

Introduction

SECTION 1:

The Child Protective Services Law (CPSL) – Reporting Training is made possible by the University of Pittsburgh, the Department of Human Services, Office of Children, Youth and Families, the Pennsylvania Children and Youth Administrators, and funding from the Children’s Justice Act.

Introduction

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Section 1: Pennsylvania's Child Welfare System Overview

Section 2: Defining Child Abuse

Section 3: Potential Indicators of Abuse

Section 4: Determining Reasonable Cause to Suspect

Section 5: The Effects of Child Abuse and Why to Report

Section 6: Reporting Child Abuse

Section 7: Reporter Rights and Responsibilities

Section 8: After You Report

Section 9: Wrap-Up

Introduction

SECTION 1:

As you move through the information presented here, important terms will be introduced and defined. Throughout the course, these terms will be [in bold](#) when they appear. Click on any bolded term to review the term's definition in the course glossary. Click on the glossary button or on the link below to visit the glossary.

Key Terms: A Glossary

Introduction

SECTION 1:

Law

Click on the icon to view the law related to the information found on the slide.

Throughout the course, information regarding the Child Protective Services Law (CPSL) and other related laws will be introduced. Each slide that references the law will display the icon above.

References to the Law

Introduction

SECTION 1:

- Identify the infrastructure for protecting children from abuse in the Commonwealth of Pennsylvania
- Identify the legal definition of Child Abuse according to Pennsylvania's Child Protective Services Law
- Recognize potential indicators of child abuse
- Determine when to report suspected child abuse
- Recognize the effect of trauma on children who have been abused
- Recognize how disproportionality and disparity effect the reporting of child abuse

By the end of this course, you will be able to:

Course Learning Objectives

Introduction

SECTION 1:

- Describe the roles, rights, and responsibilities of mandated and permissive reporters of suspected child abuse
- Recognize mandated reporter protections as well as consequences for failure to report
- Identify the process that follows after a report is made
- Understand the roles and responsibilities of the county agency once a report is received
- Define the process for reporting suspected child abuse

By the end of this course, you will be able to:

Course Learning Objectives

Introduction

SECTION 1:

Outlines the course and provides information on Pennsylvania's child welfare system and the processes it undertakes to ensure the safety and well-being of Pennsylvania's children.

Identify the infrastructure for protecting children from abuse in the Commonwealth of Pennsylvania

Section 1

Learning Objective

Section 1

Introduction

SECTION 1:

What should the daycare provider do?

Trystan is an active 4 year old boy. He often arrives at his daycare center with bumps and bruises. Today, he arrived with welts and blisters on the back of his legs that resembled the shape of a strap or belt. When the daycare provider asked Trystan what happened, he didn't answer the question, but said his daddy was mad at him.

The daycare provider asked Trystan's father about the marks that evening when he picked him up from the center. He shrugged it off by saying, "you know how boys are – they play rough." The daycare provider considers whether Trystan would have received welts and blisters on the back of his legs while playing?

Before we begin, consider this scenario:

Scenario

Introduction

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Please Answer the Question

Please click on the statement below that best describes your feelings about the question:

What should the daycare provider do?

I'm confident: I know exactly what the daycare provider should do, according to Pennsylvania law.

I'm uncertain: I'm not quite sure what the daycare provider should do.

I'm unaware: I have no idea what the daycare provider should do.

What to do?

Introduction

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Please click on all the links before you continue.

<http://www.dhs.pa.gov/>

Pennsylvania's child welfare system is state supervised and county administered.

[The Department of Human Services](#), formerly the

Department of Public Welfare, and the [Office of Children Youth and Families](#) support Pennsylvania's children and families through a comprehensive variety of services.

Pennsylvania's Public Child Welfare System

Introduction

SECTION 1:

Office of Children, Youth, and Families

The Office of Children, Youth and Families (OCYF) is organized into four bureaus supervising and supporting the work of Pennsylvania's County Children and Youth Agencies (CCYA). Click on the title to visit a bureau website for more information on the specific services and support each bureau provides.

Introduction

SECTION 1:

Law

[ChildLine](#) is Pennsylvania's hotline for reporting suspected [child abuse](#).

ChildLine's mission is to improve safety of children within the Commonwealth by receiving and transmitting suspected reports of abuse and neglect 24 hours a day, seven days a week.

ChildLine refers reports of suspected child abuse and neglect to appropriate investigating agencies to ensure the safety and well-being of the children in Pennsylvania.

ChildLine: Unit within the Bureau of Policy, Program, and Operations.

ChildLine (1-800-932-0313)

Introduction

SECTION 1:

Law

Child welfare services are state supervised but organized, managed, and delivered by county children and youth agencies. A responsibility at the state and local level is to create and implement [child abuse](#) prevention initiatives, as well as to provide intervention services to families as appropriate in abuse and non-abuse cases.

While intervention services are provided, the county children and youth agency is responsible for delivering services and activities designed to prevent further child abuse and [neglect](#) and to provide appropriate services to help strengthen and unite families, whenever possible.

Services for Children, Youth, and Families

Introduction

SECTION 1:

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County children and youth agencies are also responsible for:

- *Investigating* suspected [child abuse](#)
- *Assessing* the need for [general protective services](#)

Services for Children, Youth, and Families

Introduction

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County Agencies Provide Two Categories of Services

General Protective Services

Child Protective Services

Those services and activities provided by the Department of Human Services and each county agency for child abuse cases.

Those services and activities provided by each county agency for cases requiring protective services as defined by the department in regulations.

Always report suspected harm to a child.

Pennsylvania provides needed services and support both for cases of child abuse or neglect and for cases of non-abuse that require support and assistance. Child welfare professionals who receive your report will determine the type of assistance needed.

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Child Protective Services (CPS)

Example:

- Six year old child arrives at the Emergency Room with burns on the back of her legs and bruises on her buttocks. The mother is unable to provide an explanation for the injuries

CPS cases

- must rise to the level of child abuse as per the Child Protective Services Law (CPSL)
- require investigation

Introduction

SECTION 1:

Law

General Protective Services (GPS)

Example:

- Mother of four children, all under the age of six, is residing in a shelter and feeling overwhelmed with the responsibilities of caring for her children. She has been known to leave the children unattended in the shelter

GPS cases

- supports and services provided when protective services are required in non-abuse cases, or those cases that do not rise to the level of child abuse as per the Child Protective Services Law (CPSL)

Introduction

SECTION 1:

Law

General Protective Services (GPS)

General Protective Services are services designed to prevent the potential for harm to a child who meets one of the following conditions:

- Is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his physical, mental, or emotional health, or morals.
- Has been placed for care or adoption in violation of law.
- Has been abandoned by his parents, guardian or other custodian.
- Is without a parent, guardian or legal custodian.
- Is habitually and without justification truant from school while subject to compulsory school attendance.

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SECTION 1:

Law

General Protective Services (GPS)

General Protective Services are services designed to prevent the potential for harm to a child who meets one of the following conditions:

- Has committed a specific act of habitual disobedience of the reasonable and lawful commands of his parent, guardian or other custodian and who is ungovernable and found to be in need of care, treatment or supervision.
- Is under 10 years of age and has committed a delinquent act.
- Has been formerly adjudicated dependent under section 6341 of the Juvenile Act (relating to adjudication), and is under the jurisdiction of the court, subject to its conditions or placements and who commits an act which is defined as ungovernable in subparagraph (vi).
- Has been referred under section 6323 of the Juvenile Act (relating to informal adjustment), and who commits an act which is defined as ungovernable in subparagraph (vi).

Introduction

SECTION 1:

**You must click on the
"Definition of Child Abuse and Related Legislation"
link before you can continue.**

The link on this slide will connect you to important information related to this training. Please take time to review this information prior to proceeding to the next slide.

Next

**Cathy A. Utz, Deputy Secretary,
Office of Children, Youth and Families, June 5, 2013**

"Protecting Pennsylvania's children from abuse and neglect is a shared responsibility that does not solely rest with the formal child protective services system. Moreover, it requires the collective collaboration of community partners and Pennsylvania citizens to provide local safety nets for children and families that are facing challenges within our communities and neighborhoods."

Protecting Children from Abuse and Neglect: A Community Responsibility

Introduction

SECTION 1:

You must click the link to review Pennsylvania's Annual Child Protective Services Reports to continue.

Next

To learn more about the number of children who have been abused or neglected in the Commonwealth, click on the link to review

Child Abuse and Neglect in Pennsylvania

Introduction

SECTION 1:

- Across the Commonwealth of Pennsylvania, high profile cases of [child abuse](#) in 2012 resulted in increased public awareness of child abuse and prompted a reexamination of the laws protecting children
- The Pennsylvania General Assembly convened the Pennsylvania Task Force on Child Protection to thoroughly review state laws and procedures governing child protection and the reporting of child abuse

Motivation for Change

Introduction

SECTION 1:

[Read or download
the report of the
Pennsylvania Task Force
for Child Protection](#)

Motivation for Change

The Task Force produced its final report in November of 2012. The report included recommended amendments to the [Child Protective Services Law](#) and other statutes.

"The primary and driving principle of these amendments is to afford children greater protection from abuse."

– Task Force Chairman David Heckler

Nov. 2012, Report of the Task Force on Child Protection

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SECTION 1:

Following receipt of the Task Force's report and recommendations, a bipartisan group of legislators from the House and Senate collaborated to draft a series of bills amending several components of the Child Protective Service Law (CPSL) and other statutes.

The legislature passed a series of bills incorporating the input of public and private stakeholders and advocates and implementing many of the Task Force's recommendations.

Motivation for Change

Introduction

SECTION 1:

Law

Statutory Amendments: Types of Change

This motivation for change resulted in significant modifications to:

In the CPSL and other statutes

The Child Protective Services Law, 23 Pa.C.S. § § 6301—6385.

- Definitions
- Timeframes
- Procedures

Introduction

SECTION 1:

You must click on the button before you can continue.

Next

The button on this slide will connect you to important information related to this training.
Please take time to review this information prior to proceeding to the next slide.

**Please click on the button to read more
about Child Welfare in Pennsylvania.**

Introduction

SECTION 1:

You must click on the "Keep Kids Safe PA" link before you can continue.

Next

Please click on the "Keep Kids Safe PA" link to continue.

To review the amended Child Protective Services Law in its entirety, click on the law button at the top of this page

To learn more about Pennsylvania's efforts to protect children, click on the link to:

Law

Introduction

SECTION 1:

Law

**In order to complete Section 1,
please answer the following review
questions.**

Introduction

SECTION 1:

1. In a state supervised, county administered state such as Pennsylvania, who is responsible for continuously assessing and/or investigating the safety and wellbeing of the child?

- a. The office of the Attorney General
- b. Local police jurisdictions
- c. County Children and Youth agencies
- d. The PA Department of Human Services

You must answer the question correctly before you can proceed

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Introduction

SECTION 1:

2. ChildLine is Pennsylvania's hotline for reporting suspected child abuse?

- a. True
- b. False

You must answer the question correctly before you can proceed

Next

Introduction

SECTION 1:

3. When does ChildLine accept reports of suspected abuse?

- a. 8:00 am – 5:00 pm, Monday thru Friday
- b. 24 hours per day, Monday thru Friday
- c. 24 hours per day, 7 days a week
- d. 5:00 pm – 8:00 am, 7 days a week

You must answer the question correctly before you can proceed

Next

Introduction

SECTION 1:

4. The county children and youth agency is responsible for investigating suspected child abuse - child protective services; and assessing the need for general protective services.

- a. True
- b. False

You must answer the question correctly before you can proceed

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SECTION 1:

5. General Protective Services provided by the county children and youth agency are services provided when protective services are required in non-abuse cases, or those cases that do not rise to the level of child abuse as per the CPSL

- a. True
- b. False

You must answer the question correctly before you can proceed

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SECTION 1:

You have completed Section 1 of
**Recognizing and Reporting Child Abuse:
Mandated and Permissive Reporting in
Pennsylvania**

Thank you!

Introduction

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Continue or Take a Break?

Defining Child Abuse

SECTION 2:

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SECTION 2:

Defining Child Abuse

Defining Child Abuse

SECTION 2:

SECTION 1:

SECTION 2:

Introduced this course on reporting [child abuse](#) in Pennsylvania, and reviewed the Commonwealth's child welfare system

Will explain child abuse as defined in Pennsylvania law

Defining Child Abuse

SECTION 2:

Section 2

- Components of Child Abuse
- Types of Child Abuse

Identify the legal definition of child abuse according to Pennsylvania's Child Protective Services Law

Section 2

Learning Objective

Next

Defining Child Abuse

SECTION 2:

There are three primary components of child abuse: a child, an act or failure to act, and a perpetrator

The Three Components of Child Abuse Are:

Defining Child Abuse

SECTION 2:

Law

The Child Protective Services Law (CPSL) defines a [child](#) as an individual under 18 years of age.

Definition: Child

Defining Child Abuse

SECTION 2:

Law

- The law considers both an act of harm to a child and the failure to act to prevent harm to a child when defining an act of child abuse
- An Act is something that is done to harm or cause potential harm to a child
- A Failure to Act is something that is not done to prevent harm or potential harm to a child

Definition: Act

Defining Child Abuse

SECTION 2:

Law

Relationship is a factor in defining perpetrators.

A perpetrator can be:

- A [parent](#) of the child
- A spouse or former spouse of the child's parent
- A [paramour](#) or former paramour of the child's parent
- A person 14 years of age or older who does not reside in the same house as the child and is responsible for the child's welfare or having direct contact with children as an employee* or child-care services, a school or through a [program, activity or service](#)

(*school employees are now included in this category)

Definition: Perpetrator

Defining Child Abuse

SECTION 2:

Relationship is a factor in defining perpetrators.
A perpetrator can be:

- An individual 18 years of age or older who does not reside in the same home as the child but is related within the [third degree of consanguinity](#) or [affinity by birth or adoption](#) to the child
- An individual 18 years of age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (114 Stat. 1466, 22 U.S.C. § 7102).

Law

Definition: Perpetrator

Defining Child Abuse

SECTION 2:

Law

When the abuse involves a *failure to act*, ONLY the following can be identified as a perpetrator:

- A [parent](#) of the child
- A spouse or former spouse of the child's parent
- A paramour or former paramour of the child's parent
- A person **18** years of age or older and responsible for the child's welfare*
- A person **18** years of age or older who resides in the same home as the child

(*school employees are now included in this category)

Definition: Perpetrator

Defining Child Abuse

SECTION 2:

Unknown and Multiple

Law

The CPSL also allows for child abuse to be indicated when the identity of the perpetrator is **unknown**, if substantial evidence of abuse by a perpetrator exists, but the department or county agency is unable to identify the specific perpetrator.

The CPSL also permits the identification of **multiple** perpetrators, when there is substantial evidence against **each** perpetrator named.

Definition: Perpetrator

Defining Child Abuse

SECTION 2:

Law

**Remember, even if you don't know who the perpetrator is, report to ChildLine!
1-800-932-0313**

A reporter is not required to provide the identity of an alleged perpetrator, if it is unknown to the reporter.

A reporter is not required to determine whether a person meets one of the previous referenced categories of perpetrator.

Definition: Perpetrator

Defining Child Abuse

SECTION 2:

Next

You must answer all questions correctly before you can proceed

1. Lucas is a:

Child

Perpetrator

Both

Neither

2. Sonya is a:

Child

Perpetrator

Both

Neither

3. Bella is a:

Child

Perpetrator

Both

Neither

Law

Directions: Read the following scenario. Then, match each of the individuals in the scenario with the appropriate term according to the definitions in the CPSL.

Nineteen-year-old Bella, while visiting the home, and twelve-year-old Sonya, who lives in the home, hit and kicked their eight-year-old step-brother, Lucas, causing deep bruises across his face, arms, and back.

Check Your Understanding

Defining Child Abuse

SECTION 2:

You may have considered the following:

- Bella is nineteen years old, is Lucas's step-sister, and does not live in the home
- Sonya is twelve years old, is Lucas's step-sister and lives in the home
- Lucas is eight years old

In this situation, did you identify one perpetrator?

- Bella is 19 years of age, the step-sister of Lucas can be a perpetrator, even though she does not live in the home
- Sonya is 12 years of age, the step-sister of Lucas, is under the age of 14 and does not meet the definition of perpetrator

How Did You Answer?

Defining Child Abuse

SECTION 2:

Next

You must answer the question correctly before you can proceed

Directions: Read the following scenario.
Then, identify the physician's correct response.

- a. Immediately report a suspicion of child abuse to ChildLine
- b. Refer family for services since the perpetrator is unknown
- c. Gather more information to prove which individual is the perpetrator
- d. Gather more information to prove that there are multiple perpetrators

An ER physician diagnosed eight-month-old Elijah with abusive head trauma. Elijah's mother was home with him until 1:00 pm. An adult babysitter was with Elijah from 1:00 pm – 3:00 pm when the father arrived home. The father took Elijah to the hospital at 5:00 p.m. All three adults deny knowing what caused Elijah's injury.

Check Your Understanding

Defining Child Abuse

SECTION 2:

You may have considered the following:

- The ER Physician diagnosed Elijah, an infant, with abusive head trauma

Next

Law

In this situation, the ER physician must immediately report a suspicion of child abuse to ChildLine

- A reporter is not required to identify the person responsible for the child abuse to make a report of suspected child abuse
- A trained child welfare professional is responsible for conducting an investigation

How Did You Answer?

Defining Child Abuse

SECTION 2:

Now that you have learned about the three components of child abuse, let's define what constitutes child abuse in Pennsylvania.

What is Child Abuse?

Defining Child Abuse

SECTION 2:

Next

You must click all the links before you can continue.

Law

What does it mean?

The law places responsibility on the individual who did something to cause harm to or endanger a [child](#) either:

Done with the direct purpose of causing the type of harm that resulted

Understanding that the harm is “practically certain to result”

Conscious disregard for foreseeable risk

What does the law say?

The legal definition of [child abuse](#) begins with "intentionally, knowingly, or recklessly".

What is Child Abuse?

Defining Child Abuse

SECTION 2:

Law

What does it mean?

The law considers two parameters, pain or impairment, when describing bodily injury.

What does the law say?

Causing bodily injury to a child through any recent act or failure to act.

Child Abuse: Bodily Injury

Defining Child Abuse

SECTION 2:

If the child experiences what a reasonable person believes to be substantial pain.

If, due to the injury, the child's ability to *function* is reduced in any way, either temporarily or permanently.

Child Abuse: Bodily Injury

How impaired?

How much pain?

or

Defining Child Abuse

SECTION 2:

Law

What does the law say?

In addition to causing a [bodily injury](#), creating reasonable *likelihood* of bodily injury to a child through any [recent act or failure to act](#) is also a type of child abuse.

What does it mean?

Bodily injury does not have to occur.

The individual's behavior creates a very good chance of abuse occurring to a child.

Child Abuse: *Likelihood* of Bodily Injury

Defining Child Abuse

SECTION 2:

Law

What does the law say?

Fabricating, feigning, or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.

What does it mean?

To make up, fake, or cause an illness to a child that results in a potentially harmful medical treatment or evaluation.

Child Abuse: Fabricating, Exaggerating, or Inducing a Medical Symptom or Disease

Defining Child Abuse

SECTION 2:

Law

What does the law say?

Causing or *substantially* contributing to serious mental injury to a child through any [act](#) or [failure to act](#) or a series of such acts or failures to act.

What does it mean?

Let's look at the criteria that help to describe what [serious mental injury](#) means.

Child Abuse: Serious Mental Injury

Defining Child Abuse

SECTION 2:

Law

A psychological condition that is diagnosed by a doctor or licensed psychologist that causes the child to be chronically and severely:

- Anxious, agitated, depressed
- Socially withdrawn, psychotic OR
- In reasonable fear for life or safety OR
- Seriously interferes with a child's ability to achieve age appropriate developmental and social tasks

What is Serious Mental Injury?

Defining Child Abuse

SECTION 2:

Law

Child Abuse: Sexual Abuse

What does the law say?

Causing sexual abuse or exploitation of a child through any act or failure to act.

What does it mean?

Causing a child to engage in or to assist another individual to engage in sexually explicit conduct as well as conversation.

Defining Child Abuse

SECTION 2:

Law

What is Sexual Abuse or Exploitation?

Some examples include:

- Nudity, looking at someone's sexual or other intimate parts, or participating in sexual acts so that the child or other individual involved is sexually aroused
- Participating in sexual acts so that pictures or videos can be taken or made
- The sexual acts don't actually have to occur. Activities such as talking about, pretending, demonstrating, depicting, or modeling would all be considered sexual acts

Defining Child Abuse

SECTION 2:

Law

What is Sexual Abuse or Exploitation?

The law provides a list of criminal offenses that are automatically considered child abuse. Advance to the next slide to view the list of criminal offenses.

Defining Child Abuse

SECTION 2:

Law

- Indecent exposure
 - Incest
 - Prostitution
 - Sexual abuse
 - Unlawful contact with a minor
 - Sexual exploitation
-
- Rape
 - Statutory sexual assault
 - Involuntary deviate sexual intercourse
 - Sexual assault
 - Institutional sexual assault
 - Aggravated indecent assault
 - Indecent assault

What is Sexual Abuse or Exploitation?

The law defines child sexual abuse or exploitation as any of the following:

Defining Child Abuse

SECTION 2:

Law

What does the law say?

Creating a *likelihood* of [sexual abuse](#) or exploitation of a child through any recent act or failure to act.

What does it mean?

Sexual abuse or exploitation does not have to occur. The individual's behavior creates a very good chance of sexual abuse or exploitation occurring to a child.

Child Abuse: *Likelihood* of Sexual Abuse or Exploitation

Defining Child Abuse

SECTION 2:

Law

What does the law say?

Causing serious physical neglect of a child.

What does it mean?

- Endangering a child's life or health
- Threatening a child's well-being
- Causing bodily injury or impairing a child's health development, or functioning due to:
 - Repeated, prolonged or egregious failure to supervise a child, considering the child's age and development
 - Failing to provide a child with adequate essential food, clothing, shelter or medical care

Child Abuse: Serious Physical Neglect

Defining Child Abuse

SECTION 2:

Law

What does the law say?

The law lists certain recent acts that are considered child abuse whenever they are done in a manner that endangers the child.

These recent acts are considered child abuse in and of themselves:

Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child

Child Abuse: Additional Specific Recent Acts

Defining Child Abuse

SECTION 2:

Law

What does the law say?

The law lists certain recent acts that are considered child abuse even if they do not result in harm to a child.

These recent acts are considered child abuse in and of themselves:

- Unreasonably restraining or confining a child
- Forcefully shaking a child under one year of age
- Forcefully slapping or striking a child under one year of age
- Interfering with the breathing of a child

Child Abuse: Additional Specific Recent Acts

Defining Child Abuse

SECTION 2:

Law

What does the law say?

The law lists certain recent acts that are considered child abuse even if they do not result in harm to a child.

These recent acts are considered child abuse in and of themselves:

Causing a child to be present at a methamphetamine laboratory that is investigated by law enforcement

Child Abuse: Additional Specific Recent Acts

Defining Child Abuse

SECTION 2:

Law

What does the law say?

The law lists certain recent acts that are considered child abuse even if they do not result in harm to a child.

These recent acts are considered child abuse in and of themselves:

Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known the individual:

- Is a Tier II or III sexual offender
- Has been determined to be a sexually violent predator
- Has been determined to be a sexually violent delinquent child
-

Child Abuse: Additional Specific Recent Acts

Defining Child Abuse

SECTION 2:

Causing the Death of the Child

What does the law say?

Causing the death of the child through any act or failure to act

Law

Child Abuse: Additional Specific Recent Acts

Defining Child Abuse

SECTION 2:

Engaging in Sex Trafficking

What does the law say?

