



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Frequently Asked Questions on Mandated Reporting of Child Abuse or Neglect for DCPS Employees

At DCPS, who must report allegations of child abuse and neglect?

All DCPS employees and contractors, including school officials, teachers, coaches, nurses, social service workers, and mental health professionals must report suspected child abuse and neglect.

When am I obligated to make a report of abuse or neglect?

You must make a report of abuse or neglect whenever you suspect or know that a student has been or is in danger of being subjected to any of the following (please see appendix for expanded definitions):¹

- **Mental injury:** Harm to a child's psychological or intellectual functioning due to another individual's acts or omissions.
- **Physical abuse:** Physical harm or threatened harm to a child, other than by accident, perpetrated by another individual.
- **Physical assault:** Any physical contact with another person without their consent.
- **Neglect:** Harm or threatened harm to a child's health or welfare due to a parent or caregiver's failure to provide adequate food, shelter, clothing, medical care, or access to education.
- **Sexual abuse:** Sexual contact or sexual penetration with a child.
- **Sexual exploitation:** Allowing, permitting, or encouraging a child to engage in prostitution or to be depicted in a sexual act.
- **Sexual assault:** Illegal sexual contact that usually involves force or that is inflicted upon a person who is incapable of giving consent (because of age or physical or mental incapacity).
- **Exposure to illegal drug-related activity:** Ingestion of illegal drug due to guardian's negligence or regular exposure to illegal drug-related activity in the home.
- **Exposure to domestic violence:** Witnessing physical, sexual, and/or psychological abuse to an individual perpetrated by that individual's current or former intimate partner.

Additionally, you must make a report whenever you suspect or know that a student:

- Has been **injured by a bullet**, or
- Has been **injured by a knife or other sharp object**.

A report must be made no matter who fired the gun or held the sharp object that caused the injury.

How do I report suspected cases of abuse or neglect?

By DCPS policy, you must report each of the above incidents to:

- The Child and Family Services Agency (CFSA) by calling 202-671-SAFE (7233); **AND**
- The D.C. Metropolitan Police Department by notifying the MPD officer in your school (i.e. your School Resource Officer or SRO), or by calling 911. If you must dial 911, please clarify whether you have any immediate safety concerns.

After making a report to CFSA and MPD, notify the school principal and your school security officer about your concerns, so an incident report can be filed with DCPS' Office of School Security (OSS) and the principal can fulfill his or her independent obligation to make a report to MPD and CFSA.

How soon do I have to make the report to MPD and CFSA?

The report must be made immediately upon learning about the suspected abuse or neglect. You should treat your knowledge of suspected abuse or neglect as you would any emergency concerning the safety of a child. For example, request emergency class coverage, so you can make reports to CFSA and MPD.

¹ In addition to these obligations, staff members are required to report when a child dies in the District of Columbia. A report of the child's death shall be made to the Registrar of Vital Records (202-442-9303) as soon as practicable, but no later than within 5 business days of the employee's knowledge of the child's death.

What do I do if I'm not sure whether what I've learned could constitute abuse or neglect?

Whenever you suspect a student is being subjected to abuse or neglect, you must make a report. You cannot be punished for filing a report of abuse or neglect in good faith. You also cannot be disciplined at work for making a report required by the mandated reporter law or for cooperating in an investigation.

Should I investigate the allegation myself before making a report?

No. School staff must refrain from questioning a suspected victim, abuser, or witnesses. You are to simply report your suspicions (as indicated above) and allow trained investigators to investigate the allegation. By attempting to perform investigations of abuse you risk compromising any formal investigation by CFSA or MPD, and you may be considered to have tampered with the investigation.

If I believe someone else has already made a report to MPD and CFSA, must I make a report?

Yes. The staff member who initially receives the report of abuse or neglect and the school principal (or the principal's designee) must always report the alleged abuse or neglect to MPD and CFSA, even if it is believed that another person has already reported the alleged abuse or neglect. Likewise, notifying your supervisor or other agency administrator does not satisfy your legal obligation to file a report. By law, both the person who was first to receive the report of abuse or neglect and the school principal (or a designee of the principal) must report each suspected instance of abuse or neglect.²

Do I follow this protocol when I suspect a staff member has engaged in corporal punishment?

