

Office of the Superintendent of Schools
MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland

November 14, 2024

MEMORANDUM

To: Members of the Board of Education Policy Management Committee

From: Thomas W. Taylor, Superintendent of Schools

Subject: Update on the Implementation of Board of Education Policy JHC, Child Abuse and Neglect, for Fiscal Year 2024

The purpose of this memorandum is to provide you with information and an update on strategies implemented by Montgomery County Public Schools (MCPS) to prevent, recognize, and report child abuse and neglect. This memorandum includes the number of child abuse and neglect reports that were made by MCPS staff, volunteers, or contractors during Fiscal Year 2024 (FY24), as well as other information as required by Section E.2 of Board of Education [Policy JHC, Child Abuse and Neglect](#). This policy guides MCPS procedures and protocols for recognizing, reporting, and preventing suspected child abuse and neglect of students.

The policy outlines principles and goals grounded in federal, state, and local law with the desired outcomes as follows:

- 1) A safe, engaging, and supportive environment will be provided for all students through vigilant efforts by all members of the MCPS community to recognize, report, and prevent abuse and neglect of children and vulnerable adults.
- 2) MCPS and county partner agencies will efficiently and effectively collaborate to investigate reports of suspected abuse and neglect and to support children and vulnerable adults who are the subject of reports of suspected abuse and/or neglect.

The safety and security of every student in each school is our first priority and a responsibility that we take very seriously. Our goal is to prevent any incident of child abuse and neglect in our district. However, when an incident does occur, MCPS continues to demonstrate our commitment to holding the perpetrator accountable. To that end, we continue to refine and improve our practices and protocols, which are informed by ongoing input and feedback, both internally within our school district and externally from our Montgomery County partner agency experts, as well as stakeholder representatives in the greater community. In addition, our work on child abuse and neglect aligns with the broader protocol enhancements we are making in all areas of school safety to be consistent with the *Maryland Safe to Learn Act of 2018*. More information about these initiatives can be found on the MCPS website at [Security Resources](#).

I. Implementation of Policy JHC

A. Staff Training

All MCPS employees complete districtwide compliance training that includes a module specific to the topic of child abuse and neglect, developed in collaboration with county partner agencies and an outside consultant. As in previous years, this training was a component of a larger set of mandatory compliance training to ensure every MCPS staff member is aware of MCPS expectations and has the necessary information to create and maintain a healthy climate and culture in which all adults and students are able to thrive and do their best work. In addition to the compliance modules, all administrators were trained during the school year specifically on updates to Recognizing Child Abuse and Neglect, as well as bullying, harassment, and hate-bias reporting.

B. Screening of New and Existing MCPS Employees

MCPS conducts multipoint background checks, including fingerprinting, for prospective employees to ensure that they are qualified, ethical, responsible, and meet high expectations for professionalism before being hired or interacting with students. An overview of the key components is available on the MCPS website at [Ensuring Student Safety](#).

Potential hires of certificated staff are vetted through the National Association of State Directors of Teacher Education and Certification (NASDTEC). Certificated staff include teachers, counselors, media specialists, psychologists, principals, and assistant principals. The NASDTEC Educator Identification Clearinghouse is a national collection point for professional educator discipline actions taken by fifty states, the District of Columbia, U.S. Department of Defense Educational Opportunity schools, and Guam. This screening helps to ensure that an educator's credentials have not been suspended or revoked.

Potential hires of all staff (e.g., certificated and noncertificated employees); certain volunteers designated for background checks in MCPS [Regulation IRB-RA, *Volunteers in Schools*](#); and contractors working on MCPS property are fingerprinted, and those fingerprints are submitted to Rap Back Service provided by the Federal Bureau of Investigation (FBI). The FBI's Rap Back Service identifies persons arrested and/or prosecuted for misdemeanors and felonies which may span a range of offenses (e.g., misdemeanors such as disorderly conduct, or felony offenses such as assault). Not all offenses identified in the Rap Back Service are reportable offenses specified under the Code of Maryland Regulations (COMAR) Article §13A.08.01.17, *School Use of Reportable Offenses*; however, the MCPS Office of Human Resources and Development (OHRD) reviews all incidents identified by the Rap Back Service. This service eliminates the need for repeated background checks by providing MCPS with ongoing status notifications of any criminal history record information reported to the FBI and the State of Maryland (if available) regarding fingerprinted employees, contractors, and specific volunteers. Currently, the Rap Back Service receives information from all 50 states and U.S. territories.

