

# ***Ann Arbor Public Schools***

## ***Child Abuse or Neglect Reporting Guidelines***

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***Ann Arbor Board of Education***

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*Ann Arbor Public Schools Strategic Plan Parameter: We will ensure the safety and security of all those in the District.*

## **OVERVIEW**

The Ann Arbor Board of Education is concerned with the physical and mental well-being of all the students of this District and will cooperate in the identification and reporting of cases of child abuse or neglect in accordance with law.

Each professional staff member employed by this District who has reasonable cause to suspect child abuse or neglect shall be responsible for reporting immediately every case, whether ascertained or suspected, of abuse or neglect resulting in physical or mental injury to a student by other than accidental means.

The professional staff member or appropriate administrator in the presence of the staff member shall immediately call the Department of Human Services.

Any support staff member who has reasonable cause to suspect child abuse or neglect shall immediately report any such case to the principal who shall, in turn, immediately notify the Department of Human Services.

The identity of the reporting person shall be confidential, subject only to disclosure by consent or court order. Information concerning alleged child abuse is confidential. Any unauthorized disclosure by an official or employee of the District is a violation of the law and subjects the disseminator to civil liability for resulting damages.

The 24/7 phone number for reporting is: (855)-444-3911.

## **MANDATORY REPORTING**

The Michigan Child Protection Law MCL 722.621 et seq. requires the reporting of child abuse and neglect by mandated reporters. Included in the definition of mandated reporters are:

- School Administration
- School Counselor
- School Teacher

In addition to the above, any person who has reasonable cause to suspect child abuse or neglect may report the incident to the Department of Human Services or law enforcement.

## **LEGAL STANDARD FOR REPORTING**

Michigan law requires that you file a report when you have **reasonable cause** to suspect **abuse** or **neglect**.

## **DEFINITIONS**

**“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 persons responsible for the child’s health or welfare or by a teacher, a teacher’s aid, or a member of the clergy. MCL 722.622 (2)(f)

**“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 that 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. MCL 722.622 (2)(j)

**“Sexual abuse”** means engaging in sexual contact or sexual penetration as defined in section 520a of the Michigan penal code, 1931 PA 328, MCL 750.520a, with a child.

**“Sexual exploitation”** includes allowing, permitting, or encouraging a child to engage in prostitution, or allowing, permitting, or encouraging a child to engage in prostitution, or allowing, permitting, encourage, or engaging in the photographing, filming, or depicting of a child engaged in a listed sexual act as defined in section 145c of the Michigan penal code, 1931 PA 328, MCL 750.145c

## **REPORTING REQUIREMENT**

### **Verbal Report**      **(855) 444-3911**

Those who have reasonable cause to suspect child abuse or neglect shall make immediately, by telephone or otherwise, an oral report, or cause an oral report to be made, of the suspected child abuse or neglect to the Department of Human Services (DHS).

### **Written Report**      **(Form DHS-3200)**

Written 72 hours after making an oral report, the reporting person shall file a written report. If the reporting person is a staff member, the reporting person shall notify the person in charge of the school, that a report has been made, and shall make a copy of the written report available to the person in charge of the school.

In addition to the mandated reporting, any person who has reasonable cause to suspect child abuse or neglect may report the matter to the Department of Human Services or law enforcement. MCL 722.624 (4).

### **COOPERATION WITH INVESTIGATION**

A school or other institution shall cooperate with the DHS 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 DHS to be necessary to complete the investigation or to prevent abuse or neglect of the child. MCL 722.628(8)

If the Department of Human Services comes to your school the following applies:

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. 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.

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. MCL 722.628(9)

### **CONFIDENTIALITY AND IMMUNITY**

The identity of a reporting person is confidential subject to disclosure only with the consent of that person or by judicial process. A person acting in good faith or who makes a report, cooperates in an investigation, or assists in any requirement of the law, is immune from civil or criminal liability for acts done according to the act.

A written report is a confidential record available only to a Department of Human Services agency or to a law enforcement agency investigating suspected child abuse or child neglect.

The Michigan Attorney General has opined that an agency worker or other individual who inappropriately discloses the name of a person filing a report may be held criminally liable for a misdemeanor.

