

SCHOOL COMMITTEE POLICY

Policy # 95

Child Welfare & Safety Policy

Medway Public Schools (MPS) is dedicated to the goal of protecting our students from child abuse and neglect and to responding effectively to incidents of child abuse and neglect. MPS recognizes local, state, and national efforts to address problems associated with child abuse and neglect and will work cooperatively with all agencies with responsibility for addressing such concerns.

Massachusetts General Laws (M.G.L) c. 119, § 51 A, requires that certain persons in their professional capacity are mandated to report child abuse and neglect when they have reasonable cause or suspicion to believe that a child under the age of 18 years is suffering physical or emotional injury resulting from abuse that causes harm or substantial risk of harm to the child's health or welfare, including sexual abuse, or from neglect, including malnutrition. All employees of MPS are mandated reporters.

This policy serves to assist all MPS employees to carry out their responsibilities effectively under M.G.L. as well as to establish responsibilities and roles for MPS child protection teams. It also establishes expectations for MPS employees to receive training in both identifying and reporting child abuse and neglect.

Definition of Terms:

- **Neglect** is the failure, either deliberately or through negligence or inability, to take those actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability and growth, or other essential care. It is understood that such inability is not solely due to inadequate economic resources or solely due to the existence of a handicapping condition. Neglect can occur while the child is in an out-of-home or in-home setting. Permitting a child to be truant or failing to enroll a child in school without providing an alternative program can constitute neglect.
- **Physical abuse** includes infliction, by other than accidental means, of physical harm upon the body of a child.
- **Emotional abuse** refers to excessive, aggressive, or unreasonable behavior by an adult that places demands on a child that are above his/her capabilities. This may include verbal attacks, humiliation, degradation, and chronic

rejection of the child, close confinement of the child, or the permitting or abetting of delinquent behavior.

- **Sexual abuse** refers to any sexual contact between a caretaker and a child or the commission of a sex offense against a child as defined by the criminal laws of the Commonwealth.
- **Verbal sexual harassment** of a child by anyone, including school district employees/volunteers, is recognized as a form of child abuse and a warning sign of actual physical or sexual abuse.

All MPS employees who have reasonable cause or suspicion to believe that a child is suffering physical or emotional injury resulting from abuse or neglect shall report such a belief to the appropriate school or district based administrator.

Supervision of Students

School personnel assigned supervision are expected to act as reasonably prudent adults in providing for the safety of the students in their charge. In keeping with this expected prudence, no teacher or other staff member will leave his/her assigned group unsupervised except when an arrangement has been made to take care of an emergency. During school hours or while engaging in school-sponsored activities, students will be released only into the custody of parents or other persons authorized in writing by a parent or guardian.

Reporting to Authorities – Suspected Child Abuse or Neglect

Any school official or employee shall report any suspected child abuse or neglect as required by M.G.L. Ch.119, § 51A.

In accordance with the law, the District shall establish the necessary regulations and procedures to comply with the intent of the Act consistent with the District's responsibility to the students, parents, District personnel, and the community.

Student Safety

Instruction in courses in industrial arts, science, homemaking, art, physical education, health, and safety will include and emphasize accident prevention. Safety instruction will precede the use of materials and equipment by students in applicable units of work, and instructors will teach and enforce all safety rules set up for the particular courses. These include the wearing of protective eye devices in appropriate activities.

Safety on the Playground and Playing Field

The District shall provide safe play areas. Precautionary measures, which the District requires, shall include: a periodic inspection of the school's playground and playing fields by the Principal of the school and others as may be deemed appropriate; instruction of students in the proper use of equipment; and supervision of both organized and unorganized activity.

Fire Drills and Reporting

The District shall cooperate with appropriate fire departments in the conduct of fire drills. The Principal of any public or private school, containing any of grades 1 to 12, shall immediately report any incident of unauthorized ignition of any fire within the school building or on school grounds, to the local fire department. Within 24 hours, the Principal shall submit a written report of the incident to the head of the fire department on a form furnished by the Department of Fire Services. The Principal must file this report whether or not the fire department responded.

LEGAL REFS: MGL 71:37L; 148:2A

The Superintendent of Schools, or his or her designee, has the responsibility to ensure that appropriate reporting procedures are implemented in the school system.

Complaints

A person who believes the policy and/or procedures have not been correctly observed, should contact either of the following MPS administrators:

Director of Student Services

Medway Public Schools
45 Holliston Street
Medway, MA 02053
Phone: 508-533-3229

or

Superintendent of Schools

Medway Public Schools
45 Holliston Street
Medway, MA 02053
Phone: 508-533-3153

Penalties

According to M.G.L. c. 119, § 51 A, mandated reporters are immune from civil or criminal liability when they file a report pursuant to their duties. Mandated reporters cannot be discharged, discriminated against or retaliated against by their employers if they, in good faith, make a report or testify in any proceeding involving child abuse or neglect. If any of these things happen, the employer shall be liable.

The statute also states that any person who is legally required to report suspected child abuse, i.e., is a mandated reporter, who fails to do so is subject to a criminal fine. In addition, school employees will be subject to disciplinary action by the school department up to and including dismissal.

First Reading: **July 21, 2016**

Approved: **August 4, 2016**