring.

Implementation of Policy JHC

Staff Training

- 11-module Districtwide mandatory compliance training
- Enhanced training sessions for new administrators (Leadership Development Program)
- Enhanced training sessions to include all counselors, PPWs, PCCs, & Bilingual Assessment Team
- Emphasized training on Safety in a Digital Age module (communication expectations for employees)

Screening of New and Existing MCPS Employees

- National Association of State Directors of Teacher Education and Certification Clearinghouse (NASDTEC)
- House Bill 486, Child Sexual Abuse and Sexual Misconduct Prevention
- Rap Back (FBI) eliminates the need for repeated background checks by providing MCPS with on-going status notifications of any criminal history record information reported to the FBI and State (if available) regarding fingerprinted employees, contractors, and specific volunteers.

Training and Screening for Volunteers and Contractors

- vCAN Module (Volunteer/Contractor Online course)

Implementation of Policy JHC

Staff Learning Continuum in the Areas of Student Welfare

- Student Welfare and Compliance collaborated with the Office of General Counsel, Equity Initiatives Unit, Student Leadership and Extracurricular Activities Unit, Department of Compliance and Investigations and the Department of Systemwide Safety and Emergency Management to develop required training for all school-based administrators and athletics specialists.
- Provided an enhanced look at the 2021 revisions of [BOE Policy ACA: Nondiscrimination, Equity and Cultural Proficiency](#), [BOE Policy ACF: Sexual Misconduct and Sexual Harassment of Students](#) and new [BOE Policy ACI: Sexual Harassment of MCPS Employees](#) with applications and implications for school leadership involving Title IX/Sexual Harassment and incidents of hate-bias. This training also included student survey data from the *2021 Culture of Respect Student Training Module* to help school administrators and athletics specialists address the *School Climate for Students and Families* section of the 2021-2022 School Improvement Action Plan.

Collaboration with County Partner Agencies, Maryland State Department of Education, and the Greater Community

2021 Spring Stakeholder Forum→ Department of Health & Human Services (Child Welfare Services) held a forum of local services and supports to review federal practices, align mental health services and supports, and discuss child and family safety.

Increased collaboration with external partners in a virtual setting

- Montgomery County Council of PTAs (MCCPTA)
- State's Attorney's Office
- Special Victims Investigations Division of Montgomery County Police Department (SVID)
- Child Welfare Services (CPS)

Total Number of Suspected Cases

During FY21, 1,784 suspected incidents of child abuse or neglect were reported by MCPS staff, volunteers or contractors to CPS or Adult Protective Services (APS). During FY20, 2,720 suspected incidents of child abuse or neglect were reported by MCPS staff, volunteers or contractors to CPS or Adult Protective Services (APS). This is in comparison to FY19 when 3,133 suspected cases of child abuse or neglect were reported and in FY18 when 3,087 incidents were reported.

The data is based on online and written reports submitted using [MCPS Form 335-44, Report of Suspected Abuse and Neglect](#), and other MCPS records. The majority of cases reported did not involve MCPS employees, volunteers or contractors. Data from previous years are available on the [Child Abuse and Neglect web page](#). Of the 1,784 suspected incidents reported, 1,703 were online reports and 81 were written reports.

Suspected Abuse or Neglect by MCPS Employees, Contractors, and Volunteers

**Outcomes of CPS Reports Involving Alleged Abuse or Neglect
By an MCPS Employee, Volunteer, or Contractor+**

Type	Number of Reports	CPS Outcomes ²				
		Screened Out	Ruled Out	Unsubstantiated	Indicated	Ongoing
Employee	38	27	3	1	2	3
Volunteer	0	0	0	0	0	0
Contractor	2	2	0	0	0	0

+Disclosure of the information from CPS reports to MCPS is subject to the provisions and penalties of Maryland Human Services Article 1-202.

Suspected Abuse or Neglect by MCPS Employees, Contractors, and Volunteers

MCPS Actions Based on Internal Follow-Up Investigations *

Type	No action warranted	Conference or memo for the record	Reprimand or other disciplinary letter	Suspension without pay	Removal from employment	Pending (Aug 3, 2020)
Employee	15	8	2	0	5	8
Volunteers	0	0	0	0	0	0
Contractor	1	1	0	0	0	0

□ *Thirteen cases were resolved in FY21, from the FY19 and FY20 school years: No actions warranted 9; Reprimand or other disciplinary letter 4; Removal from employment 22.*

Incidents Resulting in Requests for Suspension or Revocation of Certification

Incident	State Superintendent of Schools Action
Employee dismissed for sexual misconduct involving a student.	Pending * Revocation Requested by MCPS
Employee dismissed for sexual misconduct involving a student.	Pending * Revocation Requested by MCPS
Employee dismissed after criminal charges of alleged sexual child abuse.	Pending * Revocation Requested by MCPS
Employee resigned after notice of misconduct involving students.	Pending* Suspension Requested by MCPS
Employee dismissed for sexual misconduct involving students.	Pending * Revocation Requested by MCPS
Employee dismissed after criminal charges of alleged sexual misconduct.	Pending * Revocation Requested by MCPS
Employee dismissed for misconduct involving a student.	Pending * Suspension Requested by MCPS

Lawsuits Related to Child Abuse and Neglect

DOE, JOHN AND JANE, ET. AL. v. MONTGOMERY COUNTY BOARD OF EDUCATION

Plaintiffs claim injuries and damages inflicted on their minor daughter resulting from alleged sex assault by a school bus driver. A summary of the case has been [reported by the media](#). This case was filed on 5/27/2021 and more details are found in the docket: Case # 485884-V.

DOE, JANE, BY GUARDIAN v. BOE

The minor Plaintiff, through her Guardian, claims injuries and damages as a result of her alleged sexual abuse over a period of time by an MCPS teacher due to the deliberate indifference and negligence of Defendant BOE and its administrators. This case has also been [reported by the media](#). This case has been settled, but the settlement is sealed. CCMC - Case # 435268-V removed to USDC # 8:17-cv-03325-PX

DOE, JOHN & JANE, next Friends JANE DOE v. BOE

Plaintiffs claim their minor child sustained injuries and damages arising from an alleged sexual assault by a school bus operator. This case involves the same school bus driver as Case No. 485884-V. This matter settled for \$300,000. The case number for this matter is # 483171.

FY22 Considerations

Continuous improvement efforts in recognizing and reporting child abuse and neglect are ongoing and implemented throughout the year. Input from schools regarding the return to school buildings, aligned with the superintendent's Prosper 100, will lead to enhanced responsiveness for the safety of students.

We will continue to provide updates regarding the implementation of the policy and regulation. If you have any questions, please contact Mr. Gregory S. Edmundson, director, Student Welfare and Compliance, Office of Districtwide Services and Supports, at 240-740-3215 or Mrs. Michaela Simmons, director, Department of Compliance and Investigations, Office of Human Resources and Development at 240-740-2888.

- P**-Putting Students First
- R**-Renewing Relationships
- O**-Opening 5 Days a Week for In-Person Instruction
- S**-Supporting Staff to Meet Student Needs
- P**-Preparing for Our Future
- E**-Educating for Equity
- R**-Reestablishing the Culture of Respect

Questions and Comments