



PUBLIC SCHOOLS OF NORTH CAROLINA

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DEPARTMENT OF PUBLIC INSTRUCTION June St. Clair Atkinson, ED.D., *State Superintendent*

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January 22, 2007

TO School Board Chairs
Superintendents
Directors of Student Services
Principals
School Counselors

FROM June St. Clair Atkinson *JSA*

REPORTING CHILD ABUSE AND NEGLECT

Since 1984, the Department of Public Instruction and the Department of Health and Human Services have joined in an agreement designed to facilitate guidelines regarding the reporting of child abuse or neglect. The agreement was revised in 1986, 1991 and 1998. A newly revised document has been signed and became effective January 22, 2007.

All children should be afforded the opportunity to obtain an education and to live free from child abuse and neglect. The recommended guidelines found in the agreement should be incorporated into formalized agreements between local school boards and county departments of social services and may be adapted to meet local needs. In addition, reporting procedures should be included in the school crisis management plan.

Changes in the revised agreement include the following:

- Emphasis on G.S. 7B-301, which mandates that any person that has reason to suspect abuse, neglect or dependency is to report that suspicion to the county DSS.
- Clarification of the responsibilities of a school and/or district liaison.
- The implementation of a Multiple Response System (MRS) and family-centered practice.
- Minor revisions of language to enhance clarity.

A copy of the MOU is enclosed and can be retrieved electronically at www.dhhs.state.nc.us/ and www.ncpublicschools.org/. You are encouraged to share this material with your local school board, staff and local educational personnel. Training opportunities, support materials and resources can be found at Prevent Child Abuse North Carolina: www.preventchildabusenc.org.

If you have further questions, please contact Terri Reichert, NC Division of Social Services, at (919) 733-4622 terri.reichert@ncmail.net or Amy Smith, Department of Public Instruction, at (919) 807-3852 asmith@dpi.state.nc.us.

JSA/ags

Attachment

ELEMENTARY EDUCATION DIVISION: PRIMARY EDUCATION

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AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

STATE OF NORTH CAROLINA
The
DEPARTMENT OF PUBLIC INSTRUCTION
And
DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Department of Public Instruction and the Department of Health and Human Services believe that all children should be afforded the opportunity to obtain an education and to live free from child abuse and neglect.

In order to facilitate cooperation and collaboration between DPI and DHHS during the provision of protective services by the county Departments of Social Services, the following guidelines regarding reporting, the assessment process, confidentiality and collaboration are recommended. The recommended guidelines should be incorporated into formalized agreements between local school boards and county Departments of Social Services and may be adapted to meet local needs. Reporting procedures should be included in the school crisis management plan.

I. Duty to Report Suspected Cases of Child Abuse or Neglect.

G.S. 7B-301 mandates that **any person** or institution that has reason to suspect abuse, neglect or dependency is to report that suspicion to the county Department of Social Services. All local Boards of Education shall implement policies and procedures for reporting. Local school personnel should be made aware of their duty to report suspected cases of abuse, neglect or dependency and the procedure to make a Child Protective Services report. In addition, local school personnel should be informed that county Departments of Social Services will receive reports of suspected abuse, neglect or dependency during regular office hours, evenings and holidays.

- A. Each local school board may identify one or more designated liaisons. The identity of the liaison shall be communicated to the local county Department of Social Services. The purpose of the designated liaison will be to educate school personnel on how to recognize abuse, neglect and dependency, their duty to report suspected cases of such

and the procedure to make a Child Protective Services report to the county Department of Social Services. The designee will also act as a liaison with the county Department of Social Services.

The identification of a liaison does not relieve any individual from their personal responsibility to report a suspicion that a child is abused, neglected or rendered dependent.

Under G.S. 7B-301 the screening and assessment of suspected abuse, neglect or dependency reports is the responsibility of the county Department of Social Services.

