

ADMINISTRATIVE PROCEDURES

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STUDENTS

SUSPECTED ABUSE AND NEGLECT

MARCH 21, 2016

- I. The following regulations regarding child abuse and neglect, and vulnerable adult abuse, neglect, and exploitation, are written to provide maximum protection for students and employees of the Livonia Public Schools in cases where abuse, neglect, and/or exploitation is suspected.

These procedures and the requirements of the “Child Protection Law” and the “Social Welfare Act” should be reviewed at least annually with all mandated reporting staff and will be reviewed with other employees as determined appropriate by the administrator or supervisor. Additional copies of the Child Protection Law, the Social Welfare Act, and the State of Michigan–Wayne County Department of Health and Human Services (reporting form DHS–3200) are available through the Livonia Schools Student Services Department.

II. Actions Required of Livonia Public Schools Employees:

1. Any Livonia Public School employee who is a specifically mandated reporting person under the Child Protection Law who has reasonable cause to suspect child abuse or neglect will:

NOTE: Specifically mandated reporting persons under the Child Protection Law include: A physician, dentist, physician’s assistant, registered dental hygienist, medical examiner, nurse, a person licensed to provide emergency medical care, audiologist, psychologist, marriage and family therapist, licensed professional counselor, social worker, licensed master’s social worker, licensed bachelor’s social worker, registered social service technician, social service technician, a person employed in a professional capacity in any office of the friend of the court, school administrator, school counselor or teacher, law enforcement officer, member of the clergy, or regulated child care provider.

- a. Immediately make an **online report**, oral report or cause an oral report to be made to:
Wayne County Department of Human Services 24-hour hotline at **855-444-3911**
- b. Immediately notify his/her immediate administrator or supervisor that the employee has made a report and the report’s contents.

NOTE: Solely reporting the suspicion to the administrator or supervisor does not meet the requirements imposed by law for an employee who is a specifically mandated reporting person under the Child Protection Law.

- c. File or cause to be filed a written report as required within 72 hours **or submit an online report**. ~~This~~ **The** written report must be submitted to the Michigan Department of Health and Human Services, must be made available to the employee's immediate administrator or supervisor, and may be cosigned by the administrator and must follow the oral report. (Copies of the standard reporting form [DHS-3200] are available through the Livonia Public Schools Department of Student Services, online through Livonia Public Schools Staff Central, or online through the Michigan Department of Human Services Website at www.michigan.gov/dhs.)

MAIL FORM TO:
Centralized Intake for Abuse & Neglect
5321 28th Street Court S.E.
Grand Rapids, Michigan 49546

OR

Fax this form to 616-977-8900 or 616-977-8050 or 616-977-1158 or 616-977-1154

OR

email this form to DHS-CPS-CIGroup@michigan.gov

- d. Retain copy of report in a building administrative file **or in the online reporting system** and forward a copy to the Livonia Public Schools Department of Student Services.
- e. Cooperate in any investigation conducted by the Michigan Department of Health and Human Services regarding the reported suspected abuse and/or neglect. Cooperation includes allowing access to the child without parental consent if access is determined by the Department of Health and Human Services to be necessary to complete the investigation or to prevent abuse or neglect of the child.
Legal Ref: MCL 722.628(8).
- f. Upon receipt of notification by the Department of Health and Human Services regarding the disposition of the investigation, the school employee shall make the notification available to the building administrator, and forward a copy to the director of Student Services.
2. Any Livonia Public Schools employee who is a specifically mandated reporting person under the Social Welfare Act who suspects or has reasonable cause to believe that a vulnerable adult has been abused, neglected, or exploited will:

NOTE: Specifically mandated reporting persons under the Social Welfare Act include: A person who is employed, licensed, registered, or certified to provide health care, educational, social welfare, mental health, or other human services; an employee of an agency licensed to provide health care, educational, social welfare, mental health, or other human services; a law enforcement officer; or an employee of the office of the county medical examiner.

- a. Immediately make an oral report to the Wayne County Department of Social Services at **855-444-3911**. A written may also be made.
- b. Immediately notify his/her immediate administrator or supervisor that the employee has made a report and the report's contents.

NOTE: Solely reporting the suspicion to an administrator or supervisor does not meet the requirements imposed by law for an employee who is a specifically mandated reporting person under the Social Welfare Act.

3. Any Livonia Public Schools employee, who is not a specifically mandated reporting person under the Child Protection Law or the Social Welfare Act, who has reasonable cause to suspect child abuse or neglect, or who suspects or has reasonable cause to believe that a vulnerable adult has been abused, neglected, or exploited, shall immediately report such to their immediate administrator or supervisor.
4. If an employee of the Livonia Public Schools is suspected of abuse or neglect of a student, or is suspected of abuse, neglect, or exploitation of a vulnerable adult, the administrator, supervisor, or employee who suspects must immediately notify the Director of Human Resources, in addition to making the reports described in paragraphs 1 and 2 above.