Engaging a child in a [severe form of trafficking in persons](#) or sex trafficking, as defined by the Trafficking Victims Protection Act of 2000

Child Abuse: Additional Specific Recent Acts

Law

Defining Child Abuse

SECTION 2:

Human Trafficking: Federal and State Laws

Defining Child Abuse

SECTION 2:

((Victims of Trafficking and Violence Protection Act of 2000, 22 U.S.C. § 103(8))

Law

Human trafficking is also known as "severe forms of trafficking in persons."

The term "severe forms of trafficking in persons" means-

(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

(B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

What is Human Trafficking?

Defining Child Abuse

SECTION 2:

Labor trafficking is the, "recruitment harboring, transportation, provision or obtaining of a person for labor or services, through the use of force, fraud or coercion, for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery." (Victims of Trafficking and Violence Protection Act of 2000, 22 U.S.C. § 103(8))

Labor trafficking includes but is not limited to forcing an individual to work for little or no pay, domestic servitude, and [involuntary servitude](#). Some services that may be used for labor trafficking are child care, cooking, cleaning, yard work, and/or gardening. Children, youth, and adults can all be victims of labor trafficking.

(Pennsylvania Department of Human Services, 2016)

What is Labor Trafficking?

Defining Child Abuse

SECTION 2:

A victim of a severe form of sex trafficking is a person who is recruited, enticed, solicited, harbored, transported, provided, obtained, advertised, maintained, patronized, or solicited by the means of force, fraud, or coercion for the purpose of commercial sex OR under the age of 18.

Sex trafficking is not limited to "forced" or "pimp controlled" prostitution. A child involved in "survival sex" IS a victim of sex trafficking – the purchaser of sex from a child is "obtaining" that child for sex and is a trafficker.

Law

What is Sex Trafficking?

Defining Child Abuse

SECTION 2:

Any sex act, on account of which anything of value is given to or received by any person.

Law

What is a Commercial Sex Act?

Defining Child Abuse

SECTION 2:

Is this an example of human trafficking? Why?

Check Your Understanding

Scenario:

Maria, age 16 is the eldest child in her family of six. Her family is struggling due to her mother's recent illness. Even though Maria's father works, the medical expenses resulted in them losing their apartment. A friend of the family agreed to provide a home for the family, but only if Maria worked for him by providing cleaning services. Maria worked extremely long days cleaning houses for several families. She gives all of the money she earns to the friend of the family. Maria asks for more of her earnings, but the friend of the family threatens her and tells her that she will lose her job and the housing being provided to her family.

Please read the scenario and respond to the following question.

Next

You must answer the question before you can proceed

Defining Child Abuse

SECTION 2:

How did you answer?

Maria is a victim of human trafficking. As stated in the definition above human trafficking includes the use of children for labor services through force, fraud, or coercion. Maria is forced to work long hours and must provide the majority of her earnings to their family friend. For more information on human trafficking please select the button below.

You may have considered the following:

Human trafficking is a form of modern-day slavery where people profit from the exploitation of others. Human traffickers use force, fraud, or coercion against victims to manipulate them into engaging in commercial sex acts, or labor/services in exchange for something of monetary value (money, safety, transportation).

Defining Child Abuse

SECTION 2:

Scenario:

Shaquan has been in and out of foster care since birth due to his mother's drug addiction. At age fourteen, he runs away from his kinship home and begins to live on the streets.

Within weeks, Shaquan finds himself living in abandoned buildings and stealing food from local vendors. To avoid being caught by the police, he goes with a friend to a place where a lot of kids go to live. Shaquan quickly learns the rules of the house include doing "sexual favors". With no place else to go and fearful he could be arrested, he stays and does what he is told.

Check Your Understanding

Defining Child Abuse

SECTION 2:

Check Your Understanding

Next

You must answer the question correctly before you can proceed

Which of the following statements would apply to Shaquan?

- a. Shaquan is a victim of child abuse.
- b. Shaquan is a victim of human trafficking.
- c. Shaquan is a victim of sex trafficking.
- d. All of the above

Defining Child Abuse

SECTION 2:

How did you answer?

Shaquan is a victim of child abuse, sex trafficking, and human trafficking. Shaquan is forced to perform "sexual favors" in exchange for housing. Shaquan is younger than 18 and force, fraud, and coercion is not necessary to be considered sex trafficking. Act 115 of 2016 added engaging a child in sex trafficking as part of the definition of child abuse, so Shaquan is a victim of child abuse. All of the previous statements applied to Shaquan.

You may have considered the following:

- Shaquan is only able to live in the house if he does "sexual favors"
- Engaging a child in a severe form of trafficking in persons or sex trafficking is now part of the definition of child abuse
- Sex trafficking is a form of human trafficking

Defining Child Abuse

SECTION 2:

You only need to have reasonable cause to suspect that a child is a victim of abuse. Once a report is received, specially trained child welfare professionals will determine whether the child is a victim of abuse and what action is necessary to ensure a child's safety and well-being.

What if I'm Not Sure it is Child Abuse?

Report to Childline

Defining Child Abuse

SECTION 2:

Law

To learn more about Pennsylvania's efforts to protect children, click on the link to [Keep Kids Safe PA](#)

To review the amended Child Protective Services Law in its entirety, click on the law button at the top of this page

Defining Child Abuse

SECTION 2:

Next

**In order to complete Section 2,
please answer the following review
questions.**

Defining Child Abuse

SECTION 2:

Next

1. "According to PA law, in order for child abuse to occur there needs to be an act or failure to act, a perpetrator and a _____."

- a. Victim
- b. Adult
- c. Child
- d. Parent

You must answer the question correctly before you can proceed

Law

Defining Child Abuse

SECTION 2:

Next

2. The CPSL defines a child as an individual under the age of:

- a. 21
- b. 18
- c. 16
- d. 14

You must answer the question correctly before you can proceed

Law

Defining Child Abuse

SECTION 2:

Next

3. Which of the following is **NOT** referenced in the definition of child abuse?

- a. Forcefully
- b. Intentionally
- c. Recklessly
- d. Knowingly

You must answer the question correctly before you can proceed

Law

Defining Child Abuse

SECTION 2:

Next

4. Pain and impairment are considered when defining what types of abuse?

- a. Serious mental Injury
- b. Sexual abuse or Exploitation
- c. Serious physical neglect
- d. Bodily Injury

You must answer the question correctly before you can proceed

Law

Defining Child Abuse

SECTION 2:

Next

5. Which of the following situations would be considered child abuse?

- a. Treating a child for a medical symptom using medication prescribed by a doctor
- b. Utilizing natural remedies to treat a child's cold due to religious beliefs
- c. Reporting false medical symptoms of a child to a doctor, resulting in harmful medical treatments
- d. Reporting medical symptoms of a child to the doctor that were only observed by the babysitter

You must answer the question correctly before you can proceed

Law

Defining Child Abuse

SECTION 2:

Next

6. A psychological condition that is diagnosed by a doctor or licensed psychologist that causes the child to be chronically and severely anxious, agitated or depressed is called _____.

- a. Bodily Injury
- b. Serious mental injury
- c. Sexual abuse or Exploitation
- d. Serious physical neglect

You must answer the question correctly before you can proceed

Law

Defining Child Abuse

SECTION 2:

Next

7. Incest, prostitution, indecent exposure and involuntary deviate sexual intercourse are examples of what type of abuse?

- a. Bodily Injury
- b. Serious mental injury
- c. Sexual abuse or Exploitation
- d. Serious physical neglect

You must answer the question correctly before you can proceed

Law

Defining Child Abuse

SECTION 2:

Next

8. Kicking or biting a child in a manner that endangers the child are examples of child abuse?

- a. True
- b. False

You must answer the question correctly before you can proceed

Law

Defining Child Abuse

SECTION 2:

Next

9. The identity of the perpetrator must be known in order to make a report of suspected child abuse to ChildLine?

- a. True
- b. False

You must answer the question correctly before you can proceed

Law

Defining Child Abuse

SECTION 2:

Next

10. _____ is defined as something that is done to harm or cause potential harm to a child.

- a. Failure to act
- b. Act
- c. Perpetrator
- d. Reasonable cause

You must answer the question correctly before you can proceed

Law

Defining Child Abuse

SECTION 2:

Next

11. In Pennsylvania, in certain circumstances a fourteen year old youth can be considered a perpetrator of child abuse?

- a. True
- b. False

You must answer the question correctly before you can proceed

Law

Defining Child Abuse

SECTION 2:

Next

12. Pennsylvania has enacted legislation regarding human trafficking.

- a. True
- b. False

You must answer the question correctly before you can proceed

Law

Defining Child Abuse

SECTION 2:

Next

13. _____ is the recruitment, harboring, transportation, provision or obtaining of a person for labor or service through the use of force, fraud or coercion, for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery.

- a. Human Trafficking
- b. Labor Trafficking
- c. Sex Trafficking

You must answer the question correctly before you can proceed

Law

Defining Child Abuse

SECTION 2:

Next

14. Youth who willingly participate in sexual acts to survive are victims of sex trafficking.

- a. True
- b. False

You must answer the question correctly before you can proceed

Law

Defining Child Abuse

SECTION 2:

Next

You have completed Section 2 of
**Recognizing and Reporting Child Abuse:
Mandated and Permissive Reporting in
Pennsylvania**

Thank you!

Defining Child Abuse

SECTION 2:

Next

Continue or Take a Break?

Potential Indicators

of Abuse

SECTION 3:

SECTION 3:

Potential Indicators of Abuse

Potential Indicators

of Abuse

SECTION 3:

SECTION 2:

SECTION 3:

Explained [child abuse](#) as defined in Pennsylvania law

Discusses potential indicators of child abuse

Potential Indicators

of Abuse

SECTION 3:

Section 3

- The physical and behavior indicators of child abuse in children
- The behavioral indicators in an adult

Recognize potential indicators of [child abuse](#)

Section 3

Learning Objective

Next

Potential Indicators

of Abuse

SECTION 3:

Law

Research has identified both physical and behavioral indicators for both children who are abused and those who abuse them.

Indicators

Potential Indicators

of Abuse

SECTION 3:

Categories of Child Abuse

Lets look at some of the categories of child abuse to identify indicators. They Include:

- Bodily Injury
- Sexual Abuse or Exploitation
- Serious Mental Injury
- Serious Physical Neglect
- Human Trafficking

Potential Indicators

of Abuse

SECTION 3:

The physical signs of abuse include bruises, burns, or broken bones. However, not all abuse, even physical or sexual abuse, are apparent.

There are also behavioral indicators that may indicate that child abuse has occurred.

Many of these indicators may also occur in children who have not been abused and may not be seen in children who have been abused.

Child Indicators: Signs of Physical Abuse

Potential Indicators

of Abuse

SECTION 3:

Crosson-Tower, 2009

Physical Indicators

Behavioral Indicators

- Fear of going home
 - Extreme apprehensiveness/vigilance
 - Pronounced aggression or passivity
 - Flinches easily or avoids being touched
 - Play includes abusive behavior or talk
 - Unable to recall how injuries occurred or account of injuries is inconsistent with the nature of the injuries
 - Fear of parent or caregiver
-
- Unexplained injuries
 - Unbelievable or inconsistent explanations of injuries
 - Multiple bruises in various stages of healing
 - Bruises located on face, ears, neck, buttocks, back, chest, thighs, back of legs, and genitalia
 - Bruises that resemble objects such as a hand, fist, belt buckle, or rope
 - Injuries that are inconsistent with a child's age/developmental level
 - Burns

Child Indicators: Signs of Bodily Injury

Potential Indicators

of Abuse

SECTION 3:

Advance to the next slide to view a list of potential indicators of child sexual abuse that a concerned person might observe.

Both physical and behavioral indicators are often observed with children who have been sexually abused.

Remember these indicators are “red flags” and may be due to unrelated circumstances and conditions.

Many of these indicators may occur in children who have not been abused and may not be seen in children who have been abused.

Child Indicators: Signs of Sexual Abuse or Exploitation

Potential Indicators

of Abuse

SECTION 3:

University of Pittsburgh, 2011

- Sleep disturbances
- Bedwetting
- Pain or irritation in genital/anal area
- Difficulty walking or sitting
- Difficulty urinating
- Pregnancy
- Positive testing for sexually transmitted disease or HIV
- Excessive or injurious masturbation

- Sexually stylized behavior
- Developmental age-inappropriate sexual play and/or drawings
- Cruelty to others
- Cruelty to animals
- Fire setting
- Anxious
- Withdrawn

Physical Indicators

Behavioral Indicators

Child Indicators: Signs of Sexual Abuse or Exploitation

Potential Indicators

of Abuse

SECTION 3:

Advance to the next slide to view a list of potential indicators of child mental abuse that a concerned person might observe.

In addition to the behavioral/emotional reactions to mental abuse, there are physical indicators as well.

Remember these indicators are “red flags” and may be due to unrelated circumstances and conditions.

Many of these indicators may occur in children who have not been abused and may not be seen in children who have been abused.

Child Indicators: Signs of Serious Mental Injury

Potential Indicators

of Abuse

SECTION 3:

- Frequent [psychosomatic](#) complaints (nausea, stomachache, headache, etc.)
- Bedwetting
- Self-harm
- Speech disorders
- Expressing feelings of inadequacy
- Fearful of trying new things
- Overly compliant
- Poor peer relationships
- Excessive dependence on adults
- Habit disorders (sucking, rocking, etc.)
- Eating disorders

Physical Indicators

Behavioral Indicators

Child Indicators: Signs of Serious Mental Injury

Potential Indicators

of Abuse

SECTION 3:

Advance to the next slide to view a list of potential indicators of [neglect](#), the final category of abuse.

Remember, these indicators are “red flags” and may be due to unrelated circumstances and conditions, including poverty.

Child Indicators: Serious Mental Injury

Potential Indicators

of Abuse

SECTION 3:

Crosson-Tower, 2009

- Lack of adequate medical and dental care
- Often hungry
- Lack of shelter
- Child's weight is significantly lower than what is normal for his/her age and gender
- Developmental delays
- Persistent (untreated) conditions (e.g. head lice, diaper rash)
- Exposure to hazards (e.g., illegal drugs, rodent/insect infestation, mold)
- Clothing that is dirty, inappropriate for the weather, too small or too large
- Not registered in school
- Inadequate or inappropriate supervision
- Poor impulse control
- Frequently fatigued
- Parentified behaviors
- Delinquent behavior
- Mistrusting

Physical Indicators

Behavioral Indicators

Child Indicators: Signs of Serious Physical Neglect

Potential Indicators

of Abuse

SECTION 3:

You must play the video before you can proceed

Next

- Please click on the link to view a video from the Harvard's Center on the Developing Child
- This video, In Brief: The Science of Neglect, describes how neglect impairs children's normal development and contributes to stress in children

The Science of Serious Physical Neglect

Potential Indicators

of Abuse

SECTION 3:

The Pennsylvania Department of Human Services has identified warning signs to consider in the identification of children or youth victims of human trafficking. Please select the button below for a list of these warning signs.

Identification and Warning Signs of Human Trafficking

Potential Indicators

of Abuse

SECTION 3:

Children, who are identified as at higher risk of becoming human trafficking victims include youth:

- Who are in the foster care system
- Who identify as LGBTQ
- Who are homeless or runaway
- With disabilities
- With mental health or substance use disorders
- With a history of sexual abuse
- With a history of being involved in the welfare system
- Who identify as native or aboriginal
- With family dysfunction

(Pennsylvania Department of Human Services, 2016)

Children and Youth At Risk Populations

Potential Indicators

of Abuse

SECTION 3:

The Institute of Medicine 2013, found that homelessness is the largest risk factor for commercial sexual exploitation of minors.

According to the National Alliance to End Homelessness, "runaway and homeless children are vulnerable to CSEC both because of their young age and their circumstances. High numbers of youth who are homeless report having been solicited for prostitution and pimps have been known to actively target locations where homeless children and youth congregate, including on the streets, at foster care group homes, and at runaway and homeless shelter programs. Homeless youth are often its victims."

(The Institute of Medicine, 2013; National Alliance to End Homelessness, n.d.)

Children and Youth At Risk Populations

Potential Indicators

of Abuse

SECTION 3:

Tyler was thirteen when he found leftover oxycodone in his parents' medicine cabinet and got high for the first time. Over the next four years, he became addicted to drugs, eventually switching to heroin. His adult cousin Dwight, a drug dealer, told Tyler if he wanted to keep getting drugs, he would have to work for it.

Tyler ran away from his home and moved in with Dwight, who demanded that Tyler have sex with his customers in return for room board, and drugs. Dwight told Tyler not to tell their family about what he was doing. When Tyler tried to leave, Dwight threatened him with exposing him to his family and cutting him off drugs.

Please read the following scenario and then go to the next slide to identify the presence of any human trafficking risk factors.

Scenario

Potential Indicators

of Abuse

SECTION 3:

Which two human trafficking at-risk factors for Tyler can you identify?

Being in the foster care system

Identifying as lesbian, gay bisexual, transgender or questioning (LGBTQ)

Being homeless or runaway status

Having disabilities

Having mental health or substance use disorders

Having a history of sexual abuse

Having a history of being involved in the welfare system

Identifying as native or aboriginal, or

Experiencing family dysfunction

Next

You must answer the question correctly before you can proceed

Potential Indicators

of Abuse

SECTION 3:

How did you answer?

Tyler demonstrates the warning signs of being a homeless or a runaway because he left his parents home. Another warning sign Tyler has is a youth with mental health or substance use disorder. It is important to remember that the list on the previous page is not exhaustive and represents only a selection of possible indicators. Also, the red flags in the list may not be present in all trafficking cases and are not cumulative.

You may have considered the following:

- Tyler became addicted to oxycodone
- Tyler is 17 and ran away from his family

Potential Indicators

of Abuse

SECTION 3:

Physical

Sexual

Mental

Neglect

Crosson-Tower, 2009; University of Pittsburgh, 2011

- Substance use/abuse
- Attention-seeking
- Behaviors inappropriate for age
- Depression
- Withdrawn
- Exhibiting low self-esteem
- Poor school performance/attendance

Common Behavioral Signs that Cross Categories

Potential Indicators

of Abuse

SECTION 3:

Behavioral indicators of abuse suggest a child may have suffered maltreatment.

These indicators may have other causes and may not necessarily be abuse. However, combined with other observations, they may signal cause for concern.

Cause for Concern

Potential Indicators

of Abuse

SECTION 3:

It is important to recognize that the complex job of parenting is made more difficult when a parent or caregiver experiences challenges and risk factors such as:

- Physical, cognitive, or emotional challenges/disabilities or more than one of these factors
- Parental history of abuse
- Lack of knowledge regarding developmental norms
- Little parenting experience and lack of or inadequate role models
- Substance and/or alcohol abuse
- Interpersonal violence
- Social isolation
- Poverty

Parental/Caregiver Risk Factors

Potential Indicators

of Abuse

SECTION 3:

As a result of these risk factors and challenges, parents or caregivers' capacity for healthy relationships with their children can become impaired which may be demonstrated by one or more of the following:

- An insecure attachment between parents and caregivers and their children
- Increased anxiety and stress
- Unrealistic expectations and demands and accompanying frustration and anger
- Challenges in establishing boundaries or structure for children
- Inconsistent discipline or inappropriate interactions with children
- Erratic behavior and unpredictable moods
- Emotional impulsivity
- Impair a sense of responsibility
- Precipitate periods of unemployment and even homelessness

Parental/Caregiver Risk Factors

Potential Indicators

of Abuse

SECTION 3:

As a result of these risk factors and challenges, parents or caregivers' capacity for healthy relationships with their children can become impaired which may be demonstrated by one or more of the following:

- Emotional impulsivity
- Impair a sense of responsibility
- Precipitate periods of unemployment and even homelessness

These and other factors can overwhelm parent's or caregiver's ability to protect their children from harm and ensure their children's safety and well-being

Child Advocacy Studies: The Etiology of Child Maltreatment Module 5 PA Child Welfare Resource Center University of Pittsburgh School of Social Work (2011)

Parental/Caregiver Risk Factors

Potential Indicators

of Abuse

SECTION 3:

In addition to risk factors, research has identified behavioral indicators for [adults](#) who may abuse children. These indicators will be presented in the following categories:

- Bodily Injury
- Sexual Abuse or Exploitation
- Serious Mental Injury
- Serious Physical Neglect

Adult Indicators: Signs of Abuse

Potential Indicators

of Abuse

SECTION 3:

Crosson-Tower, 2009; Helfer & Kempe, 1976; Steele, 1997; University of Pittsburgh, 2011

There are some behavioral indicators displayed by adults that are specifically associated with physical abuse of children.

- Feelings of low self-esteem
- Interpersonal violence
- Overwhelmed by the demands of raising a medically or cognitively challenged [child](#)
- Can exhibit inconsistency in parenting
- Can be more easily frustrated/impatient
- May more easily lose control
- May use violence more frequently

Adult Indicators: Signs of Bodily Injury

Potential Indicators

of Abuse

SECTION 3:

Crosson-Tower, 2009; Helfer & Kempe, 1976; Steele, 1997; University of Pittsburgh, 2011

There are some behavioral indicators displayed by adults that are specifically associated with sexual abuse of children.

- Problems in identifying and controlling emotions
- Intimacy and social skills deficits
- Aberrant sexual fantasies
- Cognitive distortions and irrational thought patterns that result in antisocial attitudes and beliefs
- Issues with authority, vulnerability, and neediness
- Role confusion, strain, and reversal
- Inconsistent and unclear rules and behavioral norms

Adult Indicators: Signs of Sexual Abuse

Potential Indicators

of Abuse

SECTION 3:

Crosson-Tower, 2009; Helfer & Kempe, 1976; Steele, 1997; University of Pittsburgh, 2011

There are some behavioral indicators displayed by adults that are specifically associated with mental abuse of children.

- Indifference to the child
- Withholding of affection and support
- Blaming, disparaging, and rejecting
- Lack of emotional security
- Problems in relationship with partner
- Mental illness, especially depression

Adult Indicators: Signs of Mental Abuse

Potential Indicators

of Abuse

SECTION 3:

Crosson-Tower, 2009; Helfer & Kempe, 1976; Steele, 1997; University of Pittsburgh, 2011

There are some behavioral indicators displayed by adults that are specifically associated with neglect of children.

- Emotionally or physically disconnected, under-stimulating, or absent caregiver
- Lack of stable relationships
- Struggle to form close relationships
- Struggle to carry out the most basic of day to day tasks
- Limited social contacts/support system
- Lack of organizational skills and the capacity to plan
- Less able to take pride in their accomplishments

Adult Indicators: Signs of Neglect

Potential Indicators

of Abuse

SECTION 3:

Crosson-Tower, 2009; Helfer & Kempe, 1976; Steele, 1997; University of Pittsburgh, 2011

As with child behavioral indicators, there are adult behavioral indicators that are common across categories.

- Drug addiction/abuse
- Isolated
- History of abuse or neglect
- Economic stress
- Exhibits greater impulsivity

Common Behavioral Signs that Cross Categories

Physical

Sexual

Mental

Neglect

Potential Indicators

of Abuse

SECTION 3:

Report to [ChildLine](#). You only need to have a [reasonable cause to suspect](#) that a child is a victim of abuse. Once a report is received, specially trained child welfare professionals determine whether the child is a victim of abuse and what action is necessary to ensure a child's safety and well-being.

What if I'm not sure whether the signs I see indicate abuse?

Report Suspected Abuse

Potential Indicators

of Abuse

SECTION 3:

Child Abuse is Damaging

We know that [child abuse](#) is damaging and can have long-lasting effects on its victims. This does not mean they are forever damaged. Many children who are abused move on to live happy and fulfilled lives. The incredible [resilience](#) that children have allows them to do so. That is why it is so important that we do what we can to recognize when children are experiencing abuse and trauma, and report it.