MCPS contracts with the Montgomery County Child Protective Services (CPS) to review all databases available to them to determine whether any potential hires and new volunteers specified in MCPS Regulation IRB-RA have been "indicated" for abuse and neglect of a child or vulnerable adult. "Indicated" means that a CPS unit in any particular locale has investigated and found evidence to

support a reported claim of abuse or neglect. Databases available to Montgomery County CPS contain records for the State of Maryland. Retroactive reviews of all existing MCPS staff hired prior to 2013 are ongoing and have been prioritized for review in the following order: school-based staff, transportation and maintenance staff, psychologists, and other staff who have direct contact with students, followed by all other staff who do not have regular contact with students.

MCPS also continues to implement MCPS [Regulation GCC-RA, Staff Self-Reporting of Arrests, Criminal Charges, and Convictions](#). All MCPS employees are required to self-report any arrests, charges, convictions, or other disposition of cases pertaining to crimes delineated in MCPS Regulation GCC-RA. Primarily, these crimes pertain to offenses involving drugs or controlled substances, sexual offenses, child abuse, and crimes of violence. Employees who fail to report an arrest, charge, or conviction in compliance with this regulation may be subject to disciplinary action, up to and including dismissal, in accordance with normal contractual and due process procedures.

Since 2019, all applicants must comply with House Bill 486, *Child Sexual Abuse and Sexual Misconduct Prevention*. This law is intended to assist public and nonpublic schools and contracting agencies with implementing the provisions of COMAR Article §6-113.2. The law requires that a county board, nonpublic school, or contracting agency review an applicant’s employment history by contacting the current employer, all former school employers, and all former employers with which the applicant had direct contact with minors to request dates of employment and answers to the questions posed to applicants. Additionally, the law requires the request of a report from the Maryland State Department of Education (MSDE) regarding whether the applicant holds an active and valid certificate and has ever been the subject of professional discipline related to child sexual abuse or sexual misconduct.

C. Training and Screening for Volunteers and Contractors

For the 2023–2024 school year, volunteers, contractors, and partnership agencies who regularly supported schools were asked to complete certain compliance measures within our school district. All volunteers and contractors were required to complete the online [Recognizing and Reporting Child Abuse and Neglect Training Module](#). For FY24, 15,812 volunteers completed the online training during the school year.

Total Number of Parents/Guardians/Volunteers/Contractors who Completed the Volunteer Child Abuse and Neglect Module

FY24	FY23	FY22	FY21	FY20
15,812	18,579	16,021	3,320	16,946

With respect to contractors, MCPS continued to implement amendments to Section 5-551 of the Family Law Article of the Maryland Code, which require that individuals in a contractor’s workforce (including subcontractors) must undergo a criminal background check, including fingerprinting, if the individuals will work in a MCPS school facility in circumstances where they have direct, unsupervised, and uncontrolled access to students. MCPS has posted informational documentation regarding volunteer and contractor training, screening processes, and requirements, including regularly revised

Frequently Asked Questions on the MCPS website at [Required Criminal Background Checks for Contractors](#).

D. Staff Learning Continuum in the Areas of Student Welfare

Required training for all mental health professionals, including school-based student welfare liaisons, school counselors, pupil personnel workers, school psychologists, English Speakers of Other Languages (ESOL) transition counselors, social workers, and behavioral specialists, were held during monthly in-service meetings, professional development days, and department team meetings. This training provided an enhanced look at the following Board policies: [ACF, Sexual Misconduct and Sexual Harassment of Students](#); and [ACI, Sexual Harassment of MCPS Employees](#), with applications and implications involving Title IX/sexual harassment incidents and incidents of hate bias. All reports of alleged sexual abuse called into CPS prompted an immediate outreach to the school administration to increase awareness and protection.

Sexual Harassment and Workplace Bullying Professional Learning for Administrators and Supervisors was facilitated for all school-based and district-level administrators during the spring of 2024. This training was developed in response to the Investigative Report from the Office of the Inspector General (OIG), Montgomery County, Maryland. This training provided detailed information regarding ongoing concerns with recognizing and reporting incidents of sexual harassment and workplace bullying. It was a cross-office project, which included facilitators from the Department of Districtwide Professional Learning, the Department of Compliance and Investigations, and the Student Welfare and Compliance Unit. In addition to content on procedures for identifying and reporting concerns of sexually inappropriate behaviors targeting students and employees, it included specific steps to follow in addressing anonymous complaints from both internal and external stakeholders, including resources such as Lighthouse Hotline Services, Montgomery County 24 Hour Crisis Center, and, the Maryland Center for School Safety.

E. Student Learning Continuum in the Areas of Child Abuse and Neglect Awareness

In 2024, the *Culture of Respect* student training module was revised to include recognizing and reporting incidents of hate bias, as well as allegations of bullying and sexual harassment. This allowed students to expand their knowledge of recognizing and reporting child abuse protocols and to make connections between the training and the Personal Body Safety Lessons they received from the counseling department.