1. The person suspecting abuse, neglect, or dependency or the designated liaison shall contact the county Department of Social Services immediately upon suspicion of child abuse, neglect or dependency. The assessment of the allegation is solely the responsibility of the county Departments of Social Services. Further contact by school personnel with the alleged victim juvenile regarding the allegations should be limited. However, this should not preclude local school personnel from having discussions with the parent/guardian or caretaker about educational issues involving the juvenile.
2. Local school personnel shall ensure that the liaison is notified when a report is made. Reports should be made immediately and not be delayed in the temporary absence of the designated liaison.
3. Local school personnel should be made aware that when making a report of child abuse, neglect, or dependency to the county Department of Social Services, the following information is necessary for the county Department of Social Services to determine if the report will be accepted: name and address of the juvenile; the name and address of the juvenile's parent, guardian or caretaker; the age of the juvenile; the names of other juveniles in the home; the strengths of the family; what the reporter can do to assist the family; the present location of any juvenile; the nature of the abuse, neglect or dependency, with a clear description of any injury- if any; the relationship of the child to the alleged person responsible for the abuse, neglect, or dependency; and any other

information that would be pertinent; and the name and phone number of the person making the report.

4. Any person or institution reporting suspected child abuse, neglect or dependency shall receive written notification from the county Department of Social Services of the decision to accept or not accept the report.

In the event that the report is not accepted for a CPS assessment, the written notice shall outline the rationale for screening out the report, the process for obtaining a review of the screen out decision and whether any other appropriate referrals have been made.

Procedures should be in place to provide support to school personnel regarding continued interaction with children and families involved in reportable situations.

II. Investigative Assessments / Family Assessments

With the implementation of the Multiple Response System (MRS) statewide, county Departments of Social Services may respond differentially to reports. Family-centered practice is the core component of MRS and respects a family's right of self-control and capabilities, and assumes they have the capacity to grow and change when provided the proper supportive interventions.

MRS focuses on the need for collaboration amongst county Departments of Social Services, members of the community, and other professionals serving the family.

County Departments of Social Services may respond to the report as either an investigative or family assessment. Investigative assessments are conducted using a formal information gathering process for reports of abuse and selected neglect or dependency reports. Family assessments are conducted for selected neglect and dependency reports utilizing a family-centered approach that is protective and preventive while evaluating the strengths and needs of the juvenile's family as well as the condition of the juvenile.

A. The county Department of Social Services shall respond to all accepted reports of abuse within 24 hours, unless the risk of harm indicates that a more immediate response is required. Reports of neglect or dependency shall be responded to within 72 hours unless the risk of harm dictates otherwise.

1. The initiation of an investigative assessment may include interviewing the juvenile at his local school prior to parental involvement or knowledge.
2. The initiation of a family assessment ideally takes place by contacting the family to schedule an interview at such a time when the family can be interviewed jointly. This approach is less adversarial and approaches the assessment as a partnership for change. Timeframes established for responding to reports remains the same.
3. The CPS social worker assigned will evaluate the necessity of further involving school personnel, recognizing that collaboration is essential to protecting the juvenile.
4. The CPS social worker assigned shall contact the designated liaison or local school's principal when visiting the campus. Consideration shall be given to the juvenile's schedule so that the least disruption occurs.

B. Local school personnel shall cooperate and collaborate with the county Department of Social Services during the provision of protective services. Cooperation and collaboration shall include but not be limited to:

1. Providing the CPS social worker with all information that could establish the presence of abuse, neglect or dependency. G.S. 7B-302(e) provides the authority for the county department of Social Services to make a written demand for any information or reports, whether confidential or not, that may be relevant to the assessment or the provision of protective services. Unless protected by the attorney-client privilege, access to this confidential information or copies of this confidential information shall

be provided to the extent permitted by federal law and regulations.