Potential Indicators

of Abuse

SECTION 3:

Law

To learn more about Pennsylvania's efforts to protect children, click on the link to [Keep Kids Safe PA](#)

To review the amended Child Protective Services Law in its entirety, click on the law button at the top of this page

Potential Indicators

of Abuse

SECTION 3:

Law

**In order to complete Section 3,
please answer the following review
questions.**

Potential Indicators

of Abuse

SECTION 3:

Next

1. Both physical and behavioral indicators are often observed with children who have been sexually abused.

- a. True
- b. False

You must answer the question correctly before you can proceed

Law

Potential Indicators

of Abuse

SECTION 3:

Next

2. Unexplained injuries, multiple bruises, burns and injuries that are inconsistent with a child's age or developmental level can be physical indicators of what type of abuse?

- a. Serious Mental Injury
- b. Sexual abuse or Exploitation
- c. Bodily Injury
- d. Serious Physical Neglect

You must answer the question correctly before you can proceed

Law

Potential Indicators

of Abuse

SECTION 3:

Next

3. Fire-setting, cruelty to animals, inappropriate sexual play and or drawings can be examples of behavioral indicators for what type of abuse?

- a. Serious Mental Injury
- b. Sexual abuse or Exploitation
- c. Bodily Injury
- d. Serious Physical Neglect

You must answer the question correctly before you can proceed

Law

Potential Indicators

of Abuse

SECTION 3:

Next

4. A parent who is emotionally disconnected and neglectful of their child can result in the child assuming the parental role or becoming parentified.

a. True

b. False

You must answer the question correctly before you can proceed

Law

Potential Indicators

of Abuse

SECTION 3:

Next

5. Indicators of child abuse are not always seen in children who have been abused.

a. True

b. False

You must answer the question correctly before you can proceed

Law

Potential Indicators

of Abuse

SECTION 3:

Next

6. The caregiver withholding affection and expressing indifference to the child may be a behavioral indicator of adults who commit what type of child abuse?

- a. Serious Mental Injury
- b. Sexual abuse or Exploitation
- c. Bodily Injury
- d. Serious Physical Neglect

You must answer the question correctly before you can proceed

Law

Potential Indicators

of Abuse

SECTION 3:

Next

7. There are behavioral indicators for both children who are abused **AND** those adults who abuse children.

a. True

b. False

You must answer the question correctly before you can proceed

Law

Potential Indicators

of Abuse

SECTION 3:

Next

8. Youth who are in the foster care system are at a higher risk of becoming victims of human trafficking.

a. True

b. False

You must answer the question correctly before you can proceed

Law

Potential Indicators

of Abuse

SECTION 3:

You have completed Section 3 of
**Recognizing and Reporting Child Abuse:
Mandated and Permissive Reporting in
Pennsylvania**

Thank you!

Potential Indicators

of Abuse

SECTION 3:

Next

Continue or Take a Break?

Determining Reasonable

Cause to Suspect

SECTION 4:

SECTION 4:

Determining Reasonable Cause to Suspect

Determining Reasonable

Cause to Suspect

SECTION 4:

SECTION 3:

Identified the physical and behavior indicators of child abuse in children and the behavioral indicators in an adult

SECTION 4:

Will provide information to define and help to determine reasonable cause to suspect child abuse

Determining Reasonable

Cause to Suspect

SECTION 4:

Section 4

- Feelings
- Familiarity
- Observations
- Circumstances

Determine when to report suspected child abuse

Section 4

Learning Objective

Next

Determining Reasonable

Cause to Suspect

SECTION 4:

Law

What is reasonable cause to suspect?

The Pennsylvania Child Protective Services Law (CPSL)

The CPSL states that a person only needs to have “[reasonable cause to suspect](#)” a child is a victim of abuse to make a report.

Determining Reasonable

Cause to Suspect

SECTION 4:

Reasonable cause to suspect is more than a hunch:

It is a determination you make, based on your knowledge of *circumstances*, your *observations*, your *familiarity* with the individuals, and your *feelings* about the incident.

This information will be useful to the child welfare professionals who receive your report.

Reasonable Cause to Suspect

Determining Reasonable

Cause to Suspect

SECTION 4:

Identify the facts of the incident or pattern of events: what do you know?

Consider your observations about:

- **Who**
- **What**
- **How**
- **When**

Detailed information about the circumstances will be useful to the professionals who receive your report.

Circumstances

Determining Reasonable

Cause to Suspect

SECTION 4:

Think about:

- Indicators of abuse or “red flags” present
- Behavior and demeanor of the [child](#)
- Behavior and demeanor of the [adult](#)
- Are there any other behaviors or other observations important to notice?

Observations

Determining Reasonable

Cause to Suspect

SECTION 4:

Consider the knowledge you have about:

- The individuals
- The family situation
- Relevant history or similar prior incidents

This information will be useful to the child welfare professionals who receive your report.

Familiarity

Determining Reasonable

Cause to Suspect

SECTION 4:

Think about your feelings and personal biases and consider how they influence your conclusions and actions.

Biases and stereotypes can impact the reporting of child abuse, which can have a disproportionate impact on certain groups of children and their families.

Feelings

Determining Reasonable

Cause to Suspect

SECTION 4:

All you need is [reasonable cause to suspect](#). Information to support your concern may include the *circumstances*, your *observations*, your *familiarity* with the people and the situation, and your *feelings* and *beliefs*.

Report When You Suspect

Determining Reasonable

Cause to Suspect

SECTION 4:

But if I report, could that make things worse?

Report to [ChildLine](#). You only need a reasonable cause to suspect that a child is a victim of abuse.

The consequences of *not* reporting your concerns could seriously endanger a child's safety or even put a child's life at risk.

Once a report is received, specially trained child welfare professionals determine whether the child is a victim of abuse and what action is necessary to ensure a child's safety and well-being.

Always Report Suspected Child Abuse

Determining Reasonable

Cause to Suspect

SECTION 4:

Next

Please answer the question

Do you know what the child daycare center provider should do?

Yes, I'm confident: I know exactly what the daycare provider should do, according to Pennsylvania law.

Maybe: I'm not quite sure what the daycare provider should do.

No, I don't know: I have no idea what the daycare provider should do.

Directions: Revisit the scenario from Section 1. Then, choose the statement below that best describes your confidence level.

Trystan is an active 4 year old boy. He often arrives at his daycare center with bumps and bruises. Today, he arrived with welts and blisters on the back of his legs that resembled the shape of a strap or belt. When the daycare provider asked Trystan what happened, he didn't answer the question, but said his daddy was mad at him.

The daycare provider asked Trystan's father about the marks that evening when he picked him up from the center. He shrugged it off by saying, "you know how boys are – they play rough."

The daycare provider did not think the marks looked like they came as the result of playtime. They question in their mind how a child would have gotten welts and blisters on the backs of their legs while playing.

Check Your Understanding

Determining Reasonable

Cause to Suspect

SECTION 4:

In this situation, the child daycare provider should

REPORT TO CHILDLINE:

- The daycare provider does not think the welts and blisters match those a child might get from playing.
- They question how a child who "plays rough" would get those types of injuries on the backs of his legs.
- They recall the child saying his "daddy was mad".

If you were not sure, you may want to review this section, and revisit Sections 2 and 3 of this course.

You may have considered the following:

- Trystan has welts and blisters on the back of his legs – an unusual location for playtime injuries
- Trystan's father's explanation
- Trystan's statement that his daddy was mad

How Did You Answer?

Determining Reasonable

Cause to Suspect

SECTION 4:

Law

To learn more about Pennsylvania's efforts to protect children, click on the link to [Keep Kids Safe PA](#)

To review the amended Child Protective Services Law in its entirety, click on the law button at the top of this page

Determining Reasonable

Cause to Suspect

SECTION 4:

Law

**In order to complete Section 4,
please answer the following review
questions.**

Determining Reasonable

Cause to Suspect

SECTION 4:

Next

1. To report suspected child abuse, you only need to have a reasonable cause to suspect a child is a victim of abuse.

a. True

b. False

You must answer the question correctly before you can proceed

Law

Determining Reasonable

Cause to Suspect

SECTION 4:

Next

2. Reasonable cause to suspect is a determination you make based on: your knowledge of circumstances, your observations, your familiarity with the individuals, and _____.

- a. The results of a psychological assessment
- b. The advice of your colleagues
- c. Feelings about the situation
- d. The level of cooperation of the caretakers

You must answer the question correctly before you can proceed

Law

Determining Reasonable

Cause to Suspect

SECTION 4:

Next

3. When considering your observations and determining if you have reasonable cause to suspect child abuse, which of the following would you eliminate from consideration?

- a. "Gut feelings" or "red flags"
- b. Behavior and demeanor of the parent
- c. The ability of the family to change
- d. Behavior and demeanor of the child

You must answer the question correctly before you can proceed

Law

Determining Reasonable

Cause to Suspect

SECTION 4:

Next

4. An individual's feelings and personal biases can influence the likelihood that they will report suspected child abuse.

a. True

b. False

You must answer the question correctly before you can proceed

Law

Determining Reasonable

Cause to Suspect

SECTION 4:

Next

5. Which of the following do you need to make a report of suspected abuse of a child?

- a. Evidence the child has been abused
- b. A disclosure of abuse from a child
- c. An admission of abuse by a caretaker
- d. A reasonable cause to suspect abuse

You must answer the question correctly before you can proceed

Law

Determining Reasonable

Cause to Suspect

SECTION 4:

Next

6. If you have reasonable cause to believe a child is being abused, the **FIRST** thing you should do is?

- a. Wait and gather more information
- b. Speak with other professionals about your concern
- c. Speak with the caretakers of the child
- d. Report the suspicion to ChildLine

You must answer the question correctly before you can proceed

Law

Determining Reasonable

Cause to Suspect

SECTION 4:

You have completed Section 4 of
**Recognizing and Reporting Child Abuse:
Mandated and Permissive Reporting in
Pennsylvania**

Thank you!

Determining Reasonable

Cause to Suspect

SECTION 4:

Next

Continue or Take a Break?

The Effects of Child Abuse And Why to Report

SECTION 5:

SECTION 5:

The Effects of Child Abuse And Why to Report

The Effects of Child Abuse And Why to Report

SECTION 5:

SECTION 4:

SECTION 5:

Provides information on the effects child abuse has on a child and why child abuse should be reported

Provided information to define and help to determine reasonable cause to suspect child abuse

The Effects of Child Abuse And Why to Report

SECTION 5:

Section 5

- The effects of child abuse
- Disproportionality and Disparity

Recognize the effect of trauma on children who have been abused

Recognize how disproportionality and disparity effect the reporting of child abuse

Section 5

Learning Objectives

Next

The Effects of Child Abuse And Why to Report

SECTION 5:

Effects of Child Abuse – Development and Behavior

Child abuse is damaging in many ways and can affect every child differently. Child abuse can have an impact on a child's development and behavior. This impact can depend upon several variables including but not limited to:

- Age at onset
 - The younger the child at the onset of abuse, the more likely she/he will have serious developmental problems
- Duration of Abuse
 - The longer the period of time the child has been abused, the more severe the developmental outcomes
- Frequency of Abuse
 - The more often the child is abused, the more pervasive the effects
- Relationship to Abuser
 - The closer the relationship of the abuser to the child, the more likely the child will be negatively affected. In general, abuse by a parent has the most serious consequences

Next

The Effects of Child Abuse And Why to Report

SECTION 5:

Effects of Child Abuse – Development and Behavior

- Type of Abuse
 - The more severe the pain and the more serious the injury inflicted on the child, the more negative the psychological and physical outcomes.
- Availability of Support
 - The presence of other, non-abusive adults who can provide proper care and nurturance, either in the home or in proximity and easily available to the child, can partially mediate the negative effects of abuse.
- Constitutional Factors
 - The child's personality and temperament can affect the outcomes of abusive treatment. Some children are more resilient than others and have unusual coping strengths. Other children are more vulnerable.

You can learn more about the long-term consequences of child abuse and neglect by clicking on this link.

[Long-term Consequences of Child Abuse and Neglect](#)

Next

The Effects of Child Abuse And Why to Report

SECTION 5:

The changes in brain structure and chemical activity caused by child abuse can have a wide variety of effects on children's functioning

Effects of Child Abuse – Development and Behavior

The Effects of Child Abuse And Why to Report

SECTION 5:

Children with a persistent fear response may lose their ability to differentiate between danger and safety, and they may identify a threat in a non threatening situation

Effects of Child Abuse – Persistent Fear Response

The Effects of Child Abuse And Why to Report

SECTION 5:

When children are exposed to chronic, traumatic stress, their brains create memories that automatically trigger responses without conscious thought. These children may be highly sensitive to nonverbal cues, such as eye contact or a touch on the arm and they may be more likely to misinterpret them.

Effects of Child Abuse – Hyper arousal

The Effects of Child Abuse And Why to Report

SECTION 5:

The brain alterations caused by toxic stress can result in lower academic achievement, intellectual impairment, decreased IQ, and weakened ability to maintain attention

Effects of Child Abuse – Diminished Executive Functioning

The Effects of Child Abuse And Why to Report

SECTION 5:

Although neglect is often thought of as a failure to meet a child's physical needs for food, shelter and safety, neglect can also be a failure to meet a child's cognitive, emotional, or social needs. For children to master developmental tasks, they need opportunities and encouragement from their caregivers.

Effects of Child Abuse – Delayed Developmental Milestones

The Effects of Child Abuse And Why to Report

SECTION 5:

Children who have been maltreated may be less responsive to positive feedback.

Effects of Child Abuse – Weakened Response to Positive Feedback

The Effects of Child Abuse And Why to Report

SECTION 5:

Toxic stress can result in interactions with others becoming much more difficult. They may find it more challenging to navigate social situations and adapt to changing social contexts. They may perceive threats in safe situations more frequently and react accordingly, and they may have more difficulty interacting with others.

Effects of Child Abuse – Complicated Social Interactions

The Effects of Child Abuse And Why to Report

SECTION 5:

Law

The effects may be experienced in the form of [trauma](#).

Trauma occurs when a child experiences an intense event that threatens or causes harm to his or her emotional or physical well-being. When children have a traumatic experience, they react in both physiological and psychological ways. Some children who have experienced a traumatic event will have longer lasting reactions that can interfere with their physical and emotional health.

Effects of Child Abuse – Trauma

The Effects of Child Abuse And Why to Report

SECTION 5:

Next

Effects of Child Abuse – Development and Behavior

[The Child Welfare Information Gateway website.](#)

The "Read the full report" button will connect you to important information related to this training. Please take time to review this information prior to proceeding to the next slide.

Physical health

- Chronic health conditions
- Impaired brain development

Psychological

- Poor emotional health
- Cognitive difficulties
- Social difficulties

Behavioral

- Delinquency and criminality
- Substance abuse
- Abusive behavior

The effects of [trauma](#) can be long-lasting. A report from Child Welfare Information Gateway explains that children who experience [child abuse](#) and [neglect](#) can suffer from the following long-term effects:

You must click on "Read the full report" before you can continue.

The Effects of Child Abuse And Why to Report

SECTION 5:

Effects of Child Abuse – Early Identification

The earlier [child abuse](#) is identified, the earlier child welfare professionals can take steps to help children and families minimize the long-term effects. Early detection can also help avoid additional incidents of child abuse and decrease further traumatization.

The Effects of Child Abuse And Why to Report

SECTION 5:

Next

To learn more about the impact of trauma on brain development, please watch the video presented by the Georgetown University Center of Child and Human Development.

The links on this slide will connect you to important information related to this training. Please take time to review this information prior to proceeding to the next slide.

There are a variety of ways the [trauma](#) of abuse is experienced. We recognize the trauma another person is experiencing through the physical indicators we can see and the behavioral indicators we can experience.

To learn more about this topic, please visit the [National Child Traumatic Stress Network website](#).

You must click on "video" link before you can continue.

The Effects of Child Abuse And Why to Report

SECTION 5:

Disproportionality and Disparity

Law

- Generally speaking, disproportionality is the over- or under-representation of certain groups.
- In human services we also talk about [disparity](#). Disparity is a discrepancy, inconsistency, or imbalance of services and outcomes. In child welfare, we consider the experience of children of one race or ethnicity to those of another and find disparities in the likelihood and type of placement, length of stay, and permanency outcomes.

The Effects of Child Abuse And Why to Report

SECTION 5:

Disproportionality and Disparity

Law

- Some populations experience overrepresentation in the system (the number in the right side column is larger than the number in the left side column).
- Overrepresented groups are more likely to be reported, more likely to be accepted for services, and more likely to be removed from their family.
- Underrepresentation can also be problematic. If children or families could benefit from services, but are not reported, not accepted, and not removed, the children could experience negative outcomes.

The Effects of Child Abuse And Why to Report

SECTION 5:

Next

The "Play Video" button will connect you to important information related to this training.
Please take time to review this information prior to proceeding to the next slide.

Please click the video link to:

- Define [disproportionality](#) and disparity in the context of child welfare
- Review Pennsylvania-specific statistics
- Reflect on the biases prevalent in our society and how they may impact you as a mandated or permissive reporter

Disproportionality and Disparity in the Child Welfare System

You must watch the video to advance

The Effects of Child Abuse And Why to Report

SECTION 5:

Disproportionality and Disparity in the Reporting Process

Cultural awareness and critical thinking are key skills for a community that takes responsibility for the safety and well-being of children. Both require continual self-reflection.

While reflecting on the biases and prejudices that lead to disparities can be uncomfortable, it is essential to understanding our collective role in preventing the under-and over-representation of children in care by:

- Being aware of the cultural differences between families and in parenting
- Being aware of our own biases
- Valuing the importance of culture in a child's life

While it is important to be aware of disproportionality and disparity if you have reasonable cause to suspect that a child is the victim of abuse, you should **report**.

The Effects of Child Abuse And Why to Report

SECTION 5:

You must click on the "Keep Kids Safe PA" link before you can continue.

Next

To review the amended Child Protective Services Law in its entirety, click on the law button at the top of this page

Law

To learn more about Pennsylvania's efforts to protect children, click on the link to [Keep Kids Safe PA](#)

The Effects of Child Abuse And Why to Report

SECTION 5:

Law

**In order to complete Section 5,
please answer the following review
questions.**

The Effects of Child Abuse And Why to Report

SECTION 5:

Next

1. Children that experience the trauma of child abuse and neglect can suffer from long term effects. Which of the following is a potential long term effect?

- a. Physical Health Consequences
- b. Psychological Consequences
- c. Behavioral Consequences
- d. All of the above

You must answer the question correctly before you can proceed

Law

The Effects of Child Abuse And Why to Report

SECTION 5:

Next

2. The early identification of child abuse can result in

- a. Avoiding additional incidence of child abuse
- b. Decrease further trauma
- c. Reduce poverty
- d. A and B only

You must answer the question correctly before you can proceed

Law

The Effects of Child Abuse And Why to Report

SECTION 5:

Next

3. The traumatic effects of child abuse can last up to:

- a. 1 day
- b. 2 weeks
- c. 1 year
- d. An entire lifetime

You must answer the question correctly before you can proceed

Law

The Effects of Child Abuse And Why to Report

SECTION 5:

Next

4. There is no evidence that children of color are overrepresented in the child welfare system at alarming rates.

- a. True
- b. False

You must answer the question correctly before you can proceed

Law

The Effects of Child Abuse And Why to Report

SECTION 5:

Next

5. Which of the following is a true statement regarding disparity in the child welfare system:

- a. There is no disparity demonstrated in the child welfare system
- b. Disparity in the child welfare system is demonstrated when there is a discrepancy, inconsistency, or imbalance of services and outcomes for children according to their race or ethnicity
- c. Once a call comes in about an African American child, the report is more likely to be substantiated and that child is more likely to be removed from home and stay away from home longer than a Caucasian child.
- d. B and C

You must answer the question correctly before you can proceed

Law

The Effects of Child Abuse And Why to Report

SECTION 5:

Next

6. Some of the variables that can have an impact on how an abused child develops emotionally and behaviorally include: the relationship to the abuser, the duration of the abuse, the frequency of abuse, type of abuse and _____.

- a. The child's educational level
- b. The number of siblings
- c. The age of onset
- d. The age of the parent

You must answer the question correctly before you can proceed

Law

The Effects of Child Abuse And Why to Report

SECTION 5:

You have completed Section 5 of
**Recognizing and Reporting Child Abuse:
Mandated and Permissive Reporting in
Pennsylvania**

Thank you!

The Effects of Child Abuse And Why to Report

SECTION 5:

Next

Continue or Take a Break?

Reporting Child Abuse

SECTION 6:

SECTION 6:

Reporting Child Abuse

Reporting Child Abuse

SECTION 6:

SECTION 5:

Provided information to define and help understand why child abuse should be reported

SECTION 6:

Provides information on who should report child abuse

Reporting Child Abuse

SECTION 6:

Section 6

- Who must report suspected child abuse: mandated reporters
- Who is encouraged to report suspected child abuse: permissive reporters

Describe the roles, rights, and responsibilities of mandated and permissive reporters of suspected child abuse.

Section 6

Learning Objective

Next

Reporting Child Abuse

SECTION 6:

ANYONE with reasonable cause to suspect that a child is a victim of abuse should report.

Who should report suspected child abuse?

Reporting Abuse: The Bottom Line

Reporting Child Abuse

SECTION 6:

Law

There are two types of reporters:

- [Mandated reporters](#) are required by law to report suspected child abuse
- [Permissive reporters](#) are strongly encouraged to report suspected child abuse

We all share responsibility for protecting the children of our community from harm. Taking responsibility by reporting suspected child abuse is an important means to keep Pennsylvania's children safe, and may also serve to connect families in need to crucial services and support.

Two Types of Reporters

Reporting Child Abuse

SECTION 6:

You must click on the button to view the list of mandated reporters to continue.

Next

Law

Click below to view the full list of persons required by law to report suspected child abuse

Child Protective Services Law specifically enumerates individuals who are mandated reporters.

Mandated Reporters

Reporting Child Abuse

SECTION 6:

Law

- Many people who work in health care professions or work for a health care facility are mandated reporters.
- Persons such as medical examiners, coroners and emergency responders are explicitly listed as mandated reporters in this section.

Mandated Reporters: Health Care

Reporting Child Abuse

SECTION 6:

Law

The definition of [health care provider](#) includes

- Licensed hospitals or health care facilities
- Individuals who are licensed, certified, or otherwise regulated to provide health care services under Pennsylvania law

Definition of 'Health Care Provider'

Reporting Child Abuse

SECTION 6:

Law

- Nurse midwife
- Physician assistants
- Chiropractor
- Dentist
- Pharmacist
- Individual accredited or certified to provide behavioral health services
- Physician
- Podiatrist
- Optometrist
- Psychologist
- Physical therapist
- Certified nurse practitioner
- Registered nurse

Health Care Providers Listed Under Pennsylvania Law

Reporting Child Abuse

SECTION 6:

Law

Mandatory Reporting of Substance Exposed Infants

A health care provider shall immediately give notice or cause notice to be given to the department if the provider is involved in the delivery or care of a child under one year of age and the health care provider has determined, based on standards of professional practice, the child was born affected by:

- (1) substance use or withdrawal symptoms resulting from prenatal drug exposure; or
- (2) a Fetal Alcohol Spectrum Disorder.

Notification to the department can be made to ChildLine, electronically through the Child Welfare Portal or at 1-800-932-0313

This notification is for the purpose of assessing a child and the child's family for a plan of safe care and shall not constitute a child abuse report.

***Act 54 of 2018**

Reporting Child Abuse

SECTION 6:

Law

After notification of a child born affected by substance use or withdrawal symptoms resulting from prenatal drug exposure or a fetal alcohol spectrum disorder and prior to the child's discharge from the health care facility:

- A multidisciplinary team meeting must be held to assess the needs of the child and the child's parents and immediate caregivers.
- The most appropriate lead agency for developing, implementing, and monitoring a plan of safe care must be determined.
- The child's parents and immediate caregivers must be engaged to identify their need for access to treatment for any substance use disorder or other physical or behavioral health condition that may impact the safety, early childhood development and well-being of the child.
- Ongoing involvement of the county agency (CCYA) after taking into consideration the individual needs of the child and the child's parents and immediate caregivers may not be required.

