

ACT 126
The PA Child Protective
Services Law

Mandated Reporting for School Employees

MODULE 3

**Reporting Suspected
Child Abuse**



Reporting Suspected Child Abuse

Two categories of reporters:

- **Permissive**
 - Those who can
- **Mandated**
 - Those who must

Mandated Reporters Right to Know

Mandated reporters are entitled to certain information in regard to the outcome of the report they made:

- Limited to the final status determination and services or supports that were provided to protect the child.

The Child Abuse Reporting Process

- Call report into *ChildLine* (800-932-0313)
 - Courtesy call can also be made to CYF
- Written report (CY-47) must be submitted within 48 hours
- Notify police if someone is in immediate danger

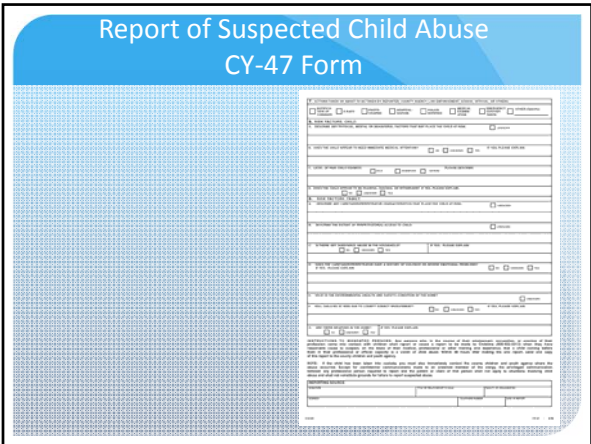
Report of Suspected Child Abuse CY-47

The CY-47 Form:

- Complete within 48 hours
- Only required for mandated reporters
- Complete to the best of your knowledge

Can take photos/x-rays of injuries without parental permission

Do not need a waiver to release info about alleged incident



Some Considerations for School Procedures

- Who makes the call?
- Who completes written documents?
- What is the chain of command?
- What is the school district's policy on photos?
- Who interviews the child?
- Who is responsible for medical examination/ ordering x-rays?

Immediate Protective Custody

- Only law enforcement, physicians, and medical directors are permitted to take immediate protective custody of a child
- Children and Youth workers must obtain a court order if they feel protective custody is necessary for the safety of the child
- Keeping a child without proper authorization is illegal.

Protections for Reporters

Five Important Reasons to Report

1. The long-term effects on children who are abused
2. Immunity from civil or criminal liability
3. Safeguard against discharge or discrimination at work
4. Confidentiality
5. Consequences for failure to report

Failure to Report

Criminal offense that prohibits you from working with children

- **First violation:** Third degree misdemeanor
 - Up to one year in jail
 - \$2500 in fines
- **Second violation:** Second degree misdemeanor
 - Up to two years in jail
 - \$5000 in fines

What happens next?

- Within 24 hours of the report, the child must be seen and a Risk Assessment completed
- The CPS caseworker typically interviews a variety of individuals, including the reporting source
- CPS may petition the court for emergency protective custody, if necessary
- CPS may refer the case to law enforcement for criminal investigation

Status Determinations

- Founded
- Indicated
- Unfounded

Check your understanding

Please answer the following true-false statements:

1. A mandated reporter needs to hear directly from the student that abuse has occurred before calling *ChildLine*.
-- True or False?
2. You need a release of information waiver signed by parents to share knowledge about alleged abuse with the county.
-- True or False?

Check your understanding

3. You are not allowed to detain a child at school beyond dismissal time even if you are concerned for the child's safety.
-- True or False?
4. The majority of reported cases are determined unfounded.
-- True or False?
5. There will be no repercussions the first time that you fail to report suspected abuse.
-- True or False?

Child Abuse Scenarios



Scenario 1

Laura is an 11 year old girl disclosing to you that her 14 year old brother was babysitting her and when her younger sister went to bed, he forced Laura to have sex with him.

Is this suspected child abuse? If yes, why? If no, why not?

What actions will you take?

Scenario 1 - Response

- Is this suspected child abuse? If yes, why? If no, why not?
 - Yes (sexual abuse/exploitation)
- What actions will you take?
 - Call ChildLine immediately to make a report of suspected child abuse.

Scenario 2

Tommy is in your program and you notice he hasn't been eating lunch. He discloses that his tooth hurts. You contact the mother. Mother agrees to take Tommy to the dentist. A couple of weeks pass and Tommy continues to complain about his tooth and becomes tearful at lunch. You notice that the tooth and gum appear to be infected and again call the mother. Mother reports she can't get a dentist appointment. You make the appointment the next day with a dentist associated with your program and let the mom know that she can take Tommy for free the next day. Several days later, Tommy is experiencing more severe pain, presents with a fever, swelling and has not received treatment.