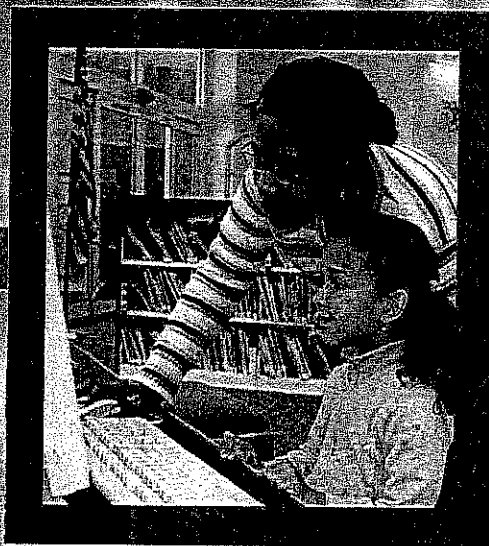
# ***YOU are a mandated reporter.***

Michigan law requires that certain persons report any case of suspected child abuse or child neglect to the Michigan Department of Human Services (DHS). The definition of mandated reporter includes all ***school administrators, school counselors, and school teachers.***

## **Why this is your responsibility**

School personnel play an important role in the lives of children. You are in a unique position to observe and interact with children on a daily basis. You see changes in children that may indicate abuse or neglect. Because children often confide in you, you may learn information that indicates a child is being abused or neglected.

Once you file a report, the child and family may become eligible to receive a wide variety of services that will improve the family's ability to care for the child. The family may be provided parenting classes, counseling, treatment for substance abuse, medical services, anger management education and other services designed to meet the family's specific needs.



# The legal standard for reporting

**M**ichigan law requires that you must file a report when you have **reasonable cause** to suspect abuse or neglect. This is an extremely low legal standard. Elsewhere in this pamphlet is a description of certain signs of abuse and neglect. However, you must keep in mind that you **are not** required to determine whether abuse or neglect **has actually occurred**. DHS is responsible for investigating reports of abuse and neglect and for determining how each case progresses. You must make a report whenever you **suspect** that abuse or neglect **may have occurred**.

## Your liability for failure to report

If you fail to file a report of suspected abuse or neglect, you will be subject to both civil and criminal liability. In a civil action you may be held liable for **all damages that any person suffers** due to your failure to file a report. In a criminal action, you may be found guilty of a **misdemeanor punishable by imprisonment for up to 93 days and a fine of \$500**.

Notifying your supervisor or other agency administrator **DOES NOT** satisfy your legal obligation to file a report with DHS.

## There are **NO** excuses for failing to report

You may believe that filing a report will not lead to any benefit to the child involved. You may believe that filing a report may actually place the child at an increased risk of abuse or neglect. You may feel uncertain that abuse or neglect has actually occurred. Such concerns of any nature **DO NOT** discharge your legal obligation to file a report. Such concerns **WILL NOT** protect you from liability for failing to report.



## You **CANNOT** be “punished” for filing a report

When you file a report in good faith, you cannot be held liable to any person for any damages they may suffer. You are also immune from any criminal liability that could otherwise result. **When you file a report, you are PRESUMED to have acted in good faith.** An aggrieved person would have the burden of proving that you made a report for some reason unrelated to the well-being of the child who was the subject of your report. An aggrieved person could never meet this burden if you filed a report due to your concern for a child's well-being.

Further, you cannot be dismissed or otherwise penalized within your agency for making a report required by the Child Protection Law or for cooperating in an investigation.

## Your identity must be kept confidential

When you file a report with DHS, your identity may not be shared with any person unless you agree in writing to that disclosure or a judge orders such disclosure. Your identity may be disclosed to a child protective agency or a law enforcement agency that is investigating the alleged abuse or neglect. Any concern that a parent may discern your identity **DOES NOT** discharge your obligation to file a report.



# What constitutes child abuse or neglect?

**T**he legal definitions of child abuse and neglect are set forth below. At times it may be a challenge to translate and apply legal definitions and standards to a particular circumstance. Most importantly, keep in mind that you are not required to determine whether these legal standards are met in your case. If you in good faith believe that circumstances in your situation may constitute abuse or neglect, then you **MUST** file a report with DHS.

The following list of common indicators of abuse and neglect **IS NOT** exhaustive. Use common sense, and always err on the side of caution by filing a report when in doubt.

**Physical abuse.** Harm or threatened harm to a child through non-accidental injury. Examples of physical abuse include beating, kicking, punching, and burning.

## ***Common indicators of physical abuse***

- Questionable, recurring bruises and/or welts on various parts of the body or in various stages of healing
- Bruises or welts in the shape of an object (electric cord, belt)
- Bite marks
- Bald spots, missing clumps of hair
- Cigarette or cigar burns
- Burns in the shape of an object (iron, stove burner)
- Immersion burns (legs, hands, buttocks)
- Questionable, multiple, or recurring fractures

**Neglect.** Harm or threatened harm to a child's health or welfare due to failure to provide adequate food, shelter, clothing, or medical care. The failure to protect a child from a known or potential risk of harm is also considered neglect.