* [Act 54 of 2018](#)

After the Health Care Provider's Notification of Substance Exposed Infants: Plan of Safe Care

Reporting Child Abuse

SECTION 6:

Next

You must click on the button before you can proceed

Law

Persons licensed or certified by state boards in any health related field are mandated reporters.

Licensed funeral directors are also mandated reporters.

Click below to see a list of state boards.

Mandated Reporters: State Board Licensed

Reporting Child Abuse

SECTION 6:

Law

School employees, for example, are mandated reporters. The definition of school includes vocational, charter, and private schools, as well as institutions of higher education.

Child daycare centers, foster and adoptive homes, boarding homes, juvenile detention centers, early intervention centers, and drug and alcohol programs are all environments where adults who have direct contact with children are named as mandated reporters in the law.

Mandated Reporters: School and Child Care

Reporting Child Abuse

SECTION 6:

Law

- The law specifies that certain individuals are mandated to report because they have direct contact with children in the course of their employment.
- Child care service, social service and public library employees are mandated to report because they have direct contact with children in the course of their employment.

Direct Contact with Children

Reporting Child Abuse

SECTION 6:

Next

You must answer the questions before proceeding

Law

Which of these individuals would be considered to have direct contact with children in the course of their employment and is a mandated reporter?

The principal of a private K-12 school

Yes, this person is mandated to report

No, this person is not mandated to report

A cafeteria monitor in the school lunchroom

Yes, this person is mandated to report

No, this person is not mandated to report

An online teacher of 3rd grade at a cyber charter school.

Yes, this person is mandated to report

No, this person is not mandated to report

Knowledge Check: Mandated Reporters

Reporting Child Abuse

SECTION 6:

Law

You may have considered the following:

- All school employees who have direct contact with children are mandated reporters.
- Just as other teachers, online teachers also supervise, guide and have routine interaction with children.
- Administrative or other support personnel in schools are not mandated reporters unless they have direct contact with children

Therefore, the principal, the cafeteria monitor, and the cyber school teacher are all mandated reporters.

How Did You Answer?

Reporting Child Abuse

SECTION 6:

Next

Please answer the question

Angel, a member of the seventh grade choir arrives to choir practice in a long sleeve shirt and long pants, although the temperature is in the high 80's. When approached by the music teacher, Angel starts crying and shows the marks on her arms that she is trying to hide. Angel shares her mother's boyfriend has been hitting her with his belt.

Question: To whom should the music teacher report this incident first?

to the vice principal

to the counselor

directly to ChildLine

Directions: Read the following scenario and answer the question.

Check Your Understanding

Reporting Child Abuse

SECTION 6:

Mandated reporters who work at institutions, schools, facilities, or agencies must report *immediately and directly to ChildLine*.

After reporting to **ChildLine**, these mandated reporters must immediately notify the person in charge or their designee of their institution, school, agency, or facility.

You may have considered the following:

The music teacher works at a school.

The music teacher has direct contact with children.

How Did You Answer?

Reporting Child Abuse

SECTION 6:

Law

A clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer or spiritual leader of any regularly established church or other religious organization is a mandated reporter.

Mandated Reporters: Spiritual Leaders

Reporting Child Abuse

SECTION 6:

Law

Some communications made to a member of the clergy are protected under Pennsylvania law. The law explains when such communication is protected and when it must be reported. Clergy cannot be compelled to disclose privileged information.

Mandated Reporters: Spiritual Leaders

Reporting Child Abuse

SECTION 6:

Next

Pastor Baker is leading a Sunday School class discussion when Ms. Wile shares a time when she was feeling spiritually challenged. She speaks of the stress she was experiencing and how that effected her two children. While sharing her story, she revealed that at least on one occasion she had lost her temper and caused bruising and bleeding on the "backside" of her 4 year old son.

Is Pastor Baker required to report?

Yes

No

You must answer the question before continuing

Check Your Knowledge

Reporting Child Abuse

SECTION 6:

You may have considered the following:

- Pastor Baker, as a spiritual leader of an established church, is a mandated reporter.
- Ms. Wile made a specific disclosure that she abused her 4 year old son.

In this situation, Pastor Baker has a reasonable cause to suspect that Ms. Wile's 4 year old son is a victim of abuse. Pastor Baker is required by law to report.

- The information was not shared as privileged communication in a confidential setting
- There was a specific disclosure that an identifiable child was the victim of child abuse
- The child victim does not have to be under the care, supervision, or guidance of the mandated reporter for the mandated reporter to be required to report suspected abuse.

How Did You Answer?

Reporting Child Abuse

SECTION 6:

Law

Program, activity or service is any of the following in which children participate and which is sponsored by a school or a public or private organization:

- A youth camp or program
- A recreational camp or program
- A sports or athletic program
- A community or social outreach program
- An enrichment or educational program
- A troop, club or similar organization

A mandated reporter includes: an individual paid or unpaid, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service, is a person responsible for the child's welfare or has [direct contact with children](#).

Mandated Reporters: Individuals, Paid or Unpaid

Reporting Child Abuse

SECTION 6:

Law

Social Service employees who have [direct contact with children](#) in the course of their employment are mandated reporters.

Foster parents, peace officers and [law enforcement officials](#) are mandated reporters.

An [adult family member](#) who is a person responsible for the child's welfare and provides services to a child in a family living home, community home for individuals with an intellectual disability or host home for children which are subject to supervision or licensure by the department.

Mandated Reporters: Social Service, Law Enforcement, and Adult Family Members

Reporting Child Abuse

SECTION 6:

Law

Employees of public libraries who have [direct contact with children](#) in the course of their employment are mandated reporters.

Mandated Reporters: Library Employees

Reporting Child Abuse

SECTION 6:

Law

An attorney is also a mandated reporter when affiliated with an agency, institution, organization, or other entity including a school or regularly established religious organization that is responsible for the care, supervision, guidance or control of children.

Mandated Reporters: Attorneys

Reporting Child Abuse

SECTION 6:

Law

Confidential communications made to an attorney continue to be protected under Pennsylvania law. The law explains when such communication is protected and when suspected child abuse must be reported.

Mandated Reporters: Attorneys

Reporting Child Abuse

SECTION 6:

Law

- Mandated reporters who have reasonable cause to suspect that a child is a victim of abuse and who are staff at a medical or other public or private institution, school, facility, or agency must themselves make an immediate and direct report to [ChildLine](#)
- After reporting to **ChildLine**, these mandated reporters must then notify the person in charge or their designee of their institution, school, agency, or facility
- The person in charge or their designee must facilitate the cooperation of the institution, school, facility, or agency with any investigation of the report
- The law imposes penalties if any person attempts to intimidate, retaliate, or obstruct an individual from reporting suspected child abuse
- No more than one report to **ChildLine** of an incident is required from the institution, school, or facility

Mandated Reporters in Institutions, Schools, Facilities, or Agencies

Reporting Child Abuse

SECTION 6:

Law

Those individuals who are supervised or managed by other mandated reporters

AND

have direct contact with children in their employment

ARE ALSO

mandated reporters

Individuals Supervised By Mandated Reporters

Reporting Child Abuse

SECTION 6:

Law

Independent Contractors are Mandated Reporters when they provide:

- Programs, activities or services to agencies, institutions, organizations or other entities, such as schools or religious organizations that are responsible for the care, supervision, guidance, or control of children.
- Administrative or other support personnel in schools are not mandated reporters unless they have direct contact with children

Independent Contractors are Mandated Reporters

Reporting Child Abuse

SECTION 6:

Next

You may now proceed by clicking the next button

Directions: Place the steps of the process for mandated reporters who are staff at institutions, schools, facilities, or agencies in the correct order.

Report to Childline

Report to institution, school, facility or agency administrator

Childline Determines Next Steps

You have to answer correctly before proceeding

Mandated Reporters Process for Reporting Child Abuse

Your answer is still not correct and you have exhausted all of your attempts.

The correct order is:

3

1

2

Reporting Child Abuse

SECTION 6:

Law

Mandated reporters must report when they:

- Come in contact with a child in the course of employment, occupation, and practice of a profession or through a regularly scheduled program or service
- Are directly responsible for the care, supervision, guidance, or training of the child, or are affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child

Mandated Reporter: Basis to Report

Reporting Child Abuse

SECTION 6:

Law

Mandated reporters must report when:

- A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse
- An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse

Mandated Reporter: Basis to Report

Reporting Child Abuse

SECTION 6:

Next

Please answer the question

Is Deana required to make a report?

Yes

No

Check Your Knowledge: The Requirement to Report

Directions: Read the following two scenarios. Answer the question that follows each scenario.

Deana is a therapist in private practice.

During a counseling session, Deana's client, Mia, age 16, tells Deana that she has been touching her 8 year old sister's "private parts". The 8 year old is not under the care, guidance or supervision of Deana or her agency.

Reporting Child Abuse

SECTION 6:

Law

How Did You Answer?

In this situation, Deana has a reasonable cause to suspect that Mia's sister is a victim of abuse.

Deana is required by law to report.

- A mandated reporter must report suspected child abuse when an individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.
- The child victim does not have to be under the care, supervision, or guidance of the mandated reporter for the mandated reporter to be required to report suspected abuse.

You may have considered the following:

- Deana, as a professional therapist in private practice, is a mandated reporter.
- Mia, who is over age 14, made a specific disclosure that she abused her sibling.

Reporting Child Abuse

SECTION 6:

Next

Please answer the question

Is Deana required to make a report?

Yes

No

Check Your Knowledge: The Requirement to Report

After work, Deana attended an exercise class. Her instructor told her that her 9 year old nephew, Michael, who lives with her, came home after visiting with his mom with a black eye and bruises on his face and arms. Michael did not provide any details to his aunt but did acknowledge his mom hit him.

Reporting Child Abuse

SECTION 6:

Law

You may have considered the following:

- Deana, as a professional therapist in private practice, is a mandated reporter
- The exercise teacher's disclosure, made to Deana outside of her work, included an identifiable child

How Did You Answer?

In this situation, Deana has a reasonable cause to suspect that Michael is a victim of abuse.

Deana is required by law to report.

- A mandated reporter *must* report suspected child abuse in certain situations outside of their work when a person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse
- The child victim does not have to be under the care, supervision, or guidance of the mandated reporter for the mandated reporter to be required to report suspected abuse

Reporting Child Abuse

SECTION 6:

Next

Please answer the question

Is Maryann required to report the incident even though she is off work?

Yes

No

Check Your Knowledge: Reporting child abuse

Maryann is a contracted therapist for a children's residential treatment program. While grocery shopping with her husband after work, she witnesses a woman from her neighborhood, Debra slap her young son, Levi across the face. Because Levi does not stop crying, Debra begins yelling and "yanks" Levi out of the grocery cart by his arm. He falls to the floor; banging his nose against the grocery cart causing it to bleed. Debra "grabs" Levi and begins shaking him uncontrollably while yelling.

Reporting Child Abuse

SECTION 6:

Law

You may have considered the following:

- Maryann has reasonable cause to suspect that an identifiable child is a victim of child abuse
- Maryann meets the definition of mandated reporter as an independent contractor for an agency that is responsible for the care, supervision, guidance or control of children
- Maryann must contact ChildLine immediately
- Maryann may also contact the local law enforcement.

How Did You Answer?

Being a mandated reporter does not stop when we leave work.

Reporting Child Abuse

SECTION 6:

Next

Amelia is an emergency room nurse at the local hospital. One day, she is treating a sixteen year old girl, Jade for a twisted ankle. Jade tells Amelia that she is worried about her five year-old sister and explains that she got angry with her sister last night and hit her hard enough to leave marks on her sister's back, legs and arms.

Is Amelia required to report?

Yes

No

You must answer the question before continuing

Check Your Knowledge: The Requirement to Report

Reporting Child Abuse

SECTION 6:

You may have considered the following:

- Amelia, as a nurse, is a mandated reporter
- Jade, who is over age 14, made a specific disclosure that she abused her sibling

In this situation, Amelia has a reasonable cause to suspect that Jade's sister is a victim of abuse.

- Amelia is required by law to report.
- A mandated reporter must report suspected child abuse when an individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.
- The child victim does not have to be under the care, supervision, or guidance of the mandated reporter for the mandated reporter to be required to report suspected abuse.

How Did You Answer?

Reporting Child Abuse

SECTION 6:

Next

You must answer the question before continuing

Is Troy required to report?

Yes

No

Troy is a volunteer at a school where he regularly provides tutoring. One of the students, Rosita, tells Troy that her mother burned her brother, 3-year-old Miguel, on his buttocks with a curling iron because he was misbehaving. Rosita states that Miguel screamed and cried. In this instance is Troy required to report?

Check Your Knowledge: The Requirement to Report

Reporting Child Abuse

SECTION 6:

In this situation, Troy is a mandated reporter

He has a reasonable cause to suspect that Miguel is a victim of abuse. Troy is required by law to report.

- A mandated reporter must report suspected child abuse in certain situations when a person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse
- The child victim does not have to be under the care, supervision, or guidance of the mandated reporter for the mandated reporter to be required to report suspected abuse

You may have considered the following:

- Troy comes in contact with a child through a regularly scheduled program, activity, or service
- Troy is directly responsible for the care, supervision, guidance, or control of the child
- Rosita's disclosure involved an identifiable child

How Did You Answer?

Reporting Child Abuse

SECTION 6:

Law

- a child to "come before" mandated reporters for them to make a report of suspected child abuse
- the mandated reporter to identify the person responsible for the child abuse to make a report

The Law Does Not Require:

Reporting Child Abuse

SECTION 6:

You must click on the button before you can proceed

Next

Law

- Licensing boards with jurisdiction over professional licensees who are [mandated reporters](#) under the CPSL must:
 - Require those individuals applying for a license or certification to complete at least three hours of approved child abuse and reporting continuing education
 - Individuals seeking renewal of a license or certification must complete at least two hours of approved child abuse and reporting continuing education
- These continuing education requirements must be completed by each licensee as part of their biennial license renewal

Mandated Reporter Training Requirements

Reporting Child Abuse

SECTION 6:

Mandated Reporter Training Requirements

Law

Additional individuals required to participate in training approved by the [Department](#) include:

- Operators of child-serving institutions, facilities or agencies that DHS licenses, approved or registers
- Employees having [direct contact with children](#) in child-serving institutions, facilities or agencies that DHS licenses, approved or registers
- Caregivers and employees in family day care homes
- Foster parents
- Adult family member who is responsible for the child's welfare and is providing services to a child in a family living home, a community home for individuals with an intellectual disability or a host home which is subject to supervision or licensure by the Department

Reporting Child Abuse

SECTION 6:

Mandated Reporter Training Requirements

Law

- **New employees** having direct contact with children in child-serving institutions, facilities or agencies that DHS licenses, approved or registers **and new foster parents** must receive **three** hours of training within **90** days of hire or approval and three hours of training every **five** years thereafter
- Prospective operators of child-serving institutions, facilities or agencies or family day care homes that DHS licenses, approved or registers must receive **three** hours of training **prior** to the issuance of a license, approval or registration certificate and **three** hours of training every **five** years thereafter

Reporting Child Abuse

SECTION 6:

Mandated Reporter Training Requirements

Law

Beginning July 1, 2015, the following must receive three hours of training prior to the re-issuance of a license, approval or registration certificate and three hours of training every five years thereafter:

- Current operators of child-serving institutions, facilities, or agencies that DHS licenses, approved or registers
- Current employees having direct contact with children in child-serving institutions, facilities, or agencies that DHS licenses, approved or registers
- Current caregivers and employees in family day care homes
- Current foster parents
- Adult family member who is responsible for the child's welfare and is providing services to a child in a family living home, a community home for individuals with an intellectual disability or a host home which is subject to supervision or licensure by the department

Reporting Child Abuse

SECTION 6:

Law

To learn more about these training requirements and other sources of training visit the Keep Kids Safe PA Website by clicking on the link below.

Mandated Reporter Training Requirements

Reporting Child Abuse

SECTION 6:

Please consider each of the categories of [mandated reporters](#) that were previously presented before concluding that you are not a mandated reporter.

If you are not a [mandated reporter](#), you are considered a [permissive reporter](#). In Pennsylvania, you are encouraged to make a report of suspected [child abuse](#), regardless of professional affiliation.

Once a report is received, specially trained child welfare professionals determine whether the child is a victim of abuse.

Are you a Mandated or a Permissive Reporter?

Reporting Child Abuse

SECTION 6:

Protecting children from abuse is a community responsibility. A concerned neighbor, friend, witness, or bystander who reports suspected harm to a child may be the first person to step forward and make help available.

Reporting Suspected Child Abuse is a Community Responsibility

Reporting Child Abuse

SECTION 6:

Permissive reporters should make reports of suspected child abuse to ChildLine by telephone. How to report will be covered in Section 9.

Mandated reporters must make a report of suspected child abuse to ChildLine and this report can be made electronically through the Child Welfare Portal. How to report will be covered in Section 9.

Preferred Ways to Report to ChildLine

ChildLine
1-800-932-0313

Reporting Child Abuse

SECTION 6:

Law

To learn more about Pennsylvania's efforts to protect children, click on the link to [Keep Kids Safe PA](#)

To review the amended Child Protective Services Law in its entirety, click on the law button at the top of this page

Reporting Child Abuse

SECTION 6:

Law

**In order to complete Section 6,
please answer the following review
questions.**

Reporting Child Abuse

SECTION 6:

Next

1. School employees are mandated reporters and must therefore, contact ChildLine as their first step when reporting child abuse.

- a. True
- b. False

You must answer the question correctly before you can proceed

Law

Reporting Child Abuse

SECTION 6:

Next

2. Which of the following would be considered a permissive reporter?

- a. Librarian
- b. Funeral Director
- c. School employee
- d. Parent

You must answer the question correctly before you can proceed

Law

Reporting Child Abuse

SECTION 6:

Next

3. Which of the following is a circumstance which requires a health care provider to immediately give notice or cause notice to be given to the department for an infant under one year of age and the health care provider has determined, based on standards of professional practice, that the child was born affected by:

- a. Substance use or withdrawal symptoms resulting from prenatal drug exposure
- b. Fetal Alcohol Spectrum Disorder.
- c. Both A and B
- d. None of the above

You must answer the question correctly before you can proceed

Law

Reporting Child Abuse

SECTION 6:

Next

4. Only employed athletic coaches who work with children are considered mandated reports under the Pennsylvania law.

- a. True
- b. False

You must answer the question correctly before you can proceed

Law

Reporting Child Abuse

SECTION 6:

Next

5. A mandated reporter is at a family picnic and a friend identifies a child who is being sexually abused. Which of the following fulfills the responsibility of the mandated reporter?

- a. Call ChildLine when they return to work
- b. Tell a friend to call ChildLine
- c. Go to a phone and call ChildLine
- d. Do nothing because they are at a picnic

You must answer the question correctly before you can proceed

Law

Reporting Child Abuse

SECTION 6:

Next

6. If a person who does data entry for a computer company and has no role with children witnesses their neighbor slap their child, are they a mandated or permissive reporter of child abuse?

- a. Mandated
- b. Permissive

You must answer the question correctly before you can proceed

Law

Reporting Child Abuse

SECTION 6:

Next

7. A mandated reporter must report when a child of what age makes a specific disclosure that they have committed child abuse?

- a. 11
- b. 12
- c. 13
- d. 14

You must answer the question correctly before you can proceed

Law

Reporting Child Abuse

SECTION 6:

You have completed Section 6 of
**Recognizing and Reporting Child Abuse:
Mandated and Permissive Reporting in
Pennsylvania**

Thank you!

Reporting Child Abuse

SECTION 6:

Next

Continue or Take a Break?

Reporter Rights and

Responsibilities

SECTION 7:

SECTION 7:

Reporter Rights and Responsibilities

Reporter Rights and

Responsibilities

SECTION 7:

SECTION 6:

Described mandated and permissive reporters

SECTION 7:

Will describe the legal responsibilities, rights, and protections for reporters of suspected [child abuse](#)

Reporter Rights and

Responsibilities

SECTION 7:

Section 7

- Protections for Reporters
- Mandated Reporters: Failure to Report
- Mandated Reporters: [Right to Know](#)

Recognize the protections and consequences related to reporting child abuse

Section 7

Learning Objective

Next

Reporter Rights and

Responsibilities

SECTION 7:

Law

Protections for All Reporters

- Pennsylvania law protects all reporters of suspected child abuse
- When a report is made in “[good faith](#),” a reporter is immune from civil or criminal liability
- Mandated reporters who make reports of suspected child abuse or of a crime against a child are not in violation of the Mental Health Procedures Act by releasing information necessary to complete the report
- The law imposes penalties if any person attempts to intimidate, retaliate, or obstruct an individual from reporting suspected child abuse
- A reporter may also take action for appropriate relief if discharged from employment or discriminated against in any other way as a result of making a report of suspected child abuse

Reporter Rights and

Responsibilities

SECTION 7:

Law

Reporters are protected by strict confidentiality provisions. Amendments to the CPSL prohibit the Department, county, institution, school, facility, or agency or designated agent of the person in charge from identifying the person who made a report of suspected abuse or who cooperated in a subsequent investigation.

Protections: Confidentiality

Reporter Rights and

Responsibilities

SECTION 7:

Law

A mandated reporter who makes a report of suspected [child abuse](#) has the right to receive information about the final status of the report and about services provided or arranged to protect the [child](#).

However, a mandated reporter who makes a report that results in an assessment for general protective services does not have the right to receive information about the final status.

Mandated Reporters: Right to Receive Information

Reporter Rights and

Responsibilities

SECTION 7:

Law

The Department must notify the mandated reporter of the final status of a report, and about services provided or arranged, within three (3) business days after receiving the final results of an investigation.

Right-to-Know: DHS Responsibility

Reporter Rights and

Responsibilities

SECTION 7:

Law

The Department is also responsible for notifying school administrators and child care service employers of the following:

- If the alleged perpetrator is a school employee or child care service employee, the department must provide notification of the pending allegation and the final status of the report following the investigation as to whether the report is indicated, founded, or unfounded
- The notification must be provided within 10 days of the completion of the investigation

If the perpetrator is a school employee, the department also must provide notice of the final status of the report to the department of education within 10 days of the completion of the investigation.

Department of Human Services Notification Responsibilities

Reporter Rights and

Responsibilities

SECTION 7:

The "Law" icon will connect you to important information related to this training. Please take time to review this information prior to proceeding to the next slide.

Next

Law

Mandated Reporters: Failure to Report

- Mandated reporters are required by law to report when they have reasonable cause to suspect a child is the victim of abuse
- A mandated reporter who willfully fails to make a report of suspected child abuse could face legal penalties, including fines and/or incarceration
- These penalties increase with repeated violations
- The statute of limitations for an offense under this section shall be either the statute of limitations for the crime committed against the minor child or five years, whichever is greater.

You must click on the "Law" icon before you can continue.

Reporter Rights and

Responsibilities

SECTION 7:

Maximum penalty associated with committing a Felony of the Third Degree in Pennsylvania:

Not more than seven years in prison and up to \$15,000 in fines

Maximum penalty associated with committing a Misdemeanor of the Second Degree in Pennsylvania:

Not more than two years in prison and up to \$5,000 in fines

Failure to Report

The offense is a felony of the third degree if the person or official willfully fails to report; the child abuse constitutes a felony of the first degree or higher; and the person or official has direct knowledge of the nature of the abuse.

An offense not otherwise specified previously is a misdemeanor of the second degree.

If a mandated reporter makes a report to law enforcement or the appropriate county in lieu of a reporting to ChildLine, this is not an offense under this subsection, as long as the report was made in a good faith effort to comply with the requirements to report

Act 88 of 2019 Effective January 25, 2020

Law

Reporter Rights and

Responsibilities

SECTION 7:

Maximum penalty associated with committing a Felony of the Third Degree in Pennsylvania:

Not more than seven years in prison and up to \$15,000 in fines

Maximum penalty associated with committing a Felony of the Second Degree in Pennsylvania:

Not more than ten years in prison and up to \$25,000 in fines

- If child abuse continues because a mandated reporter willfully fails to report their knowledge of or reasonable cause to suspect child abuse, or while the person knows or has reasonable cause to suspect that the same individual continues to have direct contact with children through the individual's employment, program, activity or service, the mandated reporter commits a felony of the third degree.
- Except that if the child abuse constitutes a felony of the first degree or higher, the person commits a felony of the second degree.

