

87 C. **DUTY TO REPORT CHILD MALTREATMENT IN A CHILD CARE FACILITY TO THE**
88 **DIVISION OF CHILD DEVELOPMENT AND EARLY EDUCATION**
89

90 A school employee, contractor, or volunteer who has cause to suspect that a child in a
91 child care facility has been maltreated by a caregiver or has died as a result of
92 maltreatment occurring in a child care facility is legally required to report the case to
93 DCDEE.

94
95 A "child care facility" includes any DHHS-licensed classroom or program operated by
96 the school system, including for example, licensed pre-school or Title I classrooms,
97 licensed afterschool programs, and licensed developmental day programs.

98
99 Any doubt about reporting a suspected situation or uncertainty whether the child's care is
100 being provided in a child care facility must be resolved in favor of reporting, and the
101 report should be made immediately.

102
103 An employee making a report to DCDEE also shall immediately report the case to the
104 principal. If the suspected maltreatment occurred in a licensed preschool classroom or
105 other licensed classroom or program operated by board, the principal shall immediately
106 notify the superintendent of the suspected maltreatment. No reprisals of any kind may be
107 taken against an employee who makes a good faith report of child maltreatment occurring
108 in any licensed preschool classroom or other licensed classroom or program operated by
109 the board.

110
111 An employee who fails to make a report as required by law and this policy may be
112 subject to disciplinary action by the school system. In addition, if the employee works in
113 a licensed preschool classroom or other licensed classroom or program operated by the
114 board, failure to report maltreatment of a child in the program or classroom may itself
115 constitute child maltreatment and result in the employee being placed on the state child
116 maltreatment registry. A volunteer or contractor who fails to report or prevents another
117 person from making a report may be restricted from school property or lose the privilege
118 of volunteering for or contracting with the school system.
119

120 D. **DUTY TO REPORT LICENSED EMPLOYEES TO THE STATE SUPERINTENDENT-OF-PUBLIC**
121 **INSTRUCTION BOARD OF EDUCATION**
122

123 Why?
124 In addition to the other reporting requirements of this policy, any administrator who
125 knows, or has reason to believe, or has actual notice of a complaint that a licensed
126 employee has engaged in misconduct resulting in dismissal, disciplinary action, or
127 resignation conduct that would justify automatic revocation of the employee's license
128 pursuant to G.S. 115C-270.35(b) or involves physical or sexual abuse of a child shall
129 report that information to the State Superintendent of Public Instruction Board of
Education in accordance with subsection C.4 of policy 4040/7310, Staff-Student