

Student Protection and Mandatory Reporting Policy 4240/7312

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I. Purpose

The Eastern North Carolina School for the Deaf (ENCSD) is committed to providing a safe, respectful, and nurturing learning environment for every student. ENCSD follows all federal and state laws, including the Child Abuse Prevention and Treatment Act (CAPTA), and North Carolina General Statutes §§ 7B-301, 14-318.6, 115C-400. We take all necessary steps to prevent, recognize, and respond to any reports or suspicions of child abuse, neglect, dependency, maltreatment, or exploitation. This policy explains our procedures, responsibilities, and protections, and ensures everyone understands their rights.

II. Definitions

- **Abuse:** Intentionally causing physical injury, emotional harm, sexual abuse, or cruel punishment to a student (§ 7B-101).
- **Neglect:** Failing to provide needed care, supervision, or basic needs (food, shelter, medical care) that results in harm or risk of harm (§ 7B-101).
- **Exploitation:** Using a student or their resources for someone else's benefit, illegally or unfairly (§ 7B-101).
- **Dependency:** When a student needs help or placement because they are not getting proper care or supervision (§ 7B-101).
- **Employee:** Anyone who works at ENCSD, including full-time, part-time, permanent, temporary staff, volunteers, and contractors who interact with students (§ 115C-332).

III. Duty to Report

A. General Rule

Any ENCSD employee who suspects or becomes aware of child abuse, neglect,

dependency, maltreatment, or exploitation must report it immediately.

- **Who to Report To:**

- Director of Social Services (DSS) in the county where the child lives or is found (§ 7B-301).
- School Social Worker
 - The school Social Worker will inform the Principal for reports occurring outside of ENCSD
 - The school Social Worker will inform the Superintendent for reports occurring inside of ENCSD
- Law Enforcement if the situation involves a violent crime, sexual offense, or child abuse (§ 14-318.6).

- **How to Report:**

- Oral Report: Call or tell the agency in person as soon as possible.
- Written Report: Follow up with a written report right away.

- **If you are not sure: Always report if you are unsure. It is better to report than to wait.**

Accommodations:

If you are Deaf or hard of hearing, you may request an interpreter for reporting or communicating with DSS, law enforcement, or school officials. ENCSD will provide an interpreter at no cost.

B. Special Situations

- **Child Care Facilities:** If suspected harm happened in a childcare program (including preschools run by the school), also report to the Department of Health and Human Services, Division of Child Development and Early Education (DCDEE).
- **Internal Reporting:** Always tell the principal or designated school official right away.

IV. Reporting Procedures

1. Immediate Oral Report: to DSS, law enforcement (when required), and the school social worker.
2. Written Report: Follow up with a written account as soon as possible.
3. Information to include:

1. Name, address, and age of the juvenile
2. Name and address of the juvenile's parent, guardian, custodian, or caretaker
3. Name, address, and age of the person who committed the offense (if known)
4. Location where the offense was committed
5. Names and ages of other juveniles present or in danger
6. Present whereabouts of the juvenile
7. Nature and extent of any injury or condition resulting from the offense or abuse
8. Any other information believed to be helpful

Accommodations:

If you need help making a report because of communication barriers, ENCSD will provide an interpreter or other support.

V. Cooperation with Investigations

- **Work with Investigators:** ENCSD employees must cooperate fully with DSS, law enforcement, and DCDEE.
- **Student Interviews:** Students may be interviewed by investigators. An interpreter will be provided for the student.
- **Confidentiality:** All information is kept private and shared only with those who need to know.

VI. Confidentiality

All reports and investigations are confidential. Information is shared only with people directly involved in the investigation or as required by law.

VII. Protection Against Retaliation

ENCSD will not punish anyone who reports suspected abuse, neglect, or exploitation in good faith. Anyone who retaliates will face disciplinary action (§ 115C-307).

VIII. Employee Investigations

When an employee is alleged to be involved in abuse, neglect, or exploitation of a student, ENCSD shall take the following steps:

1. Immediate Action

- The employee may be reassigned or placed on administrative leave during the investigation to ensure student safety and integrity of the process.

2. Investigation Process

- The Superintendent and the Director of Human Resources will jointly conduct a timely and thorough internal investigation.
- The investigation may include interviews with the student, parents/guardians, witnesses, and the accused employee.
- All findings shall be documented and reviewed in a written report.

3. Cooperation with External Agencies

- ENCSD shall fully cooperate with DSS, law enforcement, and other relevant agencies conducting independent investigations.

4. Outcome and Disciplinary Action

- If misconduct is substantiated, appropriate disciplinary action shall be taken, up to and including dismissal.
- Disciplinary actions will be in accordance with all applicable OSHR Policies.
- The Superintendent shall report the findings to the North Carolina Department of Public Instruction when required, especially if the employee holds a professional educator license.

Accommodations:

If the accused employee is Deaf or hard of hearing, an interpreter will be provided for all meetings and interviews.

IX. Training and Prevention

All ENCSD employees shall receive annual training on:

- Recognizing signs of abuse, neglect, and exploitation;
- The legal duty to report;
- Procedures for making a report; and
- Procedures for cooperating with investigations.

The school shall also implement age-appropriate instruction to help students recognize inappropriate behavior and report concerns.

Accommodations:

Training will be provided in accessible formats, including sign language interpreters or captions as needed.

X. Recordkeeping and Reporting Requirements

ENCSD will maintain secure records of all reports, investigations, and outcomes related to suspected abuse, neglect, or exploitation. The Superintendent shall ensure that all required reports to NCDPI or other regulatory bodies are submitted in a timely and accurate manner.

XI. Legal and Policy References

- **Federal Law:** Child Abuse Prevention and Treatment Act (CAPTA), 42 U.S.C. § 5101
- **North Carolina General Statutes:** §§ 7B-101, 7B-301, 14-318.6, 115C-307, 115C-400, 115C-402

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