2. Permitting the CPS social worker to interview local school personnel who may have knowledge of the situation.
3. Arranging for a private location for the CPS social worker to interview the juvenile alone without prior consent of the parent/guardian or caretaker.
4. Allowing the CPS social worker to photograph any physical evidence such as bruises, marks, or any other indicator.
5. Allowing the CPS social worker to physically remove the juvenile from the school campus upon determination that the juvenile is at immediate or imminent risk. A copy of the non-secure order granting custody of the juvenile to the county Department of Social Services shall be provided to the local school, unless the risk to the juvenile is too great as provided for in G.S. 7B-500 and 7B-501.

III. Notifications

The county Department of Social Services shall provide a written notice to the person or institution that reported the suspected abuse, neglect or dependency.

- A. Written notification of an accepted report of suspected child abuse, neglect or dependency shall be provided to the person who made the report within 5 business days following the receipt of the report (G.S. 7B-302(f)). This notice provides the name and contact number for the CPS social worker assigned to the assessment.
- B. A letter explaining the case decision shall be sent to the reporter within 5 business days of the decision. This notice shall contain one of the following findings;
 1. Substantiated/ Unsubstantiated: when an investigative assessment determines if abuse, or serious neglect occurred.

2. **Services Needed:** when a family assessment determines that there are safety issues and that the future risk of harm is so great that the agency must provide involuntary services.
3. **Services Recommended:** when a family assessment determines that safety is not an issue and that future risk of harm is not an issue, but the family could benefit from some voluntary services.
4. **Services Provided, Protective Services no longer needed:** when a family assessment determines that safety and future risk of harm is no longer an issue due to the provision of services to the family.
5. **Services Not Recommended:** when a family assessment reveals that there are no safety or future risk of harm issues, and no other services are needed.

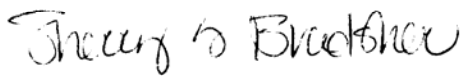
The notice shall also inform the reporter of any action that the county Department of Social Services is taking to provide safety, permanence and wellbeing to the juvenile. Should the reporter disagree with the decision of the county Department of Social Services, a review by the director of the county Department of Social Services, or the District Attorney may be requested. Local school personnel that acted as a liaison should provide a copy of this notice to the individual who raised the initial concern.

IV. Confidentiality and Collaboration

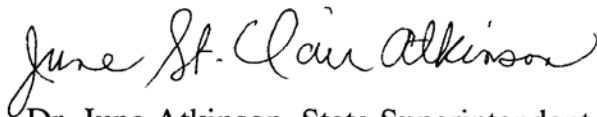
- A. With regard to a juvenile's protective services record and history, it is confidential including the identity of the reporter of the suspected child abuse, neglect or dependency. The protective services record may only be examined by court order with the name of the reporter redacted. The only exception is if the juvenile or his attorney requests to examine the record (G.S. 7B-2901(b)).
- B. When possible it is essential that local school personnel and county Departments of Social Service collaborate. When necessary, information between agencies shall be shared to

facilitate the provision of protective services (G.S. 7B-3100(a)). The sharing of information may include the participation of local school personnel in Child and Family Team meetings. A Child and Family Team (CFT) meeting refers to a group of individuals that are identified by and with the family who are committed to the child and family and are invested in helping them change.

- C. Both local school boards and county Departments of Social Services shall comply with applicable law and their own regulations to insure the confidentiality of all information, learned, disclosed, discovered, or maintained as a result of the provision of protective services.
- D. Local school boards and county Departments of Social Services shall collaborate to comply with the provision of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001. In addition local school boards and county Departments of Social Services shall collaborate to comply with G.S. 115C-366 that allows a caretaker to enroll a juvenile within the caretaker's local school district without the payment of tuition when a juvenile is under the supervision or in the custody of the Department of Social Services. Documentation from the county Department of Social Services will be provided to the local school board to facilitate enrollment.
- E. The Department of Public Instruction and the Department of Health and Human Services will review this agreement annually.



Sherry Bradsher, Director
Division of Social Services



Dr. June Atkinson, State Superintendent
Department of Public Instruction