III. Additional actions required of Livonia Public Schools administrators/supervisors:

1. In all cases in which an administrator or supervisor determines or is advised by an **employee** who is a **specifically mandated** reporting person under the Child Protection Law that there **is reasonable cause** to suspect abuse or neglect, the administrator or supervisor shall:
 - a. Assure that an immediate **online or** oral report is made to the Wayne County Department of Human Services (**855-444-3911**).
 - b. Assure that the required written report (DHS-3200) is filed within 72 hours **if an oral report is made**.
 - c. Retain a copy of the report and provide a copy to the director of Student Services and the appropriate administrator (director of elementary programs and district services, or assistant superintendent for secondary programs and district services).
2. In all cases in which an administrator or supervisor determines or is advised by an **employee** who is a **specifically mandated** reporting person under the Social Welfare Act that the person suspects or **has reasonable cause** to believe that a vulnerable adult has been abused, neglected, or exploited, the administrator or supervisor shall:
 - a. Assure that an immediate oral report is made to the Wayne County Department of Social Services at **855-444-3911**.
 - b. If a written report is made, retain a copy of the report and provide a copy to the director of Student Services and the appropriate administrator (director of elementary programs and district services, or assistant superintendent for secondary programs and district services).

3. If the administrator or supervisor is advised of suspected child abuse or neglect by an **employee** who is **not a specifically mandated** reporting person under the Child Protection Law, **the administrator or supervisor will assure oral and written reporting if the administrator or supervisor has reasonable cause** to suspect abuse or neglect is occurring or has occurred. The administrator or supervisor will inform the employee that a report will be made.
4. If the administrator or supervisor is advised of suspected abuse, neglect, or exploitation of a vulnerable adult by an **employee** who is **not a specifically mandated** reporting person under the Social Welfare Act, **the administrator or supervisor will assure oral reporting if the administrator or supervisor suspects or has reasonable cause** to believe abuse, neglect, or exploitation is occurring or has occurred. The administrator or supervisor will inform the employee that a report will be made.
5. If the administrator or supervisor is advised of suspected child abuse or neglect, or suspected vulnerable adult abuse, neglect or exploitation, by an **employee** who is **not a specifically mandated** reporting person under the Child Protection Law or the Social Welfare Act, **the administrator or supervisor will complete the following steps if the administrator or supervisor determines that reasonable cause** to suspect or believe abuse, neglect, or exploitation is not present:
 - a. Advise the employee, who is not a specifically mandated reporting person under the Child Protection Law or Social Welfare Act, of the reporting requirement and offer the Wayne County Department of Human Services phone number **(855-444-3911)** and/or online reporting website (<https://newmibridgeslogin.michigan.gov>).
 - b. Inform the employee, who is not a specifically mandated reporting person under the Child Protection Law or Social Welfare Act, that the administrator or supervisor will not make a report.
 - c. Determine appropriate means to document actions.
 - d. Advise the employee who is not a specifically mandated reporting person under the Child Protection Law or Social Welfare Act that he/she may make a report if he/she continues to suspect abuse, neglect, or exploitation.
6. If the administrator or supervisor is advised that abuse, neglect, or exploitation is **suspected by a community member**, the administrator or supervisor will:
 - a. Assure **online**, oral and written reporting if the administrator or supervisor has reasonable cause to suspect or believe abuse, neglect, or exploitation, and will:
 - 1) Advise the community member of the reporting requirement and offer the Wayne County Department of Human Services phone number **(855-444-3911)** and/or online reporting website (<https://newmibridgeslogin.michigan.gov>).
 - 2) Determine appropriate means to document actions.

- b. Complete the following steps if the administrator or supervisor determines that reasonable cause to suspect abuse, neglect, or exploitation is not present:
 - 1) Advise the community member of the reporting requirement and offer the Wayne County Department of Human Services phone number **(855-444-3911)** and/or online reporting website (<https://newmibridgeslogin.michigan.gov>).
 - 2) Determine appropriate means to document actions.
- 7. In all cases of **suspected sexual abuse or sexual exploitation**, the administrator or supervisor shall (in addition to assuring the required notification and report to the Wayne County Department of Human Services) immediately notify the appropriate local police department.

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| Livonia Police Department | 734-466-2470 |
| Westland Police Department | 734-722-9600 |
- 8. The administrator or supervisor will involve, as appropriate, the school social worker, other student services staff, instructional staff, and administrative staff.
- 9. The administrator or supervisor will assure appropriate notification of central office administrative staff of the investigation activities.
- 10. Access to review educational records: During an investigation, the Wayne County Department of Human Services will have access to the student's educational records as part of their investigation. In these cases, the administrator must document such review in the student's CA-90 or confidential file.
- 11. Parental approval will be secured by the administrator prior to providing access to a non-referred student by representatives of the Wayne County Department of Human Services as part of their investigation regarding a referred student.
- 12. Access to siblings of the referred student living in the same household will be provided to representatives of the Wayne County Department of Human Services without parental consent if access is determined by DHS to be necessary to complete the investigation or to prevent abuse or neglect of the child.