The outcomes of the student training module were to:

- Review collective responsibilities in promoting a positive school culture and ensuring the physical, social and emotional safety for all students in alignment with the MCPS *Be Well 365* initiatives;
- Define bullying, cyberbullying, harassment (including sexual harassment), hate-bias, hazing, intimidation, and student gender norms;
- Recognize hazing, bullying, and harassment warning signs;
- Analyze different scenarios and discuss possible consequences per the MCPS Code of Conduct;
- Discuss how students can address a concerning situation and appropriately report.

II. Collaboration with County Partner Agencies, Montgomery County Department of Health and Human Services and the Greater Community

Montgomery County Department of Health and Human Services (MCDHH) Child Welfare Services held a 2024 Stakeholders’ Meeting to provide county partner agencies updates on assessment data for calls screened, accepted reports, and in-home and out-of-home services for families.

The MCPS Pride Alliance stakeholder committee continued its support for students and staff, involving parents and county Lesbian, Gay, Bisexual, Transgender, Queer+ (LGBTQ+) partner agencies to promote inclusivity in the curriculum, create a safe atmosphere in schools, expand professional development for staff, and strengthen partnerships in the community. The Alliance hosted the 6th Annual Pride Town Hall 2024 at Walter Johnson High School. In June, the Office of Curriculum and Instructional Programs established a new *Inclusion Specialist* position for the FY25, focused on supporting schools by creating a welcoming and inclusive environment for LGBTQ+ students.

III. Total Number of Reports of Suspected Abuse and Neglect

During FY24, 3,758 suspected incidents of child abuse or neglect were reported by MCPS staff, volunteers, or contractors to CPS or Adult Protective Services (APS). The data is based on online and written reports submitted using [MCPS Form 335-44, Report of Suspected Abuse and Neglect](#), and other MCPS records. Data from previous years is available on the MCPS website at [Child Abuse and Neglect](#). Of the 3,758 suspected incidents reported, 3,673 were online reports and 85 were written reports.

Total Number of Reports of Suspected Abuse and Neglect

FY24	FY23	FY22	FY21	FY20
3,758	3,972	3,750	1,784	2,720

IV. Suspected Abuse or Neglect by MCPS Employees, Contractors, and Volunteers

During FY23, OHRD received information regarding 211 cases reported to CPS and/or the Montgomery County Police Department (MCPD) involving alleged abuse or neglect by an MCPS employee, volunteer, or contractor. ¹This is in comparison to FY22 when 76 cases were reported; FY21 when 40 cases were reported; FY20 when 270 cases were reported; and FY19 when 307 cases were reported. This number includes cases of alleged abuse involving MCPS employees with students. The final disposition of these cases by CPS is summarized in the following table. In some of these cases, MCPD Special Victims Investigation Division (SVID) also may have investigated the alleged abuse or neglect, and any outcomes of these cases that resulted in criminal charges are noted.

**CPS Reports Involving Alleged Abuse or Neglect
By an MCPS Employee, Volunteer, or Contractor**

FY24	FY23	FY22	FY21	FY20
226	211	76	40	270

**Outcomes of CPS Reports Involving Alleged Abuse or Neglect
By an MCPS Employee, Volunteer, or Contractor+**

Type	Number of Reports	CPS Outcomes ²				
		Screened Out	Ruled Out	Unsubstantiated	Indicated	Ongoing
Employee	188	135	5	7	7	34
Substitute	33	26	1	0	0	6
Volunteer	3	1	1	0	0	1
Contractor	2	1	0	0	0	1

+Disclosure of the information from CPS reports to MCPS is subject to the provisions and penalties of Maryland Human Services Article 1-202.

In accordance with Board Policy JHC and MCPS Regulation JHC-RA, *Reporting and Investigating Child Abuse and Neglect*, MCPS is required to conduct an internal investigation consistent with all applicable Board policies and MCPS regulations, even when CPS, APS, and/or MCPD screen out or rule out the case without taking action and/or the State’s Attorney’s Office declines to bring criminal charges because such cases may involve potential violations of Board policies, MCPS regulations, contracts, and/or other guidance. The following table summarizes the actions taken by MCPS after MCPD, CPS, or the State’s Attorney’s Office concluded their investigations.

MCPS Actions Based on Internal Follow-Up Investigations *

Type	No action warranted	Conference or memo for the record	Reprimand or other disciplinary letter	Suspension without pay	Removal from employment	Pending (as of October 14, 2024)
Employee	43	35	18	2	13	77
Substitute	7	1	3	0	9	13
Volunteers	0	0	0	0	2	1
Contractor	1	0	0	0	0	1

¹This count does not include cases in which an incident was reported, but CPS and MCPS were unable to identify the alleged maltreater.

²The possible outcomes of a CPS report are defined as follows:

- Screened out: There was insufficient evidence that abuse or neglect occurred.