## ***Common indicators of neglect***

- Persistent hunger
- Stealing or hoarding food
- Abrupt, dramatic weight change
- Persistent poor hygiene
- Recurring medical issues untreated
- Ongoing lack of supervision

- Consistently inappropriate dress
- Excessive school absences



## ***Sexual abuse and sexual exploitation.***

Engaging in sexual contact or sexual penetration with a child (as defined in the criminal code) constitutes sexual abuse. Sexual exploitation is defined as allowing, permitting, or encouraging a child to engage in prostitution or to be depicted in a sexual act (as defined in the penal code).

## ***Common indicators of sexual abuse and sexual exploitation***

- Age-inappropriate knowledge of sexual behavior
- Sexually explicit drawings and behavior
- Unexplained fear of a person or place
- Unexplained itching, pain, bruising or bleeding in the genital area
- Age-inappropriate seductive behavior
- Pregnancy 12 years or under
- Venereal disease, frequent urinary or yeast infections

**Maltreatment.** Treatment that involves cruelty or suffering that a reasonable person would recognize as excessive. Examples include forcing a child to eat dog food as punishment, locking a child in a closet, or teaching a child to assist in criminal activities.

# How to make a report

**U**pon suspecting child abuse/neglect, you must **both** report to DHS and to the person in charge of the school. DHS is generally prohibited from discussing the details of any investigation stemming from your report. You should receive a very general letter, stating whether or not the case was assigned for investigation. Do not assume a lack of "follow-up" with you indicates nothing was accomplished. Although DHS may be unable to share with you details about an ongoing investigation, you should continue to report any new concerns that might arise after your initial report.

## Step 1: Oral report

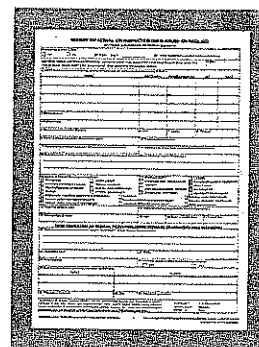
You must immediately make, by telephone or face-to-face, an oral report of the suspected child abuse and neglect to DHS, followed by a written report. (DHS contact information and written requirements are provided in this pamphlet). You should be prepared to provide, if known, the following information when making a verbal Children's Protective Services report:

- Child's current address as well as past addresses if known and the address where the alleged incident happened if different.
- If the alleged perpetrator lives with the child.
- Alleged victim's full name, birth date, and race.
- Alleged perpetrator's full name. If known, provide the relationship of the perpetrator to the child.
- Statements of the child's disclosure and context of the disclosure. For example, was the child asked about the injury, or did they volunteer the information?
- History of the child's behavior and patterns of attendance may be helpful to the investigation.
- Why you think the child is being abused, neglected, and/or maltreated.

**You SHOULD NOT attempt to investigate the matter yourself.** Investigation and appropriate action are the responsibility of Children's Protective Services, a division of the Michigan Department of Human Services, the state agency responsible for child welfare.

## Step 2: Follow-up written report

**Within 72 hours after making the oral report, the reporting person shall file a written report** with the DHS office in the county where the child is found or resides. The report must be mailed or otherwise transmitted to this DHS office. The local county DHS office can be found through the statewide DHS hotline or DHS web site, both listed in this pamphlet. The 72-hour period includes weekends and holidays.



For the written report, DHS encourages reporters to use its Form DHS-3200, which includes all the information required under the law. You should complete form items 1-21. One report from a school will be considered adequate to meet the law's reporting requirement.

## Step 3: Reporting obligations to person in charge of school

You must notify the person in charge of the school of the suspected abuse/neglect that the report has been made with DHS. You must provide the person in charge with a copy of the written report.

*Note: Reporting the suspected allegations of child abuse/neglect to the person in charge of your school does not fulfill your mandated requirement to report directly to DHS.*

## Reference and contact numbers

The Department of Human Services (DHS) statewide number is **(855) 444-3911**. Personnel staffing the statewide DHS number will connect the mandated reporter to the local county DHS office for purposes of reporting the suspected or actual child abuse/neglect directly to the local DHS for investigation.

**DHS-3200 Form** can be requested from the local county DHS and can be accessed at: [www.michigan.gov/dhs](http://www.michigan.gov/dhs) or [www.michigan.gov/documents/FIA3200\\_11924\\_7.pdf](http://www.michigan.gov/documents/FIA3200_11924_7.pdf)

**Local county DHS offices** can be accessed through the DHS web site at: [www.michigan.gov/dhs](http://www.michigan.gov/dhs)



### **Childhelp USA, National Child Abuse Hotline 1-800-4-A-Child (1-800-412-4453)**

Childhelp hotline is staffed 24 hours a day, seven days a week, by professional crisis counselors who have access to a database of emergency, social service, and support resources.

