This Policy sets out Harvard’s expectations about reporting suspected abuse or neglect of Minors and other inappropriate activity involving Minors. It applies to all members of the Harvard community (including faculty, staff, students and volunteers) and contractors/consultants, who, while representing or serving Harvard or otherwise participating in a Harvard program, interact with Minors.1 The Policy contains these sections:

• Who must report.
• What must be reported.
• What information should be included in a report.
• When should a report be made.
• How to make a report.
• What happens after a report is made.

Who must report

All members of the Harvard community (including faculty, staff, students and volunteers) and contractors/consultants, who, while representing or serving Harvard or otherwise participating in a Harvard program, interact with Minors are required by this Policy to report immediately any instances of suspected abuse or neglect of a Minor, including self-disclosed abuse or neglect, as well as situations involving inappropriate activity with a Minor.

Responsible Adults, as well as individuals holding certain positions referenced in Massachusetts G.L. c. 119, §51A,2 should be aware that they may be considered mandated reporters under state law and required by law to report suspected abuse or neglect to the Massachusetts Department of Children and Families (DCF). Such reports may be made through the HUPD as described above, or directly to DCF3 as described below under “how to report.” If you are a mandated reporter under state law, the failure to make a required report may result in criminal penalties. Whether or not you are a statutory mandated reporter, filing a report in good faith protects the reporter from liability even if the report is deemed unfounded after investigation. The name of the reporter is not disclosed by DCF to the parents/guardians of a child who is the subject of the report. If you have questions about whether your position classifies you as a statutory mandated reporter, contact HUPD or the Office of the General Counsel (OGC). For convenience, a copy of the 51A report form is attached here: www.mass.gov/eohhs/docs/dcf/can-reporting-form.pdf

If you make a report directly to DCF, also notify HUPD that you have made the report.

Responsible Adults are also required pursuant to the Clery Act4 to report to HUPD any crimes that take place on or near campus, including crimes involving the abuse or neglect of children.

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1 To the extent there is any conflict between the requirements of this Policy and any rules of professional conduct that apply to individuals who are acting in a professional capacity (e.g., lawyers (including law students)subject to the Massachusetts Rules of Professional Conduct), the professional conduct rules prevail.
2 https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter119/Section51a. A full statutory listing of “mandatory reporters” is located in Massachusetts G.L. c. 119, §21. See https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter119/Section21.
3 http://www.mass.gov/eohhs/gov/departments/def/
4 http://clerycenter.org/summary-jeanne-clery-act
What must be reported

Suspected abuse or neglect: You must report any situation where you have reasonable cause to believe that a child is suffering physically or emotionally from abuse or neglect, whether the abuse or neglect has taken place on campus or off-campus, and whether it involves a Harvard-affiliated individual or not. Child abuse is the deliberate emotional, physical or sexual injury of a child by an adult or older child. Neglect is harm caused by withholding life’s necessities: food, clothing, shelter, medical care, and education (see Appendix A for complete definitions of abuse and neglect).

Inappropriate activity: You should also report any instance where you observe or believe there may be inappropriate treatment of a Minor, while the Minor is on-campus or involving a Harvard-affiliated individual whether on or off-campus. Examples of inappropriate activity would include violations of the Guidelines for Interacting with Minors (use of tobacco products, drugs or alcohol where children are present; physical boundary violations like tickling, rough-housing, wrestling, massage, or any form of unwanted affection; and speech, gestures, or other behaviors that are demeaning, belittling, hurtful, meant to embarrass, or make reference to the child’s physical development or appearance).

What information should be included in a report

When you contact HUPD and/or DCF with a report of suspected abuse or neglect, or other inappropriate activity involving Minors, you should be prepared to provide as much of the following information as possible. Do not delay making the report in order to gather all of this information. Partial reports are encouraged.

- The names and addresses of the child and the child's parents or other person responsible for the child's care, if known
- The child's age and sex
- The nature and extent of the child's injuries, abuse, maltreatment, or neglect, including any evidence of prior injuries, abuse, maltreatment, or neglect
- The circumstances under which the person reporting first became aware of the child's injuries, abuse, maltreatment, or neglect
- Whatever action, if any, was taken to treat, shelter, or otherwise assist the child
- The name of the person or persons making the report (required for statutory mandated reporters, but optional for non-mandated reporters)
- Any other information that the person reporting believes might be helpful in establishing the cause of the injuries
- The identity of the person or persons responsible for the neglect or injuries if suspected or known
- Other information required by DCF (if known): whether the child seems afraid to go home, names and ages of siblings, if they have similar injuries or signs of abuse or neglect, etc.