Act 88 of 2019 Effective January 25, 2020

Law

Continual Failure to Report

Reporter Rights and

Responsibilities

SECTION 7:

- A person who, at the time of sentencing, has been convicted of a prior offense, commits a Felony of the Third Degree,
- Except, that if the Child Abuse constitutes a Felony of the First Degree or Higher, the penalty for the second or subsequent offenses is a Felony of the Second Degree.

Act 88 of 2019 Effective January 25, 2020

Law

Multiple Failures to Report Offenses

Maximum penalty associated with committing a Felony of the Third Degree in Pennsylvania:

Not more than seven years in prison and up to \$15,000 in fines

Maximum penalty associated with committing a Felony of the Second Degree in Pennsylvania:

Not more than ten years in prison and up to \$25,000 in fines

Reporter Rights and

Responsibilities

SECTION 7:

Law

To learn more about Pennsylvania's efforts to protect children, click on the link to [Keep Kids Safe PA](#)

To review the amended Child Protective Services Law in its entirety, click on the law button at the top of this page

Reporter Rights and

Responsibilities

SECTION 7:

Law

**In order to complete Section 7,
please answer the following review
questions.**

Reporter Rights and

Responsibilities

SECTION 7:

Next

1. Strict confidentiality provisions **prevent** which of the following:
 - a. The mandated reporter from being able to receive information regarding the final status of the report
 - b. The department or any designated agent of the person in charge from identifying the person who made the report of suspected child abuse or cooperated in a subsequent investigation
 - c. The mandated reporter from receiving information about the services provided or arranged to protect the child identified in the report
 - d. The mandated reporter from providing ChildLine with the name of alleged perpetrator of child abuse

You must answer the question correctly before you can proceed

Law

Reporter Rights and

Responsibilities

SECTION 7:

Next

2. A mandated reporter who makes a report of suspected child abuse has the right to receive information about the final status of the report and about services provided or arranged to protect the child.

- a. True
- b. False

You must answer the question correctly before you can proceed

Law

Reporter Rights and

Responsibilities

SECTION 7:

Next

3. The PA Department of Human Services must notify the mandated reporter of the final status of a report within:

- a. 30 business days after receiving the final results of the investigation
- b. 14 business days (2 weeks) after receiving the final results of the investigation
- c. 24 hours after receiving the final results of the investigation
- d. 3 business days after receiving the final results of the investigation

You must answer the question correctly before you can proceed

Law

Reporter Rights and

Responsibilities

SECTION 7:

Next

4. A mandated reporter who willfully fails to make a report of child abuse when they suspect may face legal penalties.

- a. True
- b. False

You must answer the question correctly before you can proceed

Law

Reporter Rights and

Responsibilities

SECTION 7:

**You have completed Section 7 of
Recognizing and Reporting Child Abuse:
Mandated and Permissive Reporting in
Pennsylvania**

Thank you!

Reporter Rights and

Responsibilities

SECTION 7:

Next

Continue or Take a Break?

After You Report

SECTION 8:

SECTION 8:

After You Report

After You Report

SECTION 8:

SECTION 8:

SECTION 7:

Looked at the protections and consequences related to the reporting of child abuse

Will describe what happens to your report after it is received by [ChildLine](#)

After You Report

SECTION 8:

Section 8

- ChildLine's Receipt, Determination, and Transmission of reports of suspected [child abuse](#)
- County agency response when a report is transmitted from [ChildLine](#)

Recognize the process that follows after a report is made
Understand the roles and responsibilities of the county
agency once a report is received

Section 8

Learning Objective

After You Report

SECTION 8:

Permissive reporters report by telephone to [ChildLine](#)

Mandated reporters are encouraged to report electronically to [ChildLine](#)

Reports to ChildLine

After You Report

SECTION 8:

Law

[ChildLine](#) receives the report and determines who is to respond to the report, dependent upon the information reported, such as the identity, if known, of the person who [allegedly](#) acted to abuse or harm a child.

After You Report: ChildLine

After You Report

SECTION 8:

Law

If [ChildLine](#) receives the report it will immediately transmit the information to the appropriate [county agency](#) and/or [law enforcement](#), if the report also alleges that a criminal offense has been committed against a child.

After You Report: ChildLine

After You Report

SECTION 8:

Law

- If a person identified falls under the definition of [perpetrator](#), ChildLine will refer the report to the appropriate [county agency](#) for an investigation
- If the person identified is not a perpetrator and the behavior reported includes a violation of a [crime](#), ChildLine will refer the report to [law enforcement officials](#)
- If a person identified falls under the definition of [perpetrator](#) and the behavior reported includes a criminal violation, ChildLine will refer the report to the appropriate [county agency](#) and [law enforcement officials](#)

After You Report: Transmission of Reports

After You Report

SECTION 8:

Law

After You Report: Protective Services

When a report indicates that child abuse did not occur, but the child may be in need of other protective services, commonly referred to as "general protective services," the child welfare professional will assess the needs of the child and take action to provide any appropriate support.

After You Report

SECTION 8:

Law

General Protective Services

General Protective Services are services designed to prevent the potential for harm to a child who meets one of the following conditions:

- Is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his physical, mental, or emotional health, or morals.
- Has been placed for care or adoption in violation of law.
- Has been abandoned by his parents, guardian, or other custodian.
- Is without a parent, guardian, or legal custodian.
- Is habitually and without justification truant from school while subject to compulsory school attendance.

After You Report

SECTION 8:

Law

General Protective Services

General Protective Services are services designed to prevent the potential for harm to a child who meets one of the following conditions:

- Has committed a specific act of habitual disobedience of the reasonable and lawful commands of his parent, guardian, or other custodian and who is ungovernable and found to be in need of care, treatment or supervision
- Is under 10 years of age and has committed a delinquent act
- Has been formerly adjudicated dependent under section 6341 of the Juvenile Act (relating to adjudication), and is under the jurisdiction of the court, subject to its conditions or placements and who commits an act which is defined as ungovernable in subparagraph (vi)
- Has been referred under section 6323 of the Juvenile Act (relating to informal adjustment), and who commits an act which is defined as ungovernable in subparagraph (vi)

After You Report

SECTION 8:

Law

After You Report: Transmission of Reports

If a report indicates that general protective services are needed, [ChildLine](#) will refer the report to the proper [county agency](#) to assess the needs of the child and provide services, when appropriate.

After You Report

SECTION 8:

Next

ChildLine receives a report stating that Leanne occasionally has to leave for work a couple of hours before her nine year old son, Tyler gets picked up for school. The report does not identify any harm to Tyler.

ChildLine will likely refer the report to:

- a. County agency for a CPS investigation of serious physical neglect.
- b. County agency and law enforcement for an CPS and criminal investigation of serious physical neglect.
- c. County agency to assess for GPS to determine Tyler's needs and the provision of services, if appropriate.

You must answer the question before continuing

Check Your Knowledge: The Requirement to Report

After You Report

SECTION 8:

- Serious physical neglect involves those instances when the allegations indicates that there is repeated, prolonged or egregious failure to supervise a child, considering the child's age and development.
- General protective services (GPS) assessments are conducted when a report indicates a child is without proper parental care.
- If the county identifies additional information during the assessment, the matter can be referred for a child abuse (CPS) investigation and/or a criminal investigation, as needed.

You may have considered the following:

- Tyler's age
- Frequency of the reported lack of supervision
- The lack of harm to Tyler

How Did You Answer?

After You Report

SECTION 8:

The county agency may receive reports regarding incidents occurring outside of Pennsylvania involving children and/or alleged [perpetrators](#) who reside in Pennsylvania.

The CPSL amendments outline the child welfare professional's responsibilities when these reports are made.

Incidents Occurring Out-of-State

After You Report

SECTION 8:

Law

After You Report: County Agency Actions

Upon receipt of a report involving a person who is defined as a [perpetrator](#), a child welfare professional will consider multiple factors to determine whether a child is a victim of abuse, including whether any [exclusions](#) described in the law may apply.

It is NOT a reporter's responsibility to consider exclusions.

After You Report

SECTION 8:

Law

After You Report: County Agency Actions

When a [health care provider](#) reports an infant to a county agency, the law requires the agency to take these actions:

- Ensure the safety of the child immediately
- See the child within 48 hours of receipt of the report
- Contact the parents of the child within 24 hours of receipt of the report
- Provide necessary services for the child

After You Report

SECTION 8:

Law

After You Report: Joint Investigations

If a report involves a [perpetrator](#) and the behavior reported includes a criminal violation, the child welfare professional and [law enforcement](#) will jointly investigate the report.

It is NOT a reporter's responsibility to determine if the person who [allegedly](#) committed [child abuse](#) or harm to a child is a perpetrator.

After You Report

SECTION 8:

Next

Directions: Please select the correct response for each perpetrator and/or criminal offense

You must answer the questions before continuing

Check your understanding

- A) The CCYA assesses for protective services or public agency for appropriate action
- B) The CCYA and law enforcement officials jointly investigate the allegation
- C) The county children and youth agency (CCYA) investigates the allegations
- D) Law enforcement officials investigate the allegations

After You Report

SECTION 8:

Law

Receipt of Reports by a County Agency

- When a report is made directly to a county agency and not **ChildLine**, after ensuring the safety of the child and any other child in the child's home, the county agency must immediately notify the Department of the report
- If the report was given over the phone, the county agency must attempt to collect as much of the information listed in "contents of report" as possible and submit the information to the department within 48 hours by written report or by electronic technologies

After You Report

SECTION 8:

Law

After You Report: Notification of Investigation

The county agency must orally notify the subject of the report of the right to have an attorney present during the interview prior to interviewing the subject.

This requirement does not apply to the alleged victim.

After You Report

SECTION 8:

Law

After You Report: Prompt Access to Information: Photographs, Medical Tests and X-rays

When photographs, medical summaries, radiological examinations and/or other medical tests are available, they must be provided to the county agency at the time the written report is sent, or within 48 hours after a report is made by electronic technologies or as soon thereafter as possible.

After You Report

SECTION 8:

CPSL amendments require certified medical practitioners and [county agencies](#) to share information *under circumstances that negatively affect the medical health of a child*:

- When an assessment for [general protective services](#) or a [child abuse](#) investigation is being conducted, or when the family has been accepted for services by a county agency, a certified medical practitioner must promptly provide the county agency with information, including:
 - Relevant medical information known to the licensed practitioner regarding the child's prior and current health
 - Information from a subsequent examination
 - Information regarding treatment of the child
 - Relevant medical information regarding any other child in the household, where such information may contribute to the assessment, investigation, or provision of services by the county agency to the child or other children in the household
- Parental consent is *not* required for the certified medical practitioner to provide this information

Law

After You Report: Information Sharing

After You Report

SECTION 8:

Law

In circumstances that negatively affect the medical health of a child, the county agency *must* notify the certified medical practitioner who is the child's primary care provider, if known, of the following:

- The final status of any assessment of [general protective services](#) or an [investigation](#) of child abuse, if the report of child abuse is [indicated](#) or [founded](#)
- Information on an [unfounded report](#) of child abuse if the licensed certified medical practitioner made the report as a mandated reporter under Section 6311
- If accepted for services, any service provided, arranged for or to be provided by the county agency

After You Report: Information Sharing

After You Report

SECTION 8:

If requested by the child's primary care physician or a licensed certified medical practitioner who is providing medical care to the child, the county agency, to ensure the proper medical care of the child, shall provide the following information as it pertains to circumstances which negatively affect the medical health of the child:

- The identity of other licensed certified medical practitioners providing medical care to the child, so as to obtain the child's medical records and allow for coordination of care between medical practitioners

Law

After You Report: Information Sharing

After You Report

SECTION 8:

A certified medical practitioner must promptly provide the county agency with information when an assessment for general protective services or a child abuse investigation is being conducted, or when the family has been accepted for services by a county agency.

- a. True
- b. False

Next

You must answer the question before you can continue

Check Your Understanding

After You Report

SECTION 8:

You must answer the question before you can continue

In circumstances that negatively affect the medical health of a child, what information must a county agency provide to a child's primary care physician or a licensed certified medical practitioner who is providing medical care to the child to provide for coordination of care?

- a. Parental medical histories, specifically history of substance abuse
- b. A list of services provided to other children in the family over the course of the past year
- c. The identity of other licensed certified medical practitioners who provide medical care to the child
- d. The number of people living in the child's household

Next

Check Your Understanding

After You Report

SECTION 8:

Law

After You Report: Provision of Services

In addition to investigating child abuse and assessing for general protective services the county agency is responsible for:

- Providing protective services to prevent further abuses to children
- Providing or arranging for and monitoring the provision of services necessary to safeguard children
- Ensuring the well-being and development of children and to preserve and stabilize the family life whenever appropriate

After You Report

SECTION 8:

Next

Law

Pennsylvania's Child Welfare Practice Model

To accomplish these tasks, Pennsylvania has implemented a Child Welfare Practice Model.

This model supports a team approach and emphasizes modeling the values and principles of child welfare practice at every level and across all partnerships.

After You Report

SECTION 8:

Pennsylvania's Child Welfare Practice Model

Pennsylvania's Child Welfare Practice Model guides children, youth, families, child welfare representatives, and other service partners in working together to ensure:

- Safety from abuse and neglect
- Enduring and certain permanence and timely achievement of stability, supports, and lifelong connections
- Enhancement of the family's ability to meet their child/youth's well-being, including physical, emotional, behavioral, and educational needs
- Support for families within their own homes and communities through comprehensive and accessible services that build on strengths and address individual trauma, needs, and concerns
- Strengthened families that successfully sustain positive change toward safe, nurturing, and healthy environments; and
- Skilled and responsive child welfare professionals with a shared sense of accountability for assuring child-centered, family-focused policy, best practice, and positive outcomes

After You Report

SECTION 8:

Next

You must watch the video to advance

**The "Play Video" button will connect you to important information related to this training.
Please take time to review this information prior to proceeding to the next slide.**

- Please click on the link to view a video from the Harvard's Center on the Developing Child
- This video, Building Adult Capabilities to Improve Child Outcomes, provides an overview on how we as a community can work together on improving outcomes for children who are at greatest risk by focusing on the development of adults and strengthening their capacity to provide healthy environments for their children

Building Adult Capacity

After You Report

SECTION 8:

Law

To learn more about Pennsylvania's efforts to protect children, click on the link to [Keep Kids Safe PA](#)

To review the amended Child Protective Services Law in its entirety, click on the law button at the top of this page

After You Report

SECTION 8:

Law

**In order to complete Section 8,
please answer the following review
questions.**

After You Report

SECTION 8:

Next

1. Mandated reporters are encouraged to report electronically to ChildLine.

- a. True
- b. False

You must answer the question correctly before you can proceed

Law

After You Report

SECTION 8:

Next

2. ChildLine will refer a report of abuse to the appropriate county agency and law enforcement officials when:

- a. The reporting source indicates that the perpetrator is known to have a criminal history
- b. The report also alleges that a criminal offense has been committed against a child
- c. The report alleges a school employee as the perpetrator
- d. The identity of the alleged perpetrator is reported as unknown

You must answer the question correctly before you can proceed

Law

After You Report

SECTION 8:

Next

3. Determining if the person who allegedly committed child abuse or harm to a child is a perpetrator is the responsibility of the person reporting the abuse.

- a. True
- b. False

You must answer the question correctly before you can proceed

Law

After You Report

SECTION 8:

Next

4. Upon receiving a report that has also been forwarded to local law enforcement, the county children and youth agency no longer has the responsibility to respond to the allegations.

- a. True
- b. False

You must answer the question correctly before you can proceed

Law

After You Report

SECTION 8:

Next

5. Who does the county children and youth agency have to verbally notify of the right to have an attorney present during the interview before interviewing them?

- a. The alleged perpetrator
- b. The alleged victim
- c. The parent
- d. The mandated reporter

You must answer the question correctly before you can proceed

Law

After You Report

SECTION 8:

Next

6. If the county children and youth agency arrives at the home and finds the child without proper parental care or control, the agency would then provide which type of service?

- a. Child protective services
- b. General protective services
- c. Criminal investigation services
- d. Informational and resource services

You must answer the question correctly before you can proceed

Law

After You Report

SECTION 8:

You have completed Section 8 of
**Recognizing and Reporting Child Abuse:
Mandated and Permissive Reporting in
Pennsylvania**

Thank you!

After You Report

SECTION 8:

Next

Continue or Take a Break?

How to Submit a

Referral in Self-Service

SECTION 9:

Please note that the information presented in this section describes the process for mandated reporters to submit a referral electronically through the child welfare portal. Permissive reporters should make reports of suspected child abuse to ChildLine by telephone at 1-800-932-0313

SECTION 9:

How to Submit a Referral Electronically Through the Child Welfare Portal

How to Submit a

Referral in Self-Service

SECTION 9:

When Pennsylvania lawmakers strengthened Child Protective Services Law, they took into account the need to modernize and streamline processes.

Reporting Child Abuse: Improved Processes

How to Submit a

Referral in Self-Service

SECTION 9:

The Child Welfare Information Solution (CWIS) uses information technology to increase efficiency and tracking of child abuse data and establishes a central database to hold statewide child welfare information. Only authorized personnel have access to the database.

Reporting Child Abuse: Improved Processes

How to Submit a

Referral in Self-Service

SECTION 9:

CWIS both streamlines and clarifies the mandatory child abuse reporting process. Mandated reporters can now file an electronic report of suspected child abuse online.

Reporting Child Abuse: Improved Processes

How to Submit a

Referral in Self-Service

SECTION 9:

- Provide near-time data on children being served by the county agency
- Allow for the exchange of information across counties
- Eliminate gaps in information throughout the life of a case

Child Safety

- Improve the accuracy and timeliness of data to evaluate program performance and outcomes
- Improve tracking and auditing of state and federal funds

Program Integrity

A Modernized Process

- Electronically transfer GPS and CPS cases to and from the State to appropriate counties
- A website for mandated reporters to submit CPS and GPS cases online
- Ability to electronically submit and receive a child abuse history clearance through online capabilities

CWIS is Designed to Provide the Following Benefits

How to Submit a

Referral in Self-Service

SECTION 9:

This section of the course will take you through the steps to make an electronic report through the Child Welfare Self-Service Portal.

The system uses the word 'referral' to designate a report of suspected child abuse.

Completion of this section of the training will familiarize you with the referral process.

Reporting Child Abuse: Improved Processes

How to Submit a

Referral in Self-Service

SECTION 9:

Please note: County Children and Youth Agencies employ electronic data systems specific to their agencies.

The steps in completing a report may differ from the screen shots you see here, because you will access the report function through your own system.

Please review the electronic reporting process at your agency with your supervisor.

Are You a CCYA Employee?

How to Submit a

Referral in Self-Service

SECTION 9:

Child Welfare Portal: The Home Page

How to Submit a

Referral in Self-Service

SECTION 9:

Locate the FAQ and Contact Us links on the home page.

Information concerning recent amendments to Child Protective Services Law can be found in the FAQ's section.

**Home Page:
FAQ and 'Contact Us'**

How to Submit a

Referral in Self-Service

SECTION 9:

In order to make a referral, you must have an account.

If you have already registered and have a **Keystone ID**, you may log in.

New users should select
"CREATE A NEW ACCOUNT"

**Home Page: Create or
Log In to Account**

How to Submit a

Referral in Self-Service

SECTION 9:

Selecting **Create a New Account** will bring the user to the Citizen Registration Page.

The new user will read the information, then click "**Next**".

Citizen Registration

How to Submit a

Referral in Self-Service

SECTION 9:

After completing the required information to create your Keystone ID, click **"Finish"** on the bottom right of the screen.

Create Keystone ID

How to Submit a

Referral in Self-Service

SECTION 9:

The system will send an email containing your temporary password to the email address you specified for your Keystone ID account.

Check Your Email

How to Submit a

Referral in Self-Service

SECTION 9:

Click the "**Child Welfare Portal**" link provided in the e-mail to return to the Child Welfare Portal home page.

**Return to the
Child Welfare Portal**

How to Submit a

Referral in Self-Service

SECTION 9:

Click the “**LOGIN**” button on the home page to access the Keystone Key Log in page.

Access the Keystone Key Log In Screen

How to Submit a

Referral in Self-Service

SECTION 9:

Enter username and e-mail-issued temporary password to log in to the system

Log In

How to Submit a

Referral in Self-Service

SECTION 9:

When a user logs in for the first time, the system will prompt the user to create and set a new password.

The password must:

- Be at least eight characters long
- Contain at least one number, one upper case letter, one lower case letter, and one special character
- Not include the first or last name of the registrant
- Not have been used in the last ten Keystone ID passwords

Create password and click "**Submit**"

Create a New Password

How to Submit a

Referral in Self-Service

SECTION 9:

Click the "**Close Window**" button.

The Keystone ID page will launch.

Use your new password to log in.

Log In to System Using New Password

How to Submit a

Referral in Self-Service

SECTION 9:

- The user may login immediately or return to the Child Welfare Portal to log in at any time
- From the Child Welfare Portal, click the "**LOGIN**" button

Access the Child Welfare Portal

How to Submit a

Referral in Self-Service

SECTION 9:

Keystone Key page will launch

Enter login credentials with
newly created password

If you try to login incorrectly five times, you will be locked out and will need to either reset your password or wait 30 minutes.

Log In with New ID

How to Submit a

Referral in Self-Service

SECTION 9:

This page provides the user the ability to select the account they would like to login to:

"ACCESS MY CLEARANCES"

or

"ACCESS MY REFERRALS"

Click on **"ACCESS MY REFERRALS"**
to report suspected child abuse.

**To Report Suspected
Child Abuse, Choose
'Access My Referrals'**

How to Submit a

Referral in Self-Service

SECTION 9:

The user is then taken to the
'Learn More' pages

'Learn More' supplies general information about the Child Welfare Portal and the child abuse referral process:

- Ways to report
- Who may use the self-service system to make a referral
- Who is a Mandated Reporter, based on CPSL Definition

Learn More

How to Submit a

Referral in Self-Service

SECTION 9:

When users click 'next', they access the Referral Account Overview page, where they may:

- Create a new referral
- View their previous referrals
- Edit or delete a previously saved non-submitted referral
- Manage their Organization Information

Referral Account Overview

How to Submit a

Referral in Self-Service

SECTION 9:

- Click "**MANAGE MY ORGANIZATION**" to access the Manage Organization Profile page.

Note:

- You must update your organization information annually
- The system will verify when the last update took place
- If information has not been reviewed/updated in the past year, the user will be asked to confirm it is up-to-date upon login

Manage Organization Profile

How to Submit a

Referral in Self-Service

SECTION 9:

- The Manage Organization Profile page allows reporters to create a list of the organizations on whose behalf they submit referrals
- The list of organizations will then be available for the reporter to select from when submitting a referral
- The reporter is required to select an organization before a referral can be submitted

List of Organizations

How to Submit a

Referral in Self-Service

SECTION 9:

Click "**ADD ORGANIZATION**" from the previous screen to enter organization details for each organization with which the user is associated.