Yes. Corporal punishment by staff is prohibited and must be reported. An act of corporal punishment could also constitute abuse, so you must report suspected corporal punishment as indicated above.

Do I follow this reporting protocol when the alleged perpetrator of abuse is also a child?

Yes. Abuse can be perpetrated by children and must still be reported according to these procedures.

After I've determined that a report must be made, how do I address the student?

First ensure that the student's immediate medical needs are addressed by the nurse or by calling 911 (in case of emergency). If immediate medical attention is not needed, escort the student to any member of the school-based crisis response team (i.e., social worker, psychologist, counselor, or nurse), who will assume responsibility for the student. Please keep your concerns confidential from other students.

What information might be requested of me when I file my report?

You may be asked to provide the name, age, sex, and address of the child who is the subject of the report, the nature and extent of the suspected abuse or neglect of the child, your identity and occupation, your contact information, and a statement of the actions taken by you concerning the child.

What happens if I fail to make a report?

If you fail to make a report, a child in danger may not receive the attention he or she needs. The penalty for failing to make a report is a fine of up to \$300 or imprisonment for up to 90 days or both.

Truancy is not covered here. How do I report my concerns about a frequently absent student?

Truancy follows a different reporting protocol from the one described above. Suspicion of truancy (i.e., 10 or more unexcused absences) should only be reported to your school's attendance counselor and/or attendance designee. See "Special Rules for Truancy and Educational Neglect" in the Appendix.

² This dual reporting requirement can be found in D.C. Code § 4-1321.02(b).

Appendix

Mental Injury

Definition(s):

Harm to a person under 18 years of age's psychological or intellectual functioning, which may be exhibited by severe anxiety, depression, withdrawal, or outwardly aggressive behavior, or a combination of those behaviors, and which may be demonstrated by a change in behavior, emotional response, or cognition. D.C. Code § 16-2301(31).

Examples:

- Threatening a child's life
- Chronic verbal abuse
- Excessive demands on child's performance

Common Signs:

- Physical, mental and emotional developmental delays
- Unexplained speech disorders
- Continual self-deprecation (e.g., I'm stupid, ugly, worthless)
- Extreme fear of any new situation
- Extremes of passivity or aggression
- Overreaction to mistakes

Possible Perpetrators: Anyone

Physical Abuse

Definition(s):

General Definition: Bodily harm greater than transient pain or minor temporary marks. Abuse does not include discipline administered by a parent; provided, that the discipline is reasonable in manner and moderate in degree and otherwise does not constitute cruelty. D.C. Code § 16-2301(30).

First Degree Cruelty to Children: A person commits the crime of first degree cruelty to children if that person intentionally, knowingly, or recklessly tortures, beats, or otherwise willfully maltreats a child under 18 years of age or engages in conduct which creates a grave risk of bodily injury to a child, and thereby causes bodily injury. D.C. Code § 22-1101(a).

Second Degree Cruelty to Children: A person commits the crime of second degree cruelty to children if that person intentionally, knowingly, or recklessly: (1) maltreats a child or engages in conduct which causes a grave risk of bodily injury to a child; or (2) exposes a child, or aids and abets in exposing a child in any highway, street, field house, outhouse or other place, with intent to abandon the child. D.C. Code § 22-1101(b).

Examples:

- Burning, Biting, or Cutting
- Striking a child with a closed fist
- Inflicting injury by shaking, kicking, or throwing the child
- Interfering with a child's breathing
- Threatening a child with a dangerous weapon (i.e., firearm, knife, or any other prohibited weapon)
- Whipping a child and leaving damaging marks

Common Signs:

- Questionable, recurring bruises and/or welts on various parts of the body or stages of healing
- Bite marks
- Unexplained fractures, lacerations or abrasions
- Disclosure of physical abuse by the child
- Withdrawn and aggressive behavioral extremes
- Self-destructive behavior
- Chronically runs away
- Complains of soreness or moves uncomfortably
- Wears clothing that is inappropriate to weather conditions to cover body

Possible Perpetrators: Anyone

Neglect

Definition(s):