IV. Child Protection Law: Investigations at Schools:
Legal Ref: MCL, 722.628, Sec. 8

- 1. Schools and other institutions shall cooperate with the department during an investigation of a report of child abuse or neglect. Cooperation includes allowing access to the child without parental consent if access is determined by the department to be necessary to complete the investigation or to prevent abuse or neglect of the child. The department shall notify the person responsible for the child's health or welfare about the department's contact with the child at the time or as soon afterward as the person can be reached. The department may delay the notice if the notice would compromise the safety of the child or child's siblings or the integrity of the investigation, but only for the time one of those conditions exists.

2. If the department has contact with a child in a school, all of the following apply:
 - a. Before contact with the child, the department investigator shall review with the designated school staff person the department's responsibilities under this act and the investigation procedure.
 - b. After contact with the child, the department investigator shall meet with the designated school staff person and the child about the response the department will take as a result of contact with the child. The department may also meet with the designated school staff person without the child present and share additional information the investigator determines may be shared subject to the confidentiality provisions of this act.
 - c. Lack of cooperation by the school does not relieve or prevent the department from proceeding with its responsibilities under this act.
3. A child shall not be subjected to a search at a school that requires the child to remove his or her clothing to expose his buttocks or genitalia or her breasts, buttocks, or genitalia unless the department has obtained an order from a court of competent jurisdiction permitting such a search. If the access occurs within a hospital, the investigation shall be conducted so as not to interfere with the medical treatment of the child or other patients.

V. Child Protection Law "Definitions":
Legal Ref: MCL, 722.622, Sec. 2

1. **Specifically mandated reporting persons in the Child Protection Law include:**
A physician, dentist, physician's assistant, registered dental hygienist, medical examiner, nurse, a person licensed to provide emergency medical care, audiologist, psychologist, marriage and family therapist, licensed professional counselor, social worker, licensed master's social worker, licensed bachelor's social worker, registered social service technician, social service technician, a person employed in a professional capacity in any office of the friend of the court, school administrator, school counselor or teacher, law enforcement officer, member of the clergy, or duly regulated child care provider.
2. **"Child"** means a person under 18 years of age.
3. **"Child abuse"** means harm or threatened harm to a child's health or welfare that occurs through non-accidental physical or mental injury, sexual abuse, sexual exploitation, or maltreatment, by a parent, a legal guardian, or any other person responsible for the child's health or welfare or by a teacher, a teacher's aide, or a member of the clergy.
4. **"Child neglect"** means harm or threatened harm to a child's health or welfare by a parent, legal guardian or any other person responsible for the child's health or welfare which occurs through either of the following:
 - Negligent treatment, including the failure to provide adequate food, clothing, shelter, or medical care.
 - Placing a child at an unreasonable risk to the child's health or welfare by failure of the parent, legal guardian, or other person responsible for the child's health or

welfare to intervene to eliminate that risk when that person is able to do so and has, or should have, knowledge of the risk.

5. **“Sexual abuse”** means engaging in sexual contact or sexual penetration, as defined by law, with a child.
6. **“Sexual exploitation”** includes allowing, permitting, or encouraging a child to engage in prostitution; or allowing, permitting, encouraging, or engaging in the photographing, filming, or depicting of a child engaged in a listed sexual act, as defined by law.
7. **“Person responsible for the child’s health or welfare”** means a parent, legal guardian, person 18 years of age or older who resides for any length of time in the same home in which the child resides, or nonparent adult; or an owner, operator, volunteer, or employee of one or more of the following:
 - A licensed or registered child care organization.
 - A licensed or unlicensed adult foster care family home or adult foster care small group home.
 - A court-operated facility.

VI. Social Welfare Act Definitions

Legal Ref: MCL 400.11

1. **“Abuse”** means harm or threatened harm to an adult’s health or welfare caused by another person. Abuse includes, but is not limited to, non-accidental physical or mental injury, sexual abuse, or maltreatment.
2. **“Exploitation”** means an action that involves the misuse of a vulnerable adult’s funds, property, or personal dignity by another person.
3. **“Neglect”** means harm to an adult’s health or welfare caused by the inability of the adult to respond to a harmful situation or by the conduct of a person who assumes responsibility for a significant aspect of the adult’s health or welfare. Neglect includes the failure to provide adequate food, clothing, shelter, or medical care.
4. **“Vulnerable adult”** means a person not less than 18 years of age who is unable to protect himself or herself from abuse, neglect, or exploitation because of a mental or physical impairment or because of advanced age.