Organization Details

How to Submit a

Referral in Self-Service

SECTION 9:

- The Getting Started page will display when you select Create a Referral from the Referral Account Overview Page
- This page provides general overview to prepare the reporter for the abuse referral process

Getting Started: Preparing for the Referral Process

How to Submit a

Referral in Self-Service

SECTION 9:

- After the Getting Started page, a page will display that defines a mandated reporter
- Mandated reporters are required to indicate that they understand and acknowledge the role of a mandated reporter

Mandated Reporters

How to Submit a

Referral in Self-Service

SECTION 9:

Report Through The Child Welfare Portal

Making a Referral

How to Submit a

Referral in Self-Service

SECTION 9:

- Side navigation buttons are available to the reporter throughout the entire referral
- Click on these buttons from any screen to navigate between pages quickly
- Note: The pages are activated in a sequential manner, hence they will only be accessible for navigation once the page has been visited

Side Navigation Controls

How to Submit a

Referral in Self-Service

SECTION 9:

- The Reporter Details page captures basic information about the reporter
- Reporters record how they came to know of the abuse. If this happened through a third party, the reporter will be prompted to provide additional information about the reporting source
- The answers provided on this page will determine the remaining pages that the reporter must complete for this referral

Making a Referral: Reporter Details

How to Submit a

Referral in Self-Service

SECTION 9:

Any time a user chooses

"Add Contact Number", a contact Information box will open. Record contact information in the box, then click **"SAVE"**.

Adding Contact Numbers

How to Submit a

Referral in Self-Service

SECTION 9:

The Alleged Victim Details page captures basic information about the alleged victim

Note: If a full name is not known, the user may enter what is known, but must check the 'Full Name Unknown' checkbox

Alleged Victim Details

How to Submit a

Referral in Self-Service

SECTION 9:

- The Parent/Guardian Details page captures basic information about the alleged victim's parents/guardians
- Reporters can indicate if a parent/guardian is one of the alleged perpetrators
- Click "+ **ADD PARENT GUARDIAN**" to bring up a new Details page
- The information will then be displayed in the grid format

Parent/Guardian Details

How to Submit a

Referral in Self-Service

SECTION 9:

- The Household Member Details page captures basic information about the alleged victim's parents/guardians
- Reporters can indicate if a household member is an alleged perpetrator

Household Member Details

How to Submit a

Referral in Self-Service

SECTION 9:

- The Other Persons Responsible Details page captures basic information about other individuals responsible for the welfare and safety of the child
- Reporters can indicate if anyone identified as an alleged perpetrator

Other Persons Responsible Details

How to Submit a

Referral in Self-Service

SECTION 9:

- The Alleged Perpetrator Details page captures basic information about the alleged perpetrator
- Reporters can include multiple perpetrators
- If an individual has already been indicated as an alleged perpetrator, that individual's information will pre-populate later in the perpetrator section

Alleged Perpetrator Details

How to Submit a

Referral in Self-Service

SECTION 9:

- Reporters enter details about the alleged abuse on this page
- Information entered includes specifying where the signs of abuse were viewable via an interactive body diagram

Alleged Abuse Details

How to Submit a

Referral in Self-Service

SECTION 9:

- The Interactive Body Diagram allows the user to click the location on the body where the injury occurred, or to select from a dropdown menu
- The user also specifies the injury type and the alleged perpetrator who caused the injury

Interactive Body Diagram

How to Submit a

Referral in Self-Service

SECTION 9:

- On the Safety Concerns page, the reporter answers questions about the alleged victim's safety
- This data is used to evaluate any risks or dangers that may affect the child

Safety Concerns

How to Submit a

Referral in Self-Service

SECTION 9:

The Actions Taken page displays a list of any actions already taken to ensure the immediate health and safety of the alleged victim.

Actions Taken

How to Submit a

Referral in Self-Service

SECTION 9:

The Additional Information page gives the reporter the option to enter any data not already captured on previous screens.

Additional Information

How to Submit a

Referral in Self-Service

SECTION 9:

- The Referral Summary page summarizes all information captured on the referral
- A user may edit each section of the application prior to submission

Note: Selecting 'Edit' takes the user to the page where this information was originally entered. The user may then navigate back to this page to continue their review.

Referral Summary

How to Submit a

Referral in Self-Service

SECTION 9:

- On the eSignature page, a reporter electronically signs the abuse referral immediately prior to submitting
- Once the user has made any necessary edits and signed the referral, clicking the "SUBMIT REFERRAL" button will finalize the referral

eSignature

How to Submit a

Referral in Self-Service

SECTION 9:

After clicking "**SUBMIT REFERRAL**" on the eSignature page, the reporter has the option to create a copy of the referral for another alleged victim in the same household.

Copy This Referral

How to Submit a

Referral in Self-Service

SECTION 9:

Note: The user will receive an email reminder every day that the referral remains in the Referral Account Overview as unsubmitted.

- Clicking "**COPY & SUBMIT**" will create a new referral pre-populated with basic information from the original referral
- The reporter then has the ability to continue this referral for 6 months from the date it is created
- If not submitted after 6 months, it will be purged from the Referral Account Overview

Copy This Referral

How to Submit a

Referral in Self-Service

SECTION 9:

Once the user clicks “Copy & Submit” or “Do Not Copy & Submit”, the referral is sent to ChildLine for processing.

The system displays a Submission Confirmation.

Reporters may also receive one or more system-generated emails:

- Submission Confirmation Email:
 - This email is sent to the reporter once the referral has been received by the worker portal confirming a successful submission
- Referral County Update Notification Email:
 - This email notifies the reporter that the region/county assignment for a submitted referral has been updated in their Child Welfare Account

Submission Confirmation

How to Submit a

Referral in Self-Service

SECTION 9:

You have completed Section 9 of
**Recognizing and Reporting Child Abuse:
Mandated and Permissive Reporting in
Pennsylvania**

Thank you!

How to Submit a

Referral in Self-Service

SECTION 9:

Next

Continue or Take a Break?

You have almost completed
**Recognizing and Reporting Child Abuse:
Mandated and Permissive Reporting in
Pennsylvania**

Please continue through the course
evaluation and integrity statement page to
receive your
Certificate of Completion.

Please finish the Course Evaluation to complete the course
or
If you are sure you want to leave click "Save and Close".

YOU HAVE NOT COMPLETED THE COURSE

Next

Please answer the following evaluation questions to receive your certificate of completion.

Course Evaluation

Please answer the question

1. I learned what I expected to learn in this course.

Strongly Disagree

Disagree

Neither Agree nor Disagree

Agree

Strongly Agree

Please finish the Course Evaluation to complete the course
or
If you are sure you want to leave click "Save and Close".

YOU HAVE NOT COMPLETED THE COURSE

Next

Please answer the following evaluation questions to receive your certificate of completion.

Course Evaluation

Please answer the question

2. I will be able to use what I learned in this course in my work.

Strongly Disagree

Disagree

Neither Agree nor Disagree

Agree

Strongly Agree

Please finish the Course Evaluation to complete the course
or
If you are sure you want to leave click "Save and Close".

YOU HAVE NOT COMPLETED THE COURSE

Next

Please answer the following evaluation questions to receive your certificate of completion.

Course Evaluation

Please answer the question

3. I understood the concepts presented in this course.

Strongly Disagree

Disagree

Neither Agree nor Disagree

Agree

Strongly Agree

Please finish the Course Evaluation to complete the course
or
If you are sure you want to leave click "Save and Close".

YOU HAVE NOT COMPLETED THE COURSE

Next

Please answer the following evaluation questions to receive your certificate of completion.

Course Evaluation

Please answer the question

4. I was sufficiently challenged by the concepts presented in this course.

Strongly Disagree

Disagree

Neither Agree nor Disagree

Agree

Strongly Agree

Please finish the Course Evaluation to complete the course
or
If you are sure you want to leave click "Save and Close".

YOU HAVE NOT COMPLETED THE COURSE

Next

Please answer the following evaluation questions to receive your certificate of completion.

Course Evaluation

Please answer the question

5. I was actively engaged throughout this course.

Strongly Disagree

Disagree

Neither Agree nor Disagree

Agree

Strongly Agree

Please finish the Course Evaluation to complete the course
or
If you are sure you want to leave click "Save and Close".

YOU HAVE NOT COMPLETED THE COURSE

Next

Please answer the following evaluation questions to receive your certificate of completion.

Course Evaluation

Please answer the question

**6. I feel more confident in my skills after participating in the course
(e.g., working through scenarios, engaging in activities).**

Strongly Disagree

Disagree

Neither Agree nor Disagree

Agree

Strongly Agree

Please finish the Course Evaluation to complete the course
or
If you are sure you want to leave click "Save and Close".

YOU HAVE NOT COMPLETED THE COURSE

Next

Please answer the following evaluation questions to receive your certificate of completion.

Course Evaluation

Please answer the question

7. I found the course materials helpful (e.g., slides, links, resources).

Strongly Disagree

Disagree

Neither Agree nor Disagree

Agree

Strongly Agree

Please finish the Course Evaluation to complete the course
or
If you are sure you want to leave click "Save and Close".

YOU HAVE NOT COMPLETED THE COURSE

Next

Please answer the following evaluation questions to receive your certificate of completion.

Course Evaluation

Please answer the question

8. I feel that the course materials reflect appropriate values and ethics.

Strongly Disagree

Disagree

Neither Agree nor Disagree

Agree

Strongly Agree

Please finish the Course Evaluation to complete the course
or
If you are sure you want to leave click "Save and Close".

YOU HAVE NOT COMPLETED THE COURSE

Next

Please answer the following evaluation questions to receive your certificate of completion.

Course Evaluation

Please answer the question

9. I was able to use the technology required to engage in the course.

Strongly Disagree

Disagree

Neither Agree nor Disagree

Agree

Strongly Agree

Next

Please finish the Course Evaluation to complete the course
or
If you are sure you want to leave click "Save and Close".

YOU HAVE NOT COMPLETED THE COURSE

Please answer the following evaluation questions to receive your certificate of completion.

Course Evaluation

10. What went well in the course?

Next

Please finish the Course Evaluation to complete the course
or
If you are sure you want to leave click "Save and Close".

YOU HAVE NOT COMPLETED THE COURSE

Please answer the following evaluation questions to receive your certificate of completion.

Course Evaluation

11. What could be improved in the course?

Next

Please finish the Course Evaluation to complete the course
or
If you are sure you want to leave click "Save and Close".

YOU HAVE NOT COMPLETED THE COURSE

Please answer the following evaluation questions to receive your certificate of completion.

Course Evaluation

12. We welcome any additional comments you care to share:

Integrity Statement

Please continue to complete the course
or
If you are sure you want to leave click "Save and Close".

YOU HAVE NOT COMPLETED THE COURSE

I certify that I,

am the individual who completed the Recognizing and Reporting Child Abuse: Mandated and Permissive Reporting in Pennsylvania course and I responded to the assessments as prescribed herein and therefore am entitled to a Certificate of Completion and three continuing education credits.

Enter full name:

Please confirm your identity by entering your full name in the field provided.

Prior to receiving a certificate of completion for this online course, you must respond affirmatively to the following statement:

THANK YOU for taking the time to provide feedback on this course. Your answers will help us evaluate how we handle online trainings in the future.

Click the button below to obtain your certificate for this course:

Congratulations!

You have completed *Recognizing and Reporting Child Abuse*

Michael Byers,
Director PA Child Welfare
Resource Center

Molly B. Allwein,
Director of Continuing Education
School of Social Work

Presented to:

on the date:

Last Name, First name

October 8th, 2014

Presenter:

University of Pittsburgh School of Social Work,
PA Child Welfare Resource Center
403 East Winding Hill Road, Mechanicsburg, PA 17055

**Recognizing and Reporting Child Abuse:
Mandated and Permissive Reporting in Pennsylvania**

Meets ACT 31 of 2014 training requirements

Meets the Recognizing Child Abuse and Mandated Reporting components of
ACT 126 of 2013 training requirements

3 continuing education hours

Provider Number:
CACE000004

CE Course Number:
PCW000001

Glossary for Recognizing and Reporting Child Abuse

Term	Definition
Act	Something that is done to harm or cause potential harm to a child.
Adult	An individual 18 years of age or older
Adult Family Member	A person 18 years of age or older who has the responsibility to provide care or service to an individual with an intellectual disability or chronic psychiatric disability. http://www.legis.state.pa.us/
Affinity by birth or adoption	Bond that exists between two or more people as a result of someone's relationship. It is the relationship each party has to the blood relations of the other partner.
Allegedly	Represented as existing or as being as described but not so proved; supposedly http://www.thefreedictionary.com/alleged
Bodily injury	Impairment of physical condition, or substantial pain
Child	An individual under 18 years of age

Child abuse

The term “child abuse” shall mean intentionally, knowingly or recklessly doing any of the following:

- (1) Causing bodily injury to a child through any recent act or failure to act.
- (2) Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.
- (3) Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.
- (4) Causing sexual abuse or exploitation of a child through any act or failure to act.
- (5) Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.
- (6) Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.
- (7) Causing serious physical neglect of a child.
- (8) Engaging in any of the following recent acts:
 - (i) Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
 - (ii) Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.
 - (iii) Forcefully shaking a child under one year of age.
 - (iv) Forcefully slapping or otherwise striking a child under one year of age.
 - (v) Interfering with the breathing of a child.
 - (vi) Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.
 - (vii) Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:
 - (A) Is required to register as a Tier II or Tier III sexual offender under 42 Pa.C.S. Ch. 97 Subch. H (relating to registration of sexual offenders), where the victim of the sexual offense was under 18 years of age when the crime was committed.
 - (B) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors.
 - (C) Has been determined to be a sexually violent delinquent child as defined in the 42 Pa.C.S. § 9799.12 (relating to definitions).
 - (D) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.58 (relating to assessments) or has to register for life under 42 Pa.C.S. § 9799.55(b) (relating to registration).
- (9) Causing the death of the child through any act or failure to act.
- (10) Engaging a child in a severe form of trafficking in persons or sex trafficking as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (114 Stat. 1466, 22 U.S.C. § 7102).
- (c) Restatement of culpability.—Conduct that causes injury or harm to a child or creates a risk of injury or harm to a child shall not be considered child abuse if there is no evidence that the person acted intentionally, knowingly or recklessly when causing the injury or harm to the child or creating a risk of injury or harm to the child.

(d) Child abuse exclusions.—The term “child abuse” does not include any conduct for which an exclusion is provided in section 6304 (relating to exclusions from child abuse

Child-care
Services

Includes any of the following:

- (1) Child day-care centers.
- (2) Group day-care homes.
- (3) Family child-care homes.
- (4) Foster homes.
- (5) Adoptive parents.
- (6) Boarding homes for children.
- (7) Juvenile detention center services or programs for delinquent or dependent children.
- (8) Mental health services for children.
- (9) Services for children with intellectual disabilities.
- (10) Early intervention services for children.
- (11) Drug and alcohol services for children.
- (12) Day-care services or programs that are offered by a school.
- (13) Other child-care services that are provided by or subject to approval, licensure, registration or certification by the department or a county social services agency or that are provided pursuant to a contract with the department or a county social services agency.

The term does not apply to services provided by administrative or other support personnel unless the administrative or other support personnel have direct contact with children.

<http://www.legis.state.pa.us>

Child Protective
Services (CPS)

The category of services and activities provided by the Department and each county agency for child abuse cases.

Child Welfare
Information
Solution (CWIS)

An online case management system allowing for state and county acceptance of suspected child abuse reports and real-time electronic sharing of information critical to administering the child welfare program in Pennsylvania. CWIS is designed to provide the following benefits:

- Child Safety
 - Provide near-time data on children being served by the county agency
 - Allow for the exchange of information across counties
 - Eliminate gaps in information throughout the life of a case
- Program Integrity
 - Improve the accuracy and timeliness of data to evaluate program performance and outcomes
 - Improve tracking and auditing of state and federal funds
- Modernize Process
 - Electronically transfer Child Protective Service and General Protective Service cases to and from the State to appropriate counties
 - A web site for mandated reporters to submit CPS and GPS cases online
 - Ability to electronically submit and receive a child abuse history clearance through on-line capabilities

ChildLine	<p>ChildLine (1-800-932-0313) is Pennsylvania's hotline for reporting suspected child abuse. Its mission is to accept calls from the public and professional sources 24 hours per day, seven days per week.</p> <p>ChildLine accepts reports of suspected abuse and neglect and refers reports of suspected abuse and neglect to the appropriate investigating agency to ensure the safety and well-being of the children of Pennsylvania. ChildLine also refers reports indicating that a child may be in need of other services to the proper county agency to assess the needs of the child.</p>
County agency	Pennsylvania's child welfare system is state-supervised and county-administered. Child welfare services are organized, managed, and delivered by County Children and Youth agencies. The county children and youth agency is responsible for delivering services and activities designed to prevent child abuse and neglect. They provide appropriate services to help families overcome problems and to keep children safe and families together, whenever possible.
County Children and Youth Agencies (CCYA)	State specific term for county agency; Pennsylvania's child welfare system is state-supervised and county-administered. Child welfare services are organized, managed, and delivered by county agencies
Crime	<p>A violation of a law in which there is injury to the public or a member of the public and a term in jail or prison, and/or a fine as possible penalties.</p> <p>http://legal-dictionary.thefreedictionary.com/crime</p>
Department	The Department of Human Services of the Commonwealth
Direct contact with children	The care, supervision, guidance or control of children, or routine (see definition below) interaction with children.
Disparity	<p>A discrepancy, inconsistency, or imbalance of services and outcomes. In child welfare, we consider the experience of children of one race or ethnicity to those of another and find disparities in the likelihood and type of placement, the length of stay, and permanency outcomes</p> <p>http://dictionary.reference.com/browse/disparity</p>
Disproportionality	<p>Not proportionate; out of proportion, as in size or number</p> <p>http://dictionary.reference.com/browse/disproportionate</p>
Egregious	<p>Extraordinary in some bad way; glaring; flagrant</p> <p>http://dictionary.reference.com/browse/egregious</p>

Endanger

To expose to danger or peril; imperil

<http://dictionary.reference.com/browse/endangerment>

Exclusions from
child abuse

The following are exclusions from the substantiation of child abuse, and not exclusion from reporting:

(a) Environmental factors.--No child shall be deemed to be physically or mentally abused based on injuries that result solely from environmental factors, such as inadequate housing, furnishings, income, clothing and medical care, that are beyond the control of the parent or person responsible for the child's welfare with whom the child resides. This subsection shall not apply to any child-care service as defined in this chapter, excluding an adoptive parent.

(b) Practice of religious beliefs.--If, upon investigation, the county agency determines that a child has not been provided needed medical or surgical care because of sincerely held religious beliefs of the child's parents or relative within the third degree of consanguinity and with whom the child resides, which beliefs are consistent with those of a bona fide religion, the child shall not be deemed to be physically or mentally abused. In such cases the following shall apply:

(1) The county agency shall closely monitor the child and the child's family and shall seek court-ordered medical intervention when the lack of medical or surgical care threatens the child's life or long-term health.

(2) All correspondence with a subject of the report and the records of the department and the county agency shall not reference child abuse and shall acknowledge the religious basis for the child's condition.

(3) The family shall be referred for general protective services, if appropriate.

(4) This subsection shall not apply if the failure to provide needed medical or surgical care causes the death of the child.

(5) This subsection shall not apply to any child-care service as defined in this chapter, excluding an adoptive parent.

(c) Use of force for supervision, control and safety purposes.--Subject to subsection (d), the use of reasonable force on or against a child by the child's own parent or person responsible for the child's welfare shall not be considered child abuse if any of the following conditions apply:

(1) The use of reasonable force constitutes incidental, minor or reasonable physical contact with the child or other actions that are designed to maintain order and control.

(2) The use of reasonable force is necessary:

(i) to quell a disturbance or remove the child from the scene of a disturbance that threatens physical injury to persons or damage to property;

(ii) to prevent the child from self-inflicted physical harm;

(iii) for self-defense or the defense of another individual; or

(iv) to obtain possession of weapons or other dangerous objects or controlled substances or paraphernalia that are on the child or within the control of the child.

(d) Rights of parents.--Nothing in this chapter shall be construed to restrict the generally recognized existing rights of parents to use reasonable force on or against their children for the purposes of supervision, control and discipline of their children. Such reasonable force shall not constitute child abuse.

(e) Participation in events that involve physical contact with child.--An individual participating in a practice or competition in an interscholastic sport, physical education or recreational activity or an extracurricular activity that involves physical contact with a child does not, in itself, constitute contact that is subject to the reporting requirements of this chapter.

(f) Child-on-child contact.--

(1) Harm or injury to a child that results from the act of another child shall not

constitute child abuse unless the child who caused the harm or injury is a perpetrator.

(2) Notwithstanding paragraph (1), the following shall apply:

(i) Acts constituting any of the following crimes against a child shall be subject to the reporting requirements of this chapter:

(A) rape as defined in 18 Pa.C.S. § 3121 (relating to rape);

(B) involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse);

(C) sexual assault as defined in 18 Pa.C.S. § 3124.1 (relating to sexual assault);

(D) aggravated indecent assault as defined in 18 Pa.C.S. § 3125 (relating to aggravated indecent assault);

(E) indecent assault as defined in 18 Pa.C.S. § 3126 (relating to indecent assault); and

(F) indecent exposure as defined in 18 Pa.C.S. § 3127 (relating to indecent exposure).

(ii) No child shall be deemed to be a perpetrator of child abuse based solely on physical or mental injuries caused to another child in the course of a dispute, fight

or scuffle entered into by mutual consent.

(iii) A law enforcement official who receives a report of suspected child abuse is not required to make a report to the department under section 6334(a) (relating to disposition of complaints received), if the person allegedly responsible for the child abuse is a nonperpetrator child.

(g) Defensive force.--Reasonable force for self-defense or the defense of another individual, consistent with the provisions of 18 Pa.C.S. §§ 505 (relating to use of force for self-protection) and 506 (relating to use of force for the protection of other persons), shall not be considered child abuse.

Failure to act	Something that is NOT done to prevent harm or potential harm to a child.
Fetal Alcohol Spectrum Disorder (FASD)	A term used to describe the range of effects that can occur in an individual whose mother drank alcohol during pregnancy. FASD refers to conditions including Fetal Alcohol Syndrome (FAS), Fetal Alcohol Effects (FAE), Alcohol-related neurodevelopmental disorder, and Alcohol-related birth defects
Founded report	<p>A child abuse report involving a perpetrator that is made pursuant to this chapter, if any of the following applies:</p> <p>(1) There has been a judicial adjudication based on a finding that a child who is a subject of the report has been abused and the adjudication involves the same factual circumstances involved in the allegation of child abuse. The judicial adjudication may include any of the following:</p> <p>(i) The entry of a plea of guilty or nolo contendere.</p> <p>(ii) A finding of guilt to a criminal charge.</p> <p>(iii) A finding of dependency under 42 Pa.C.S. § 6341 (relating to adjudication) if the court has entered a finding that a child who is the subject of the report has been abused.</p> <p>(iv) A finding of delinquency under 42 Pa.C.S. § 6341 if the court has entered a finding that the child who is the subject of the report has been abused by the child who was found to be delinquent.</p> <p>(2) There has been an acceptance into an accelerated rehabilitative disposition program and the reason for the acceptance involves the same factual circumstances involved in the allegation of child abuse.</p> <p>(3) There has been a consent decree entered in a juvenile proceeding under 42 Pa.C.S. Ch. 63 (relating to juvenile matters), the decree involves the same factual circumstances involved in the allegation of child abuse and the terms and conditions of the consent decree include an acknowledgment, admission or finding that a child who is the subject of the report has been abused by the child who is alleged to be delinquent.</p> <p>(4) A final protection from abuse order has been granted under section 6108 (relating to relief) , when the child who is a subject of the report is one of the individuals protected under the protection from abuse order and:</p> <p>(i) only one individual is charged with the abuse in the protection from abuse action;</p> <p>(ii) only that individual defends against the charge;</p> <p>(iii) the adjudication involves the same factual circumstances involved in the allegation of child abuse; and</p> <p>(iv) the protection from abuse adjudication finds that the child abuse occurred.</p> <p>(amended by Act 108 of 2013 and Act 44 of 2014)</p>
General Protective Services (GPS)	Those services and activities provided by each county agency for cases requiring protective services, as defined by the department in regulations.