Neglected child: A child under the age of 18:

- i. who has been abandoned or abused by his or her parent, guardian, or custodian, or whose parent, guardian, or custodian has failed to make reasonable efforts to prevent the infliction of abuse upon the child;
- ii. who is without proper parental care or control, subsistence, education as required by law, or other care necessary for his or her physical, mental or emotional health, and the deprivation is not due to the lack of financial means of his or her parent, guardian, or custodian;
- iii. whose parent, guardian, or custodian is unable to discharge his or her responsibilities to and for the child because of incarceration, hospitalization, or other physical or mental incapacity;
- iv. whose parent, guardian, or custodian refuses or is unable to assume the responsibility for the child's care, control, or subsistence and the person or institution which is providing for the child states an intention to discontinue such care;
- v. who is in imminent danger of being abused and another child living in the same household or under the care of the same parent, guardian, or custodian has been abused;
- vi. who has received negligent treatment or maltreatment from his or her parent, guardian, or custodian;
- vii. who has resided in a hospital in the District of Columbia for at least 10 calendar days following the birth of the child, despite a medical determination that the child is ready for discharge from the hospital, and the parent, guardian, or custodian of the child has not taken any action or made any effort to maintain a parental, guardianship, or custodial relationship or contact with the child;
- viii. who is born addicted or dependent on a controlled substance or has a significant presence of a controlled substance in his or her system at birth;
- ix. in whose body there is a controlled substance as a direct and foreseeable consequence of the acts or omissions of the child's parent; or
- x. who is regularly exposed to illegal drug-related activity in the home. D.C. Code § 16-2301(9)(A).

Refusal or Neglect to Provide For a Child Under 14 Years of Age: A person commits the crime of Refusal or Neglect to Provide for a Child under 14 Years of Age if that parent or guardian, of sufficient financial ability, refuses or neglects to provide such food, clothing, and shelter as will prevent the suffering and secure the safety of such child. D.C. Code § 22-1102.

Examples:

- Parent permits child to have chronic unexcused absences (educational neglect)
- Child has obvious wound/injury that is not receiving medical attention (medical neglect)
- Child sustains burn after playing with gas stove (lack of supervision neglect)
- Child witnesses manufacture of methamphetamines (substance abuse neglect)

Commons Signs:

- Frequent unexcused absence from school
- Child exhibits serious injury or condition that is not being treated
- Frequently acting sleepy or hungry
- Often dirty, demonstrating poor personal hygiene, or dressed inadequately for weather conditions
- Malnourished (e.g., caregiver has a pattern of not providing for child's breakfast or lunch)

Possible Perpetrators: Parents, guardians, or other custodians

Sexual Abuse and Exploitation

Definition(s):

First degree child sexual abuse: Being at least 4 years older than a child (i.e., a person under 16 years of age) and engaging in a sexual act (such as penetration of genitalia) with that child. D.C. Code § 22-3008.

Second degree child sexual abuse: Being at least 4 years older than a child and engaging in sexual contact with child or causing child to engage in sexual contact (such as contact with genitalia without penetration). D.C. Code § 22-3009.

First degree sexual abuse of a minor: Being 18 years of age or older and in a significant relationship with a minor and engaging in a sexual act with a minor. D.C. Code § 22-3009.01.

Second degree sexual abuse of a minor: Being 18 years of age or older and in a significant relationship with a minor and engaging in sexual contact with a minor. D.C. Code § 22-3009.02.

Enticing a child or minor: (a) Being at least 4 years older than a child or being in a significant relationship with a minor and (1) taking that child or minor to any place for the purpose of committing any of the aforementioned sexual offenses; (2) seducing, enticing, alluring, convincing, or persuading or attempting to seduce, entice, allure, convince, or persuade a child or minor to engage in a sexual act or contact.

(b) Being at least 4 years older than the purported age of a person who represents himself or herself to be a child, and attempting (1) to seduce, entice, allure, convince, or persuade any person who represents himself or herself to be a child to engage in a sexual act or contact, or (2) to entice, allure, convince, or persuade any person who represents himself or herself to be a child to go to any place for the purpose of engaging in a sexual act or contact. D.C. Code § 22-3010.