**Michigan Office of Children's Ombudsman** is charged with the oversight of Children's Protective Services, adoption and foster care services.  
1-800-642-4326

**Child Pornography Tipline**  
1-800-843-5678

**Common Ground Crisis Line**  
1-800-231-1127  
248-456-0909

**Listening Ear Crisis Hotline**  
517-337-1717

**Michigan Assault Hotline**  
1-800-NO-MEANS-NO

**Michigan Parent Help Line**  
1-800-942-4357



### **National hotlines and helplines**

**National Domestic Violence/Abuse Hotline**  
1-800-799-SAFE  
1-800-787-3224 TDD

**National Runaway Switchboard**  
1-800-RUNAWAY  
1-800-786-2929

**National Suicide Hotline**  
1-800-SUICIDE  
1-800-784-2433

**No Abuse Helpline**  
1-800-996-6228

**Rape, Abuse, and Incest National Network (RAINN)**  
1-800-656-HOPE

**RAPLine (Michigan Runaway Assistance Program)**  
1-800-292-4517

**School Violence Hotline**  
1-800-815-TIPS

*This pamphlet was inspired by the dedication and donation of  
Judith Mynsberge, a classroom teacher for 32 years, and by  
Marcie Schalon, an MSU alumnus whose care for children  
is further informed by her background in child welfare.*

*For more information, contact:*

MSU Chance at Childhood Program  
541 E. Grand River Avenue  
East Lansing, MI 48823

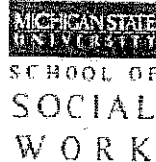
517.432.8406

<http://chanceatchildhood.msu.edu>



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The Chance at Childhood Program is sponsored by:



## Michigan Department of Human Services

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**TO BE COMPLETED BY MEDICAL PERSONNEL WHEN PHYSICAL EXAMINATION HAS BEEN DONE**

20. Summary report and conclusions of physical examination (Attach Medical Documentation)		
21. Laboratory report	22. X-Ray	
23. Other (specify)	24. History or physical signs of previous abuse/neglect <input type="checkbox"/> YES <input type="checkbox"/> NO	
25. Prior hospitalization or medical examination for this child		
DATES	PLACES	
26. Physician's Signature	27. Date	28. Hospital (if applicable)
Department of Human Services (DHS) will not discriminate against any individual or group because of race, religion, age, national origin, color, height, weight, marital status, sex, sexual orientation, gender identity or expression, political beliefs or disability. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you are invited to make your needs known to a DHS office in your area.		AUTHORITY: P.A. 238 of 1975. COMPLETION: Mandatory. PENALTY: None.

**INSTRUCTIONS**

**GENERAL INFORMATION:**

This form is to be completed as the written follow-up to the oral report (as required in Sec. 3 (1) of 1975 PA 238, as amended) and mailed to Centralized Intake for Abuse & Neglect. Indicate if this report was phoned into DHS as a report of suspected CA/N. If so, indicate the Log # (if known). The reporting person is to fill out as completely as possible items 1-19. Only medical personnel should complete items 20-28.

Mail this form to:

Centralized Intake for Abuse & Neglect  
 5321 28<sup>th</sup> Street Court S.E.  
 Grand Rapids, MI 49546

OR

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

Or email this form to [DHS-CPS-CIGroup@michigan.gov](mailto:DHS-CPS-CIGroup@michigan.gov)

1. Date – Enter the date the form is being completed.
2. List child(ren) suspected of being abused or neglected – Enter available information for the child(ren) believed to be abused or neglected. Indicate if child has a disability that may need accommodation.
3. Mother's name – Enter mother's name (or mother substitute) and other available information. Indicate if mother has a disability that may need accommodation.
4. Father's name – Enter father's name (or father substitute) and other available information. Indicate if father has a disability that may need accommodation.
- 5.-7. Child(ren)'s address – Enter the address of the child(ren).
8. Phone – Enter phone number of the household where child(ren) resides.
9. Name of alleged perpetrator of abuse or neglect – Indicate person(s) suspected or presumed to be responsible for the alleged abuse or neglect.
10. Relationship to child(ren) – Indicate the relationship to the child(ren) of the alleged perpetrator of neglect or abuse, e.g., parent, grandparent, babysitter.
11. Person(s) child(ren) living with when abuse/neglect occurred – Enter name(s). Indicate if individuals have a disability that may need accommodation.
12. Address where abuse / neglect occurred.
13. Describe injury or conditions and reason of suspicion of abuse or neglect – Indicate the basis for making a report and the information available about the abuse or neglect.
14. Source of complaint – Check appropriate box noting professional group or appropriate category.

**Note:** If abuse or neglect is suspected in a hospital, also check hospital.

**DHS Facility** – Refers to any group home, shelter home, halfway house or institution operated by the Department of Human Services.

**DCH Facility** – Refers to any institution or facility operated by the Department of Community Health.

15.-19 - Reporting person's name - Enter the name and address of person(s) reporting this matter.