

**Student Protection and Mandatory Reporting**

**Policy 4240/7312**

**I. Purpose**

The Eastern North Carolina School for the Deaf (ENCSD) is committed to providing a safe, respectful, and nurturing educational environment for all students. In accordance with federal law (e.g., the Child Abuse Prevention and Treatment Act [CAPTA]), N.C. General Statutes §§ 7B-301, 115C-400, and State Board of Education Policy 4240/7312, ENCSD shall take all reasonable steps to prevent and promptly respond to any reports or suspicions of child abuse, neglect, or exploitation involving students. This policy outlines the responsibilities of school personnel, procedures for reporting, and protocols for investigation while fostering trust and transparency.

**II. Definitions**

* **Abuse**: Intentional infliction of physical injury, emotional harm, sexual abuse, or malicious punishment upon a student (§ 7B-101).
* **Neglect**: Failure to provide necessary care, supervision, or basic needs (food, shelter, medical care), resulting in harm or risk of harm (§ 7B-101).
* **Exploitation**: The illegal or improper use of a student or the student’s resources for another person’s benefit (§ 7B-101).
* **Employee**: Any person employed by ENCSD, whether full-time, part-time, permanent, or temporary, including volunteers and contractors who interact with students (§ 115C-332).

**III. Duty to Report**

Any ENCSD employee who suspects or becomes aware of a situation involving suspected abuse, neglect, or exploitation of a student is mandated to report the incident (§ 7B-301). All reports must be made to the ENCSD Social Worker. This report must be made orally and followed by a written account.

Once a report has been made to the Social Worker, the social worker will then report the incident in the following manner:

* For incidents occurring outside of ENCSD, the Social Worker will report the incident to the ENCSD Principal.
	+ A report will then be sent to the DSS agency in which the incident occurred
* For incidents involving any person employed by ENCSD, including volunteers and contractors, the Social Worker shall report the incident directly to the Superintendent.
	+ The Superintendent shall proceed with an Employee Investigation as described in Section VIII of this policy.

**IV. Reporting to Law Enforcement**

When warranted, and particularly when there is reasonable suspicion that a crime has occurred, the ENCSD Superintendent or designee shall notify appropriate law enforcement agencies.

**V. Notification to Parents/Guardians**

The parent or legal guardian of the student involved will be notified of the report or investigation unless doing so would place the student at further risk of harm, interfere with a law enforcement or DSS investigation, or would violate a court order.

**VI. Confidentiality**

All reports and investigations related to suspected child abuse, neglect, or exploitation shall be treated as confidential (FERPA, § 7B-2901, and § 115C-402). Information shall be shared only with individuals directly involved in the investigation or response, and as required by law.

**VII. Protection Against Retaliation**

ENCSD prohibits retaliation against any individual who, in good faith, reports suspected abuse, neglect, or exploitation, or participates in an investigation (§ 115C-307). Disciplinary action will result for anyone who engages in retaliatory behavior.

**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.

**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.

**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, 115C-307, 115C-400