- Ruled out: A finding that abuse or neglect did not occur.
- Unsubstantiated: A finding that there is insufficient evidence to support a finding of indicated or ruled out.
- Indicated: A finding that there is credible evidence that has not been satisfactorily refuted that abuse or neglect occurred.

Board Policy JHC also requires that the Board is informed of criminal charges filed against MCPS employees, volunteers, and contractors that involve allegations of abuse and neglect of children. The following is an accounting of charges and adjudication status of cases filed during FY24:

- MCPD reported 13 cases involving MCPS employees
 - Two cases were closed by arrest
 - Two cases remain in open investigations
 - One case is awaiting disposition from the State's Attorney's Office
 - Eight cases have been closed

V. Incidents Resulting in Requests for Suspension or Revocation of Certification

The Code of Maryland Regulations (COMAR) requires that the superintendent of schools notify the state superintendent of schools of various charges against certificated employees. These charges include when an employee is dismissed or resigns after notice of allegations of misconduct involving a student, and if an employee is found guilty, pleads nolo contendere (no contest), or receives probation before judgment for child abuse or neglect. In FY23, there was one case where MCPS sought suspension or revocation of a teaching certificate, but the teacher retired after giving notice of the alleged misconduct and voluntarily surrendered their certificate.

A full list of former Maryland school district employees whose state certifications were revoked is available to the public on the [MSDE website](#). At the request of community members, MCPS is exploring whether an exemption to Maryland personnel records law would permit greater disclosure of identifiable information about instances when MCPS sought suspension or revocation of a teaching certificate.

VI. Lawsuits Related to Child Abuse and Neglect

Based on the school system's receipt of served lawsuits, there was one case filed by parents/guardians of a child involving child abuse or neglect against the Montgomery County Board of Education and/or its employees or officers, filed in FY24:

- **MOTHER DOE, legal guardian of JANE DOE, MINOR v. MONTGOMERY COUNTY BOARD OF EDUCATION, et al**

Plaintiff successfully served the Board on January 9, 2024. Plaintiff claims injuries and damages due to the sexual assault of student Jane Doe by an MCPS bus driver while she was a student at Francis Scott Key Middle School during the summer of 2018 as a result of negligence and breach of fiduciary duty. The bus driver's assaults were captured on internal bus videos. Jane Doe was the second of four total victims. The matter was settled in the spring of 2024. More details are found in the court docket at Case No. C-15-CV-23-004648.

The full docket for this case is publicly available on the [Maryland Judiciary Case Search website](#).

VII. FY25 Considerations

Continuous improvement efforts in recognizing and reporting child abuse and neglect are ongoing and implemented throughout the year. The monthly Multi-Disciplinary Team (MDT) meetings are held to respond to and support specific allegations of child abuse and neglect, as well as ensure processes are aligned between the members of the Memorandum of Understanding. These members include MCPD SVID, the State's Attorney's Office, CPS, the MCPS Department of Compliance and Investigations, and the Student Welfare and Compliance unit. The district will continue to seek input from schools, as well as Child Welfare Services, regarding the training necessary to educate staff for the safety of students.

In addition, the following recommendations will be implemented:

- Additional sessions of *Sexual Harassment and Workplace Bullying Professional Learning for Administrators and Supervisors* will be scheduled for FY25 newly hired MCPS administrators and will include training plans and resources for additional MCPS employees within our schools and offices.
- The former *Culture of Respect* student training module is being reimagined and will include updated information and resources on recognizing and reporting signs of abuse and neglect, incidents of bullying, harassment or intimidation, and acts of hate bias. The training plan will include an additional new module specifically focused on understanding the *Student Rights and Responsibilities* and the *Student Code of Conduct* documents. This will be part of a year-long plan to emphasize student expectations in our district, focused on our collective responsibility to maintain a positive school culture.
- The district is embarking on an Anti-Hate-Bias and Bullying campaign, elevating the district's stance on ensuring a welcoming learning environment, serving all students and staff, and promoting equity, inclusion, and diversity. The board recognizes that equity involves more than legal compliance; it requires proactive efforts to address implicit bias and structural barriers that have led to exclusion. The campaign includes schools receiving educational booklets and posters on hate bias, bullying, and hazing, as well as steps to take to report concerns. The campaign also includes elements of community awareness.
- The district, in consultation with the Office of the General Counsel, will provide schools with enhanced awareness of the *2024 Amendments to the U.S. Department of Education's TITLE IX Regulations*. This will include implications on fact-finding, investigations, and levels of central office support.
- Enhanced training will be provided for the Student Welfare Liaisons and school-based critical staff in all 211 schools.

We will continue to provide updates regarding the implementation of the child abuse and neglect policy and regulation as we continue working to provide a safe and welcoming learning environment for all students.

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