Good faith	Sincere belief or motive without any malice or the desire to defraud others
Health care providers	<p>A licensed hospital or health care facility or person who is licensed, certified or otherwise regulated to provide health care services under the laws of this Commonwealth, including a physician, podiatrist, optometrist, psychologist, physical therapist, certified nurse practitioner, registered nurse, nurse midwife, physician's assistant, chiropractor, dentist, pharmacist or an individual accredited or certified to provide behavioral health services.</p> <p>http://www.legis.state.pa.us</p>
Independent Contractor	<p>An individual who provides a program, activity or service to an agency, institution, organization or other entity, including a school or regularly established religious organization, that is responsible for the care, supervision, guidance or control of children. The term does not apply to administrative or other support personnel unless the administrative or other support personnel have direct contact with children.</p> <p>http://www.legis.state.pa.us</p>
Indicated report	<p>(1) Subject to paragraphs (2) and (3), a report of child abuse made pursuant to this chapter if an investigation by the Department or county agency determines that substantial evidence of the alleged abuse by a perpetrator exists based on any of the following:</p> <ul style="list-style-type: none"> (i) Available medical evidence. (ii) The child protective service investigation. (iii) An admission of the acts of abuse by the perpetrator. <p>(2) A report may be indicated under paragraph (1) (i) or (ii) for any child who is the victim of child abuse, regardless of the number of alleged perpetrators.</p> <p>(3) A report may be indicated under paragraph (1) (i) or (ii) listing the perpetrator as "unknown" if substantial evidence of abuse by a perpetrator exists, but the department or county agency is unable to identify the specific perpetrator.</p> <p>(amended by Act 108 of 2013)</p>
Intentionally	An act that is done "for the purpose of causing" the type of harm that resulted in <i>Birl v. Phil. Elec. Co.</i> 402 Pa. 297 (1960)
Investigation	<p>An investigation under this section shall include the following:</p> <ul style="list-style-type: none"> (1) A determination of the safety of or risk of harm to the child or any other child if each child continues to remain in the existing home environment. (2) A determination of the nature, extent and cause of any condition listed in the report. (3) Any action necessary to provide for the safety of the child or any other child in the home.

child's household.

(4) The taking of photographic identification of the child or any other child in the child's household, which shall be maintained in the case file.

(5) Communication with the department's service under section 6332 (relating to establishment of Statewide toll-free telephone number)

(added by Act 123 of 2013 effective 3/18/14)

Knowingly	Understanding that the harm is "practically certain to result" Title 18. Pa. C.S. Chapter 3, § 302 (b) (2)
Law enforcement official	The term includes the following: (1) The Attorney General. (2) A Pennsylvania district attorney. (3) A Pennsylvania State Police officer. (4) A municipal police officer. http://www.legis.state.pa.us/
Mandated reporter	Someone required by law to report suspected child abuse
Neglect	The failure of a parent or other person with responsibility for the child to provide needed food, clothing, shelter, medical care, or supervision to the degree that the child's health, safety, and well-being are threatened with harm. https://www.childwelfare.gov/systemwide/laws_policies/statutes/define.pdf
Paramour	A person who is engaged in an ongoing intimate relationship with a parent of the child but is not married to and does not necessarily reside with the child's parent (Chapter 3490. Protective Services)
Parent	A biological parent, adoptive parent or legal guardian
Parentified behavior	When children take on roles and responsibilities usually reserved for adults. The responsibilities that are carried out by the parentified child are traditionally behaviors that provide the parents with specific emotional and instrumental support. http://files.eric.ed.gov/fulltext/EJ875392.pdf
Permissive reporter	Someone able and encouraged but not required by law to report suspected child abuse. Regardless of professional affiliation, someone who makes a report as a concerned neighbor, friend, witness, or by-stander.

Perpetrator	<p>A person who has committed child abuse. The following shall apply:</p> <p>(1) The term includes only the following:</p> <ul style="list-style-type: none"> (i) A parent of the child. (ii) A spouse or former spouse of the child's parent. (iii) A paramour or former paramour of the child's parent. (iv) A person 14 years of age or older and responsible for the child's welfare or having direct contact with children as an employee of child-care services, a school or through a program, activity or service. (v) An individual 14 years of age or older who resides in the same home as the child. (vi) An individual 18 years of age or older who does not reside in the same home as the child but is related within the third degree of consanguinity or affinity by birth or adoption to the child. <p>(2) Only the following may be considered a perpetrator for failing to act, as provided in this section:</p> <ul style="list-style-type: none"> (i) A parent of the child. (ii) A spouse or former spouse of the child's parent. (iii) A paramour or former paramour of the child's parent. (iv) A person 18 years of age or older and responsible for the child's welfare. (v) A person 18 years of age or older who resides in the same home as the child.
Program, activity or service	<p>Any of the following in which children participate and which is sponsored by a school or a public or private organization:</p> <ul style="list-style-type: none"> (1) A youth camp or program. (2) A recreational camp or program. (3) A sports or athletic program. (4) A community or social outreach program. (5) An enrichment or educational program. (6) A troop, club or similar organization. <p>http://www.legis.state.pa.us/</p>
Psychosomatic	<p>A disorder having physical symptoms but originating from mental or emotional causes such as stomach ulcers</p> <p>http://www.thefreedictionary.com/psychosomatic</p>
Reasonable cause to suspect	<p>An evaluation you make, based on your knowledge of circumstances, your observation of your familiarity with the individuals, and your feelings about the incident</p>
Recent act or failure to act	<p>Any act or failure to act committed within two years of the date of the report to the Department or county agency</p>
Recklessly	<p>Conscious disregard for foreseeable risk</p> <p>Title 18. Pa. C.S. Chapter 3, § 302 (b) (3)</p>

Resilience	A person's ability to "bounce back" from hardship or a difficult situation
Right to Know	In Pennsylvania, guarantees right to access and obtain copies of public records held by state and local agencies http://panewsmedia.org/legal/OpenRecords#34bb92ec-7f9b-482d-8860-f7c72d45270e
Routine Interaction	Regular and repeated contact that is integral to a person's employment or volunteer responsibilities. http://www.legis.state.pa.us/
School	<p>A facility providing elementary, secondary or postsecondary educational services. The following are included:</p> <ul style="list-style-type: none"> (1) Any school of a school district. (2) An area vocational-technical school. (3) A joint school. (4) An intermediate unit. (5) A charter school or regional charter school. (6) A cyber charter school. (7) A private school licensed under the act of January 28, 1988 (P.L.24, No.11), known as the Private Academic Schools Act. (8) A private school accredited by an accrediting association approved by the State Board of Education. (9) A nonpublic school. (10) A community college which is an institution now or hereafter created pursuant to the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, or the act of June 22, 1963 (P.L.1132, No.484), known as the Community College Act of 1963. (11) An independent institution of higher education which is an institution of higher education, not for profit, located in and incorporated or chartered by the Commonwealth, entitled to confer degrees, as provided for in 24 Pa.C.S. § 6505 (relating to power to confer degrees) and entitled to apply the term "college" or "university" as provided for by standards and qualifications prescribed by the State Board of Education pursuant to 24 Pa.C.S. Ch. 65 (relating to private colleges, universities and universities of the State). (12) A State-owned university. (13) A State-related university. (14) A private school licensed under the act of December 15, 1986 (P.L.1585, No.174), known as the Private Licensed Schools Act. (15) The Hiram G. Andrews Center. (16) A private residential rehabilitative institution as defined in section 914.1-A(c) of the act of June 22, 1949. <p>(added by Act 33 and 44 of 2014)</p>
School employee	<p>An individual who is employed by a school or who provides a program, activity or service sponsored by a school. The term does not apply to administrative or other support personnel unless the administrative or other support personnel have direct contact with children.</p> <p>23 Pa. C.S. §6303. Definitions</p>

Serious bodily injury	Bodily injury which creates a substantial risk of death or which causes serious permanent disfigurement or protracted loss or impairment of function of any bodily member or organ
Serious mental injury	A psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that: renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened; or seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks
Serious physical neglect	Any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning: (1) A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities. (2) The failure to provide a child with adequate essentials of life, including food, shelter or medical care

- Sexual abuse or exploitation
- Any of the following:
- (1) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes, but is not limited to, the following:
 - (i) Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.
 - (ii) Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.
 - (iii) Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.
 - (iv) Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming. This paragraph does not include consensual activities between a child who is 14 years of age or older and another person who is 14 years of age or older and whose age is within four years of the child's age.
 - (2) Any of the following offenses committed against a child:
 - (i) Rape as defined in 18 Pa.C.S. § 3121 (relating to rape).
 - (ii) Statutory sexual assault as defined in 18 Pa.C.S. § 3122.1 (relating to statutory sexual assault).
 - (iii) Involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse).
 - (iv) Sexual assault as defined in 18 Pa.C.S. § 3124.1 (relating to sexual assault).
 - (v) Institutional sexual assault as defined in 18 Pa.C.S. § 3124.2 (relating to institutional sexual assault).
 - (vi) Aggravated indecent assault as defined in 18 Pa.C.S. § 3125 (relating to aggravated indecent assault).
 - (vii) Indecent assault as defined in 18 Pa.C.S. § 3126 (relating to indecent assault).
 - (viii) Indecent exposure as defined in 18 Pa.C.S. § 3127 (relating to indecent exposure).
 - (ix) Incest as defined in 18 Pa.C.S. § 4302 (relating to incest).
 - (x) Prostitution as defined in 18 Pa.C.S. § 5902 (relating to prostitution and related offenses).
 - (xi) Sexual abuse as defined in 18 Pa.C.S. § 6312 (relating to sexual abuse of children).
 - (xii) Unlawful contact with a minor as defined in 18 Pa.C.S. § 6318 (relating to unlawful contact with minor).
 - (xiii) Sexual exploitation as defined in 18 Pa.C.S. § 6320 (relating to sexual exploitation of children).

<http://www.legis.state.pa.us/>

- Third degree of consanguinity
- Family members or persons related by blood. The third degree of consanguinity (three generations) includes:
- Parent

- Sibling
- Grandchild/Grandparent
- Great-grandchild/Great-grandparent
- Niece/nephew
- Aunt/Uncle (if he/she is the sibling of the person's parent or grandparent)

Trauma

Trauma occurs when a child experiences an intense event that threatens or causes harm to his or her emotional or physical well-being. When children have a traumatic experience, they react in both physiological and psychological ways. Some children who have experienced a traumatic event will have longer lasting reactions that can interfere with their physical and emotional health.

http://www.nctsnet.org/sites/default/files/assets/pdfs/what_is_child_traumatic_stress_0.pdf

Unfounded report

Any report made pursuant to this chapter unless the report is a "founded report" or an "indicated report"

Our vision is to see Pennsylvanians living safe, healthy and independent lives.

Our mission is to improve the quality of life for Pennsylvania's individuals and families. We promote opportunities for independence through services and supports while demonstrating accountability for taxpayer resources.

Vision: All children and youth grow up in a safe, loving, nurturing, permanent family and community.

Mission: We support the provision of quality services and best practices designed to ensure the safety, permanency and well-being of PA's Children, Youth and Families.

Office of Children Youth and Families

55. PA. CODE § . 3490.4. Definition - ChildLine

<https://www.pacode.com/secure/data/055/chapter3490/s3490.4.html>

§ 3490.31. Receipt of reports.

<https://www.pacode.com/secure/data/055/chapter3490/chap3490toc.html#3490.31>

55. PA. CODE § 3130.5

<https://www.pacode.com/secure/data/055/chapter3130/s3130.5.html>

55. PA. CODE § 3130.31. Responsibilities of the county agency.

<https://www.pacode.com/secure/data/055/chapter3130/s3130.31.html>

Family Service plans:

<https://www.pacode.com/secure/data/055/chapter3130/s3130.61.html>

<https://www.pacode.com/secure/data/055/chapter3130/s3130.66.html>

<https://www.pacode.com/secure/data/055/chapter3130/s3130.67.html>

Scheduling and conducting case reviews:

<https://www.pacode.com/secure/data/055/chapter3130/s3130.63.html>

<https://www.pacode.com/secure/data/055/chapter3130/s3130.71.html>

<https://www.pacode.com/secure/data/055/chapter3130/s3130.72.html>

Investigation of reports of suspected child abuse and services provided to abused children and their families under Chapter 3490 (relating to protective services).

<https://www.pacode.com/secure/data/055/chapter3490/chap3490toc.html>

23 PA. CONS. STAT. §6303 (a) Definitions.

(a) **"General protective services."**

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

55 PA. CODE § 3490.223.

<https://www.pacode.com/secure/data/055/chapter3490/chap3490toc.html#3490.223>

23 PA. CONS. STAT. §6303 (a) Definitions.

"Child protective services."

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 PA. CONS. STAT. §6303 (a) Definitions.

"Child protective services."

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

223 PA. CONS. STAT. § 6303. Definitions.

"Founded report." A child abuse report involving a perpetrator that is made pursuant to this chapter, if any of the following applies:

(1) There has been a judicial adjudication based on a finding that a child who is a subject of the report has been abused and the adjudication involves the same factual circumstances involved in the allegation of child abuse. The judicial adjudication may include any of the following:

(i) The entry of a plea of guilty or nolo contendere.

(ii) A finding of guilt to a criminal charge.

(iii) A finding of dependency under 42 Pa.C.S. § 6341 (relating to adjudication) if the court has entered a finding that a child who is the subject of the report has been abused.

(iv) A finding of delinquency under 42 Pa.C.S. § 6341 if the court has entered a finding that the child who is the subject of the report has been abused by the child who was found to be delinquent.

(2) There has been an acceptance into an accelerated rehabilitative disposition program and the reason for the acceptance involves the same factual circumstances involved in the allegation of child abuse.

(3) There has been a consent decree entered in a juvenile proceeding under 42 Pa.C.S. Ch. 63 (relating to juvenile matters), the decree involves the same factual circumstances involved in the allegation of child abuse and the terms and conditions of the consent decree include an acknowledgment, admission or finding that a child who is the subject of the report has been abused by the child who is alleged to be delinquent.

(4) A final protection from abuse order has been granted under section 6108 (relating to relief), when the child who is a subject of the report is one of the individuals protected under the protection from abuse order and:

(i) only one individual is charged with the abuse in the protection from abuse action;

(ii) only that individual defends against the charge;

(iii) the adjudication involves the same factual circumstances involved in the allegation of child abuse; and

(iv) the protection from abuse adjudication finds that the child abuse occurred.

"Indicated report."

(1) Subject to paragraphs (2) and (3), a report of child abuse made pursuant to this chapter if an investigation by the Department or

county agency determines that substantial evidence of the alleged abuse by a perpetrator exists based on any of the following:

- (i) Available medical evidence.
 - (ii) The child protective service investigation.
 - (iii) An admission of the acts of abuse by the perpetrator.
- (2) A report may be indicated under paragraph (1)(i) or (ii) for any child who is the victim of child abuse, regardless of the number of alleged perpetrators.
- 3) A report may be indicated under paragraph (1)(i) or (ii) listing the perpetrator as "unknown" if substantial evidence of abuse by a perpetrator exists, but the department or county agency is unable to identify the specific perpetrator.

"Mandated reporter." A person who is required by this chapter to make a report of suspected child abuse.

"Near fatality." A child's serious or critical condition, as certified by a physician, where that child is a subject of the report of child abuse.

"Newborn." As defined in section 6502 (relating to definitions).

"Nonaccidental." (Deleted by amendment).

23 Pa. C.S. §6303 (a)

"Perpetrator." A person who has committed child abuse as defined in this section. The following shall apply:

A person who has committed child abuse. The following shall apply:

- (1) The term includes only the following:
 - (i) A parent of the child.
 - (ii) A spouse or former spouse of the child's parent.
 - (iii) A paramour or former paramour of the child's parent.
 - (iv) A person 14 years of age or older and responsible for the child's welfare or having direct contact with children as an employee of child-care services, a school or through a program, activity or service.
 - (v) An individual 14 years of age or older who resides in the same_ home as the child.
 - (vi) An individual 18 years of age or older who does not reside in the same home as the child but is related within the third degree of_ consanguinity or affinity by birth or adoption to the child.
- (2) Only the following may be considered a perpetrator for failing to act, as provided in this section:
 - (i) A parent of the child.
 - (ii) A spouse or former spouse of the child's parent.

- (iii) A paramour or former paramour of the child's parent.
- (iv) A person 18 years of age or older and responsible for the child's welfare.
- (v) A person 18 years of age or older who resides in the same home as the child.

(b.1) Child abuse.--The term "child abuse" shall mean intentionally, knowingly or recklessly doing any of the following:

- (1) Causing bodily injury to a child through any recent act or failure to act.**
- (2) Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful _medical evaluation or treatment to the child through any recent act.**
- (3) Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.**
- (4) Causing sexual abuse or exploitation of a child through any act or failure to act.**
- (5) Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.**
- (6) Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.**
- (7) Causing serious physical neglect of a child.**
- (8) Engaging in any of the following recent acts:**
 - (i) Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.**
 - (ii) Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.**
 - (iii) Forcefully shaking a child under one year of age.**
 - (iv) Forcefully slapping or otherwise striking a child under one year of age.**
 - (v) Interfering with the breathing of a child.**
 - (vi) Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to operation of methamphetamine_laboratory) is occurring, provided that the violation is being investigated by law enforcement.**
 - (vii) Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:**
 - (A) Is required to register as a Tier II or Tier III sexual offender under 42 Pa.C.S. Ch. 97 Subch. H (relating to**

registration of sexual offenders), where the victim of the sexual offense was under 18 years of age when the crime was committed.

(B) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors.

(C) Has been determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.12 (relating to definitions).

(9) Causing the death of the child through any act or failure to act.

(c) Restatement of culpability.--Conduct that causes injury or harm to a child or creates a risk of injury or harm to a child shall not be considered child abuse if there is no evidence that the person acted intentionally, knowingly or recklessly when causing the injury or harm to the child or creating a risk of injury or harm to the child.

(d) Child abuse exclusions.--The term "child abuse" does not include any conduct for which an exclusion is provided in section 6304 (relating to exclusions from child abuse).

(Dec. 16, 1994, P.L.1292, No.151, eff. July 1, 1995; Mar. 31, 1995, 1st Sp.Sess., P.L.985, No.10, eff. 60 days; Dec. 9, 2002, P.L.1549, No.201, eff. 60 days; Nov. 29, 2004, P.L.1291, No.160, eff. 60 days; Nov. 9, 2006, P.L.1358, No.146, eff. 180 days; Nov. 29, 2006, P.L.1581, No.179, eff. 180 days; July 3, 2008, P.L.276, No.33, eff. 180 days; Dec. 18, 2013, P.L.1170, No.108, eff. Dec. 31, 2014; Dec. 18, 2013, P.L.1195, No.117, eff. Dec. 31, 2014; Dec. 18, 2013, P.L.1201, No.119, eff. Dec. 31, 2014; Jan. 22, 2014, P.L.6, No.4, eff. 90 days; Apr. 7, 2014, P.L.388, No.29, eff. Dec. 31, 2014; Apr. 15, 2014, P.L.417, No.33, eff. Dec. 31, 2014; Mar. 14, 2014, P.L.645, No.44, eff. Dec. 31, 2014; Mar. 14, 2014, P.L.653, No.45, eff. Dec. 31, 2014)

23 PA. CONS. STAT. § 6368. Investigation of reports.

§ 6368. Investigation of reports.

(a) Response to direct reports.--Upon receipt of a report of suspected child abuse by a perpetrator from an individual, the county agency shall ensure the safety of the child and any other child in the child's home and immediately contact the department in accordance with the provisions of section 6334 (relating to disposition of complaints received).

(b) Response to reports referred to county agency by department.--Upon receipt of a report of suspected child abuse from the department, the county agency shall immediately commence an investigation and see the child within the following time frames:

(1) Immediately, if:

(i) emergency protective custody is required, has been or will be taken; or

(ii) it cannot be determined from the report whether emergency protective custody is needed.

(2) Within 24 hours of receipt of the report in all other cases.

(c) Investigation.--An investigation under this section shall include the following:

(1) A determination of the safety of or risk of harm to the child or any other child if each child continues to remain in the existing home environment.

(2) A determination of the nature, extent and cause of any condition listed in the report.

(3) Any action necessary to provide for the safety of the child or any other child in the child's household.

(4) The taking of photographic identification of the child or any other child in the child's household, which shall be maintained in the case file.

(5) Communication with the department's service under section 6332 (relating to establishment of Statewide toll-free telephone number).

(d) Investigative actions.--During the investigation, all of the following shall apply:

(1) The county agency shall provide or arrange for services necessary to protect the child while the agency is making a determination under this section.

(2) If the investigation indicates bodily injury, the county agency may require that a medical examination by a certified medical practitioner be performed on the child.

(3) Where there is reasonable cause to suspect that there is a history of prior or current abuse, the medical practitioner has the authority to arrange for further medical tests or the county agency has the authority to request further medical tests.

(4) The investigation shall include interviews with all subjects of the report, including the alleged perpetrator. If a subject of the

report is not able to be interviewed or cannot be located, the county agency shall document its reasonable efforts to interview the subject and the reasons for its inability to interview the subject. The interview may be reasonably delayed if notice of the investigation has been delayed pursuant to subsection (m).

(e) Review of indicated reports.--A final determination that a report of suspected child abuse is indicated shall be approved by:

(1) the county agency administrator or a designee and reviewed by a county agency solicitor, when the county agency is investigating;

or

(2) the secretary or a designee and reviewed by legal counsel for the department, when the department is investigating.

(f) Final determination.--Immediately upon conclusion of the child abuse investigation, the county agency shall provide the results of its investigation to the department in a manner prescribed by the department. Within three business days of receipt of the results of the investigation from the county agency, the department shall send notice of the final determination to the subjects of the report, other than the abused child. The determination shall include the following information:

(1) The status of the report.

(2) The perpetrator's right to request the secretary to amend or expunge the report.

(3) The right of the subjects of the report to services from the county agency.

(4) The effect of the report upon future employment opportunities involving children.

(5) The fact that the name of the perpetrator, the nature of the abuse and the final status of a founded or indicated report will be entered in the Statewide database, if the perpetrator's Social Security number or date of birth are known.

(6) The perpetrator's right to file an appeal of an indicated finding of abuse pursuant to section 6341 (relating to amendment or expunction of information) within 90 days of the date of notice.

(7) The perpetrator's right to a fair hearing on the merits on an appeal of an indicated report filed pursuant to section 6341.

(8) The burden on the investigative agency to prove its case by substantial evidence in an appeal of an indicated report.

(g) Notice.--Notice under subsection (f) shall constitute mailing of the final determination to the recipient's last known address. The determination is presumed received when not returned by the postal authorities as undeliverable. If the determination is returned as undeliverable, the entry in the Statewide database shall include information that the department was unable to provide notice. No further efforts to provide notice shall be required, except that the department shall resume reasonable efforts to provide notice if new information is received regarding the whereabouts of an individual who is entitled to receive notice under subsection (f).

(h) Notice to mandated reporter.--If a report was made by a mandated reporter under section 6313 (relating to reporting procedure), the department shall notify the mandated reporter who made the report of suspected child abuse of all of the following within three business days of the department's receipt of the results of the investigation:

(1) Whether the child abuse report is founded, indicated or unfounded.

(2) Any services provided, arranged for or to be provided by the county agency to protect the child.

(i) Investigation concerning a school or child-care service employee.--

(1) Upon notification that an investigation involves suspected child abuse by a school or child-care service employee, including, but not limited to, a service provider, independent contractor or administrator, the school or child-care service shall immediately implement a plan of supervision or alternative arrangement for the individual under investigation to ensure the safety of the child and other children who are in the care of the school or child-care service.

(2) The plan of supervision or alternative arrangement shall be approved by the county agency and kept on file with the agency until the investigation is completed.