When should a report be made

This Policy, as well as the state mandated reporter law, requires an immediate oral report to be made when the reporter has “reasonable cause to believe” that a child is being or has been abused in some way. The benefit of the doubt is given to the child.
Waiting for conclusive proof may put a child at further risk. Oral reports must be followed by the filing of a written report (51A) with DCF within 48 hours. Direct disclosures warrant an immediate call to HUPD or DCF. If the situation is an emergency (for example, the child does not want to go home) call HUPD for immediate assistance.

It will often be appropriate to discuss concerns about suspected abuse, neglect or inappropriate activity with a supervisor, Program Administrator or Responsible Adult, who can then assist in making the report to the HUPD and/or DCF as warranted.

How to make a report

Reports may be made through several channels:

HUPD: Call Urgent: 617-495-1212 (Longwood 617-432-1212) Business: 617-495-1215. HUPD will act as the University’s designated agent for purposes of filing a report of suspected abuse with DCF if HUPD determines that a report is warranted.

Department of Children and Families: During business hours call the area office associated with your campus (see Appendix B below for a list of DCF offices). Otherwise call the 24-hour Child at Risk hotline: 1-800-792-5200.

Hotline: Non-statutory mandated reporters can submit an anonymous report to Harvard’s Compliance Hotline by phone 1-877-694-2275, or online at www.integrity-helpline.com/HarvardUniversity.jsp. The hotline is a confidential, toll-free, 24-hour resource. Note, however, that if you are a statutory mandated reporter, your report must be made to HUPD or DCF, and you must identify yourself. Note also that the compliance hotline should not be used as an emergency reporting mechanism. For situations requiring emergency assistance, or where there is imminent danger to a child, contact HUPD immediately.

What happens after a report is made

HUPD will assess the information and determine whether the matter should be reported to DCF. If so, HUPD will submit the 51A form to DCF and notify the original reporter after the form is filed.

If the situation does constitute child abuse or neglect, but could be considered behavior that is inappropriate with or around children (see Guidelines for Interacting with Minors), HUPD will notify the reporter of that decision. HUPD will contact, or assist the reporter in contacting, the appropriate Harvard department(s) or personnel to address the situation.

If the original reporter remains concerned that abuse or neglect has occurred, he/she may (or in the case of a mandated reporter must) still file an oral report with DCF followed within 48 hours by a written 51A report.

Harvard University will not retaliate or discriminate against any person who, in good faith, submits a report of child abuse or neglect. For additional information, see the Harvard University Whistleblower Policy, which is located on the Office of the Provost website (http://provost.harvard.edu/pages/policies).
APPENDIX A

Massachusetts Department of Children and Families (DCF) regulations (110 CMR, Section 2.00) offer the following definitions of child abuse and neglect:

**Abuse:** The non-accidental commission of any act by a caretaker upon a child under age 18 which causes or creates a substantial risk of physical or emotional injury; or an act by a caretaker involving a child that constitutes a sexual offense under the laws of the Commonwealth; or any sexual contact between a caretaker and a child under the care of that individual. This definition is not dependent upon location (i.e., abuse can occur while the child is in an out-of-home or in-home setting).

**Neglect:** Failure by a caretaker, 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; provided, however, that such inability is not due solely to inadequate economic resources or solely to the existence of a handicapping condition. This definition is not dependent upon location (i.e., neglect can occur while the child is in an out-of-home or in-home setting).

**Emotional Injury:** An impairment to or disorder of the intellectual or psychological capacity of a child as evidenced by observable and substantial reduction in the child’s ability to function within a normal range of performance and behavior.

**Physical Injury:** Death or fracture of a bone, subdural hematoma, burns, impairment of any organ, and any other such nontrivial injury; or soft tissue swelling or skin bruising, depending on such factors as the child’s age, circumstances under which the injury occurred, and the number and location of bruises; or addiction to drugs at birth; or failure to thrive.
APPENDIX B

DCF Area offices.

**Boston Campus**
**Harbor Area Office**
80 Everett Avenue, Suite 300
Chelsea, MA 02150
(617) 660-3400
fax (617) 884-0215

**Cambridge Campus**
**Cambridge/Somerville Area Office**
810 Memorial Drive
Cambridge, MA 02139
(617) 520-8700
fax (617) 354-0243

**Petersham Campus**
**Greenfield/Northampton Area Office**
143 Munson St., Unit 4
Greenfield, MA 01301
(413) 775-5000
fax (413) 773-5773

**Southborough Campus**
**Framingham Area Office**
63 Fountain St.
Framingham, MA 01702
(508) 424-0100
fax (508) 872-8340