- Is this suspected child abuse? If yes, why? If no, why not?
- What actions will you take?

Scenario 2 - Response

- Is this suspected child abuse? If yes, why? If no, why not?
 - Yes (*serious physical neglect*)
- What actions will you take?
 - Call ChildLine immediately to make a report of suspected child abuse.

Scenario 3

A woman from the neighborhood shows up at your house and tells you that she is worried about the family that just moved in behind her house. She said the father is very rude and intimidating. There is a young girl, age 7, and her siblings live with mom and dad. She reports that for weeks she has witnessed and heard the parents arguing and cursing at all hours. The girl seems very unhappy, doesn't play much with the other children, and is seen home on some school days. The woman also reports that her brother used to live near this family when the girl was 4 years old and witnessed the dad, in an angry rage, throw a shovel at the girl, nearly hitting her and then chased the girl into the street. He said the mother intervened and brought the young girl safely into the house.

- Is this suspected child abuse? If yes, why? If no, why not?
- What actions will you take?

Scenario 3 - Response

- Is this suspected child abuse? If yes, why? If no, why not?
 - *No*
- What actions will you take?
 - *Call ChildLine*

Scenario 4

You notice one of your middle school student-athletes is having difficulty walking and participating in contact drills. He explains that his back is sore, but you notice some blood seeping through his jersey. He refuses to let you look at it and pulls away. Concerned about a back injury, you insist and as you lift his jersey, with closer inspection you notice four distinct circular burns on his lower back that are infected and several similar scars. He explains when he is 'bad', this is how his parents punish him. He begs you not to tell his parents.

- *Is this suspected child abuse? If yes, why? If no, why not?*
- *What actions will you take?*

Scenario 4 - Response

- Is this suspected child abuse? If yes, why? If no, why not?
 - *Yes (serious physical injury/child abuse)*
- What actions will you take?
 - *Call ChildLine immediately to make a report of suspected child abuse.*

Scenario 5

Desiree is a 12 year old girl living with her mother and 16 year old sister, Haley. Mother and Desiree have a conflicting relationship as Desiree insists on having the same freedoms and privileges as her older sister. She has stayed out past curfew, been caught cutting school and is escalating in her challenging behaviors. Last night, mother caught Desiree with a boy in her bedroom. After a period of arguing and destroying some bedroom items, the mother threw an iron at the daughter's head and, if not for ducking behind the furniture, it would have hit her. Instead, the iron broke the window and landed in the front yard.

- Is this suspected child abuse? If yes, why? If no, why not?
- What actions would you take?

Scenario 5 - Response

- Is this suspected child abuse? If yes, why? If no, why not?
 - Yes (*imminent risk*)
- What actions will you take?
 - Call ChildLine immediately to make a report of suspected child abuse.

Scenario 6

Some girls in your PE class approach you because they are worried about Amy, their friend and fellow classmate. The friends report that she doesn't want to spend time with them and has withdrawn from them. They state she appears sad and they saw her alone crying today. They also think she is embarrassed by her dad. They tell you that Amy's father is really "hard on her," and when they have visited the home on several occasions, they witnessed him calling her names, telling her she is a whore, cursing at her and telling her he regrets the day she was born. When Amy comes in next period, you notice she is wearing a long sleeve shirt. As she jumps for the ball, you notice numerous cutting marks on her wrists. When you share your concerns with her, she replies, "Maybe he's right. Maybe we would both be better off if I was never born."

- Is this suspected child abuse? If yes, why? If no, why not?
- What actions would you take?

Scenario 6 - Response

- Is this suspected child abuse? If yes, why? If no, why not?
 - *Yes (serious mental injury/child abuse)*
- What actions will you take?
 - *Call ChildLine immediately to make a report of suspected child abuse*

Scenario 7

The kicker for your football team is a 14 year old boy. He comes into your office upset and tearful because his missed kick cost the team the game last night. He reports that he has a headache and his arm is sore. You detect there are bruises and scrapes on his upper arm, and a bump on the back of his head. He breaks down and tells you that a father of one of his teammates was so mad at him for losing the game that the father grabbed his arm, shook him, and then shoved him backward into the bleachers, cursing at him that it was his fault.

- Is this suspected child abuse? If yes, why? If no, why not?
- What actions will you take?

Scenario 7 - Response

- Is this suspected child abuse? If yes, why? If no, why not?
 - *No*
- What actions will you take?
 - *Call ChildLine immediately to make a report of suspected child abuse*