Misdemeanor sexual abuse of a child or minor: Being 18 years of age or older and more than 4 years older than a child, or being 18 years of age or older and engaging in sexually suggestive conduct with that child or minor. For the purposes of this section, the term "sexually suggestive conduct" means engaging in any of the following acts in a way which is intended to cause or reasonably causes the sexual arousal or sexual gratification of any person: 1. Touching a child or minor inside his or her clothing, 2. Touching a child or minor inside or outside his or her clothing close to the genitalia, anus, breast, or buttocks, 3. Placing one's tongue in the mouth of the child or minor or; 4. Touching one's own genitalia or that of a third person. D.C. Code § 22-3010.01.

Examples:

- Fondling genitals/breasts/buttocks
- Indecent exposure
- Oral, anal, or genital penile penetration
- Anal or genital digital penetration
- Making of/exposure to pornography or other sexually explicit conduct
- Sexual exploitation of a minor
- Failure to protect a child from any of the above
- Inadequate or inappropriate supervision of a child's voluntary sexual activities
- Use of a child in prostitution, pornography, sex internet crimes, or other sexually exploitative activities

Common Signs:

- Bruising around genital area
- Swelling or discharge from vagina or penis
- Visible lesions around mouth or genitals
- Sexually transmitted diseases
- Exhibits sexualized behavior (precocious knowledge of explicit sexual behavior, engages self or others in overt or repetitive sexual behavior)
- May appear “promiscuous”
- Changes in emotional behavior (acting out, being withdrawn, anger, sadness)
- Missing school or certain classes (to avoid a perpetrator in school)

Possible Perpetrators: Anyone

Special Rules for Truancy and Educational Neglect

Students age five (5) to thirteen (13) shall be referred by the local education agency to the Child and Family Services Agency not later than two (2) school days after:

- (1) The accrual of ten (10) unexcused absences within one (1) school year; or
- (2) Immediately at any time that educational neglect is suspected.

Procedure for referral:

Employees who are concerned about having not seen a particular student in school and suspect truancy should report their concerns to the school's attendance counselor or designee. Attendance counselor or designee shall make CFSA referrals using the following information:

STEP-BY-STEP INSTRUCTIONS (from the CFSA Website)

- Step 1: Go to cfsa.dc.gov
- Step 2: Click on the For Partners tab
- Step 3: Click on School Personnel
- Step 4: Click on CFSA Educational Neglect Reporting form
- Step 5: Complete each page on the form, clicking the CONTINUE button at the bottom of each page to move to the next screen
- Step 6: Upon completion of the Form click SUBMIT
- Step 7: Attach supporting documents (i.e. grades/attendance) using the ADD FILE button
- Step 8: Provide a description for each document that you attach and select SAVE
- Step 9: Click CONTINUE. You will be provided a tracking code as well as an email confirmation of your submission.

Relevant DCPS Resources

If you have questions on this document or any of the following subjects, please feel free to reach out to the appropriate DCPS contact:

Subject	Office/Team	Team Lead	Contact Information
Mandated Reporting FAQs	Labor Management and Employee Relations (LMER)	Erin Pitts	202-442-5373; DCPS.LMER@dc.gov
Student Health and Wellness	Office of Youth Engagement (OYE)	Diana Bruce	202-442-5103; Diana.Bruce@dc.gov
Student Attendance and Truancy	Office of Youth Engagement (OYE)	Andrea Allen	202-442-5450; Andrea.Allen@dc.gov
Student Discipline/Bullying	Office of Youth Engagement (OYE)	Mziwandile Masimini	202-299-2006; Mziwandile.Masimini@dc.gov
Response to Intervention	Office of Youth Engagement (OYE)	Jo-Anne Henry	Jo-Anne.Henry2@dc.gov
School Counselors	Academic Planning and Support	Merita Carter	202-442-5640; Merita.Carter@dc.gov
Psychological Services and Supports	Inclusive Programming Division	Deitra Bryant-Mallory	202-442-4800; Deitra.Bryant-Mallory@dc.gov
School Security	Office of School Security	Robert McCullagh	Robert.McCullagh@dc.gov