(i) Referral for investigation.--If the complaint of suspected abuse is determined to be one that cannot be investigated under this chapter because the person accused of the abuse is not a perpetrator within the meaning of section 6303 (relating to definitions), but does suggest the need for investigation, the county agency shall immediately transmit the information to the appropriate law enforcement officials in accordance with the county protocols for multidisciplinary investigative teams required under section 6365(c) (relating to services for prevention, investigation and treatment of child abuse).

(k) Need for social services.--If the investigation determines that the child is being harmed by factors beyond the control of the parent or other person responsible for the child's welfare, the county agency shall promptly take all steps available to remedy and correct these conditions, including the coordination of social services for the child and the family or referral of the family to appropriate agencies for the provision of services.

(l) Notice of investigation.--

(1) Prior to interviewing a subject of a report, the county agency shall orally notify the subject, except for the alleged victim, who is about to be interviewed of the following information:

(i) The existence of the report.

(ii) The subject's rights under 42 Pa.C.S. §§ 6337 (relating to right to counsel) and 6338 (relating to other basic rights).

(iii) The subject's rights pursuant to this chapter in regard to amendment or expungement.

(iv) The subject's right to have an attorney present during the

interview.

(2) Written notice shall be given to the subject within 72 hours following oral notification, unless delayed as provided in subsection (m).

(m) Delay of notification.--The notice under subsection (l)(2) may be reasonably delayed, subject to the following:

(1) If the notification is likely to:

(i) threaten the safety of a victim, a subject of the report who is not a perpetrator or the investigating county agency worker;

(ii) cause the perpetrator to abscond; or

(iii) significantly interfere with the conduct of a criminal investigation.

(2) The written notice shall be provided to all subjects of the report prior to the county agency reaching a finding on the validity of the report.

(n) Completion of investigation.--Investigations shall be completed in accordance with the following:

(1) Investigations to determine whether to accept the family for service and whether a report is founded, indicated or unfounded shall be completed within 60 days in all cases.

(2) If, due to the particular circumstances of the case, the county agency cannot complete the investigation within 30 days, the particular reasons for the delay shall be described in the child protective service record and made available to the department for purposes of determining whether either of the following occurred:

(i) The county agency strictly followed the provisions of this chapter.

(ii) The county agency is subject to action as authorized under section 6343 (relating to investigating performance of county agency).

(3) Where a petition has been filed under 42 Pa.C.S. Ch. 63 (relating to juvenile matters) alleging that a child is a dependent child, the county agency shall make all reasonable efforts to complete the investigation to enable the hearing on the petition to be held as required by 42 Pa.C.S. § 6335 (relating to release or holding of hearing).

(Dec. 16, 1994, P.L.1292, No.151, eff. July 1, 1996; Oct. 27, 2006, P.L.1192, No.126, eff. 60 days; Nov. 29, 2006, P.L.1581, No.179, eff. 180 days; Dec. 18, 2013, P.L.1170, No.108, eff. Dec. 31, 2014; Dec. 18, 2013, P.L.1235, No.123, eff. 90 days)

23 Pa. CONS. STAT. § 6341. Amendment or expunction of information.

(a) General rule.--Notwithstanding section 6338.1 (relating to expunction of information of perpetrator who was under 18 years of age when child abuse was committed):

(1) At any time, the secretary may amend or expunge any record in the Statewide database under this chapter upon good cause shown and notice

to the appropriate subjects of the report. The request shall be in writing in a manner prescribed by the department. For purposes of this paragraph, good cause shall include, but is not limited to, the following:

(i) Newly discovered evidence that an indicated report of child abuse is inaccurate or is being maintained in a manner inconsistent with this chapter.

(ii) A determination that the perpetrator in an indicated report of abuse no longer represents a risk of child abuse and that no significant public purpose would be served by the continued listing of the person as a perpetrator in the Statewide database.

(2) Any person named as a perpetrator, and any school employee named, in an indicated report of child abuse may, within **90** days of being notified of the status of the report, request an administrative review by, or appeal and request a hearing before, the secretary to amend or expunge an indicated report on the grounds that it is inaccurate or it is being maintained in a manner inconsistent with this chapter. The request shall be in writing in a manner prescribed by the department.

(3) Within 60 days of a request under paragraph (1) or a request for administrative review under paragraph (2), the department shall send notice of the secretary's decision.

(b) **Review of grant of request.**--If the secretary grants the request under subsection (a)(2), the Statewide **database**, appropriate county agency, appropriate law enforcement officials and all subjects shall be so advised of the decision. The county agency and any subject have **90** days in which to file an administrative appeal with the secretary. If an administrative appeal is received, the secretary or his designated agent shall schedule a hearing pursuant to Article IV of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, attending departmental regulations. If no administrative appeal is received within the designated time period, the Statewide **database** shall comply with the decision of the secretary and advise the county agency to amend or expunge the information in their records so that the records are consistent at both the State and local levels.

(c) **Review of refusal of request.**--Subject to subsection (c.1), if the secretary refuses a request under subsection (a)(1) or a request for administrative review under subsection (a)(2), or does not act within the prescribed time, the perpetrator or school employee shall have the right to appeal and request a hearing before the secretary to amend or expunge an indicated report on the grounds that it is inaccurate or it is being maintained in a manner inconsistent with this chapter. The request for hearing must be made within 90 days of notice of the decision. The appropriate county agency and appropriate law enforcement officials shall be given notice of the hearing. The burden of proof in the hearing shall be on the appropriate county agency. The department shall assist the county agency as necessary.

(c.1) Founded reports.--A person named as a perpetrator in a founded

report of child abuse must provide to the department a court order indicating that the underlying adjudication that formed the basis of the founded report has been reversed or vacated.

(c.2) Hearing.--A person making an appeal under subsection (a)(2) or (c) shall have the right to a timely hearing to determine the merits of the appeal. A hearing shall be scheduled according to the following procedures:

(1) Within ten days of receipt of an appeal pursuant to this section, the department shall schedule a hearing on the merits of the appeal.

(2) The department shall make reasonable efforts to coordinate the hearing date with both the appellee and appellant.

(3) After reasonable efforts required by paragraph (2) have been made, the department shall enter a scheduling order, and proceedings before the Bureau of Hearings and Appeals shall commence within 90 days of the date the scheduling order is entered, unless all parties have agreed to a continuance. Proceedings and hearings shall be scheduled to be heard on consecutive days whenever possible, but if not on consecutive days, then the proceeding or hearing shall be concluded not later than 30 days from commencement.

(4) The department or county agency shall provide a person making an appeal with evidence gathered during the child abuse investigation within its possession that is relevant to the child abuse determination, subject to sections 6339 (relating to confidentiality of reports) and 6340 (relating to release of information in confidential reports).

(5) The department or county agency shall bear the burden of proving by substantial evidence that the report should remain categorized as an indicated report.

(c.3) Prompt decision.--The administrative law judge's or hearing officer's decision in a hearing under subsection (c.2) shall be entered, filed and served upon the parties within 45 days of the date upon which the proceeding or hearing is concluded unless, within that time, the tribunal extends the date for the decision by order entered of record showing good cause for the extension. In no event shall an extension delay the entry of the decision more than 60 days after the conclusion of the proceeding or hearing.

(c.4) Notice of decision.--Notice of the decision shall be made to the Statewide database, the appropriate county agency, any appropriate law enforcement officials and all subjects of the report, except for the abused child.

(d) Stay of proceedings.--Any administrative appeal proceeding pursuant to subsection (b) shall be automatically stayed upon notice to the department by either of the parties when there is a pending criminal proceeding or a dependency or delinquency proceeding pursuant to 42 Pa.C.S. Ch. 63 (relating

to juvenile matters), including any appeal thereof, involving the same factual circumstances as the administrative appeal.

(e) Order.--The secretary or designated agent may make any appropriate order respecting the amendment or expunction of such records to make them accurate or consistent with the requirements of this chapter.

(f) Notice of expunction.--Written notice of an expunction of any child abuse record made pursuant to the provisions of this chapter shall be served upon the subject of the record who was responsible for the abuse or injury and the appropriate county agency. Except as provided in this subsection, the county agency, upon receipt of the notice, shall take appropriate, similar action in regard to the local child abuse records and inform, for the same purpose, the appropriate coroner if that officer has received reports pursuant to section 6367 (relating to reports to department and coroner). Whenever the county agency investigation reveals, within 60 days of receipt of the report of suspected child abuse, that the report is unfounded but that the subjects need services provided or arranged by the county agency, the county agency shall retain those records and shall specifically identify that the report was an unfounded report of suspected child abuse. An unfounded report regarding subjects who receive services shall be expunged no later than 120 days following the expiration of one year after the termination or completion of services provided or arranged by the county agency.

(g) Reconsideration and appeal.--Parties to a proceeding or hearing held under subsection (c.2) have 15 calendar days from the mailing date of the final order of the Bureau of Hearings and Appeals to request the secretary to reconsider the decision. Parties to a proceeding or hearing held under this section have 30 calendar days from the mailing date of the final order of the Bureau of Hearings and Appeals to perfect an appeal to Commonwealth Court. The filing for reconsideration shall not toll the 30 days provided.

(Dec. 16, 1994, P.L.1292, No.151, eff. July 1, 1995; Dec. 15, 1998, P.L.963, No.127, eff. Mar. 1, 1999; **Dec. 18, 2013, P.L.1170, No.108, eff. Dec. 31, 2014; Dec. 18, 2013, P.L.1201, No.119, eff. July 1, 2014; May 14, 2014, P.L.653, No.45, eff. Dec. 31, 2014)**)

23 PA. CONS. STAT. § 6338.1. Expunction of information of perpetrator who was under 18 years of age when child abuse was committed.

(a) General rule.--The name of a perpetrator who is the subject of an indicated report of child abuse and who was under 18 years of age when the individual committed child abuse shall be expunged from the Statewide database when the individual reaches 21 years of age or when five years have elapsed since the perpetrator's name was added to the database, whichever is later, if the individual meets all of the following:

(1) The individual has not been named as a perpetrator in any subsequent indicated report of child abuse and is not named as an alleged perpetrator in a child abuse report pending investigation.

(2) The individual has never been convicted or adjudicated

delinquent following a determination by the court that the individual committed an offense under section 6344(c) (relating to information relating to prospective child-care personnel), and no proceeding is pending seeking such conviction or adjudication.

(3) The child abuse which resulted in the inclusion of the perpetrator's name in the database did not involve the use of a deadly weapon, as defined under 18 Pa.C.S. § 2301 (relating to definitions).

(b) Mandated expunction.--If the perpetrator meets all of the requirements under subsection (a), the expunction shall be mandated and guaranteed by the department.

(c) Nonapplicability.--The provisions of this section shall not apply to any of the following cases:

(1) A perpetrator who is the subject of a founded report of child abuse.

(2) A sexually violent delinquent child, as defined in 42 Pa.C.S. § 9799.12 (relating to definitions), who meets all of the following:

(i) Is required to register under 42 Pa.C.S. Ch. 97 Subch. H (relating to registration of sexual offenders).

(ii) Was found delinquent as a result of the same acts which resulted in the sexually violent delinquent child being named a perpetrator of child abuse.

(3) A juvenile offender, as defined in 42 Pa.C.S. § 9799.12, who meets all of the following:

(i) Is required to register under 42 Pa.C.S. Ch. 97 Subch. H as a result of an adjudication of delinquency for the same acts which resulted in the juvenile offender being named a perpetrator of child abuse.

(ii) Has not been removed from the Statewide Registry of Sexual Offenders pursuant to 42 Pa.C.S. § 9799.17 (relating to termination of period of registration for juvenile offenders).

(4) A sexual offender, as defined in 42 Pa.C.S. § 9799.12, who meets all of the following:

(i) Is required to register under 42 Pa.C.S. Ch. 97 Subch. H as a result of a criminal conviction for the same acts which resulted in the sexual offender being named a perpetrator of child abuse.

(ii) Has not completed the period of registration required under 42 Pa.C.S. § 9799.15 (relating to period of registration).

(Dec. 18, 2013, P.L.1195, No.117, eff. Dec. 31, 2014; May 14, 2014, P.L.653, No.45, eff. Dec. 31, 2014)

23 PA. CONS. STAT. § 6313. Reporting procedure.

(a) Report by mandated reporter.--

(1) A mandated reporter shall immediately make an oral report of suspected child abuse to the department via the Statewide toll-free telephone number under section 6332 (relating to establishment of Statewide toll-free telephone number) or a written report using

electronic technologies under section 6305 (relating to electronic reporting).

(2) A mandated reporter making an oral report under paragraph (1) of suspected child abuse shall also make a written report, which may be submitted electronically, within 48 hours to the department or county agency assigned to the case in a manner and format prescribed by the department.

(3) The failure of the mandated reporter to file the report under paragraph (2) shall not relieve the county agency from any duty under this chapter, and the county agency shall proceed as though the mandated reporter complied with paragraph (2).

(b) Contents of report.--A written report of suspected child abuse, which may be submitted electronically, shall include the following information, if known:

(1) The names and addresses of the child, the child's parents and any other person responsible for the child's welfare.

(2) Where the suspected abuse occurred.

(3) The age and sex of each subject of the report.

(4) The nature and extent of the suspected child abuse, including any evidence of prior abuse to the child or any sibling of the child.

(5) The name and relationship of each individual responsible for causing the suspected abuse and any evidence of prior abuse by each individual.

(6) Family composition.

(7) The source of the report.

(8) The name, telephone number and e-mail address of the person making the report.

(9) The actions taken by the person making the report, including those actions taken under section 6314 (relating to photographs, medical tests and X-rays of child subject to report), 6315 (relating to taking child into protective custody), 6316 (relating to admission to private and public hospitals) or 6317 (relating to mandatory reporting and postmortem investigation of deaths).

(10) Any other information required by Federal law or regulation.

(11) Any other information that the department requires by regulation.

(c) (Deleted by amendment).

(d) (Deleted by amendment).

(Dec. 16, 1994, P.L.1292, No.151, eff. July 1, 1995; Apr. 15, 2014, P.L.417, No.33, eff. Dec. 31, 2014)

23 PA. C.S. § 6368. Investigation of reports.

(e) Review of indicated reports.--A final determination that a report of suspected child abuse is indicated shall be approved by:

(1) the county agency administrator or a designee and reviewed by a county agency solicitor, when the county agency is investigating;

or

(2) the secretary or a designee and reviewed by legal counsel for the department, when the department is investigating.

23 PA. CONS. STAT. § 6334. Disposition of complaints received.

(a) Receipt of reports by county agencies and law enforcement.--After ensuring the immediate safety of the child and any other child in the child's home, a county agency or law enforcement official that receives a report of suspected child abuse shall immediately notify the department of the report. If the report is an oral report by telephone, the county agency or law enforcement official shall attempt to collect as much of the information listed in section 6313(c) (relating to reporting procedure) as possible and shall submit the information to the department within 48 hours through a report in writing or by electronic technologies.

(b) Receipt of reports by department and referral to county agency.--The department shall immediately transmit an oral notice or a notice by electronic technologies to the county agency of the county where the suspected child abuse is alleged to have occurred. The notice shall contain the following information:

(1) That a report of suspected child abuse by a perpetrator has been received.

(2) The substance of the report.

(3) The existence in the Statewide database of a prior report or a current investigation or assessment concerning a subject of the report.

(c) Receipt of reports by department and referral to law enforcement.--If the department receives a report of suspected child abuse that also alleges that a criminal offense has been committed against the child, the department shall immediately transmit an oral notice or notice by electronic technologies to the appropriate law enforcement official in the county where the suspected child abuse is alleged to have occurred. The notice shall contain the following information, consistent with section 6340(a)(9) and (10) (relating to release of information in confidential reports):

(1) That a report of suspected child abuse has been received.

(2) The substance of the report.

(3) The existence in the Statewide database under section 6331 (relating to establishment of Statewide database) of a prior report or a current investigation or assessment concerning a subject of the report.

(d) Notice of joint referrals.--When a report is referred to the county agency under subsection (b) and is also referred to a law enforcement official under subsection (c), the notice shall include information as to the name and contact information of any persons receiving the referral, if known.

(e) Jurisdictional overlap.--If the residency of any subject of a report is a factor that requires the cooperation of more than one county agency, the department shall develop procedures to ensure the cooperation of those agencies in carrying out the requirements of this chapter.

(f) Referral for services or investigation.--If the report received does not

suggest a need for protective services but does suggest a need for social services or other services or investigation, the department shall transmit the information to the county agency or other public agency for appropriate action. The information shall not be considered a child abuse report unless the agency to which the information was referred has reasonable cause to suspect after investigation that abuse occurred. If the agency has reasonable cause to suspect that abuse occurred, the agency shall notify the department, and the initial report shall be considered to have been a child abuse report.

(g) Recording of pending reports.--Upon receipt of a report of suspected child abuse, the department shall maintain a record of the complaint of suspected child abuse in the Statewide database. Upon receipt of a report under section 6353.2 (relating to responsibilities of county agency), the department shall maintain a record of the report in the Statewide database under section 6331.

(h) Child abuse in another state where the victim child and the alleged perpetrator are residents of the Commonwealth.--A report of suspected child abuse by a resident perpetrator occurring in another state shall be referred by the department to the county agency where the child resides in this Commonwealth and shall be investigated by the county agency as any other report of suspected child abuse by a perpetrator if the other state's child protective services agency cannot or will not investigate the report.

(i) Child abuse in another state where only the alleged perpetrator is a resident of this Commonwealth.--If suspected child abuse occurs in a jurisdiction other than this Commonwealth and only the alleged perpetrator is a resident of this Commonwealth, the report of suspected child abuse shall be referred to the county agency where the alleged perpetrator resides. The county agency shall do all of the following:

(1) Notify the children and youth social service agency of the jurisdiction in which the suspected child abuse occurred.

(2) If requested by the other agency, assist in investigating the suspected child abuse.

(j) Child abuse in another state where only the victim child is a resident of this Commonwealth.--A report of suspected child abuse occurring in another state where only the victim child resides in this Commonwealth and where the other state's child protective services agency cannot or will not investigate the report shall be assigned as a general protective services report to the county agency where the child resides.

(k) Copies of report.--A copy of a report of suspected child abuse under subsections (h), (i) and (j) shall be provided to the other state's child protective services agency and, if appropriate, to law enforcement officials where the incident occurred.

(l) Communication.--Reports and information under subsections (h), (i) and (j) shall be provided within seven calendar days of completion of the investigation.

(Dec. 16, 1994, P.L.1292, No.151, eff. July 1, 1995; July 7, 2005, P.L.196,

No.43, eff. imd.; Apr. 7, 2014, P.L.388, No.29, eff. Dec. 31, 2014)

23 PA. C. S. § 6311. Persons required to report suspected child abuse.

(a) Mandated reporters.--The following adults shall make a report of suspected child abuse, subject to subsection (b), if the person has reasonable cause to suspect that a child is a victim of child abuse:

- (1) A person licensed or certified to practice in any health-related field under the jurisdiction of the Department of State.**
- (2) A medical examiner, coroner or funeral director.**
- (3) An employee of a health care facility or provider licensed by the Department of Health, who is engaged in the admission, examination, care or treatment of individuals.**
- (4) A school employee.**
- (5) An employee of a child-care service who has direct contact with children in the course of employment.**
- (6) A clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer or spiritual leader of any regularly established church or other religious organization.**
- (7) An individual paid or unpaid, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service, accepts responsibility for a child.**
- (8) An employee of a social services agency who has direct contact with children in the course of employment.**
- (9) A peace officer or law enforcement official.**
- (10) An emergency medical services provider certified by the Department of Health.**
- (11) An employee of a public library who has direct contact with children in the course of employment.**
- (12) An individual supervised or managed by a person listed under paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) and (11), who has direct contact with children in the course of employment.**
- (13) An independent contractor.**
- (14) An attorney affiliated with an agency, institution, organization or other entity, including a school or regularly established religious organization that is responsible for the care, supervision, guidance or control of children.**
- (15) A foster parent.**

(b) Basis to report.--

(1) A mandated reporter enumerated in subsection (a) shall make a report of suspected child abuse or cause a report to be made in accordance with section 6313 (relating to reporting procedure), if the mandated reporter has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

- (i) The mandated reporter comes into contact with the child in the course of employment, occupation and practice of a profession or through a regularly scheduled program, activity or service.**
- (ii) The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution,**

organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child.

(iii) A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.

(iv) An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

(2) Nothing in this section shall require a child to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse.

(3) Nothing in this section shall require the mandated reporter to identify the person responsible for the child abuse to make a report of suspected child abuse.

(c) Staff members of institutions, etc.--Whenever a person is required to report under subsection (b) in the capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, that person shall report immediately in accordance with section 6313 and shall immediately thereafter notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge. Upon notification, the person in charge or the designated agent, if any, shall facilitate the cooperation of the institution, school, facility or agency with the investigation of the report. Any intimidation, retaliation or obstruction in the investigation of the report is subject to the provisions of 18 Pa.C.S. § 4958 (relating to intimidation, retaliation or obstruction in child abuse cases). This chapter does not require more than one report from any such institution, school, facility or agency.

(d) (Deleted by amendment).

(Dec. 16, 1994, P.L.1292, No.151, eff. July 1, 1995; Nov. 29, 2006, P.L.1581, No.179, eff. 180 days; Apr. 15, 2014, P.L.414, No.32, eff. 60 days; Apr. 15, 2014, P.L.417, No.33, eff. Dec. 31, 2014; Apr. 15, 2014, P.L.425, No.34, eff. Dec. 31, 2014; May 14, 2014, P.L.645, No.44, eff. Dec. 31, 2014)

23 PA. CONS. STAT. § 6386. Mandatory reporting of children under one year of age.

§ 6386. Mandatory reporting of children under one year of age.

(a) When report to be made.--A health care provider shall immediately make a report or cause a report to be made to the appropriate county agency if the provider is involved in the delivery or care of a child under one year of age who is born and identified as being affected by any of the following:

(1) Illegal substance abuse by the child's mother.

(2) Withdrawal symptoms resulting from prenatal drug exposure.

(3) A Fetal Alcohol Spectrum Disorder.

(b) Safety or risk assessment.--The county agency shall perform a safety assessment or risk assessment, or both, for the child and determine

whether child protective services or general protective services are warranted.

(c) County agency duties.--Upon receipt of a report under this section, the county agency for the county where the child resides shall:

- (1) Immediately ensure the safety of the child and see the child immediately if emergency protective custody is required or has been or shall be taken or if it cannot be determined from the report whether emergency protective custody is needed.**
- (2) Physically see the child within 48 hours of receipt of the report.**
- (3) Contact the parents of the child within 24 hours of receipt of the report.**
- (4) Provide or arrange reasonable services to ensure the child is provided with proper parental care, control and supervision.**

(Nov. 9, 2006, P.L.1358, No.146, eff. 180 days; Jan. 22, 2014, P.L.6, No.4, eff. 90 days)

23 PA. CONS. STAT. § 6305. Electronic reporting.

(a) Departmental procedures.--The department shall establish procedures for the secure and confidential use of electronic technologies to transmit information under this chapter, including:

- (1) the filing of reports and other required records, including those of the county agency; and**
- (2) the verification of records and signatures on forms.**

(b) Confirmation of reports.--A confirmation by the department of the receipt of a report of suspected child abuse submitted electronically shall relieve the person making the report of making an additional oral or written report of suspected child abuse, subject to section 6313 (relating to reporting procedure).

(c) Effect on other law.--Nothing in this chapter shall be construed to supersede the act of December 16, 1999 (P.L.971, No.69), known as the Electronic Transactions Act. Any procedures developed by the department under this section shall comply with all applicable Federal and State laws regarding confidentiality of personally identifiable information.

(Apr. 7, 2014, P.L.388, No.29, eff. Dec. 31, 2014)

23 PA. CONS. STAT. § 6383. Education and training.

(a) Duties of department and county agencies.--The department and each county agency, both jointly and individually, shall conduct a continuing publicity and education program for the citizens of this Commonwealth aimed at the prevention of child abuse and child neglect, including the prevention of newborn abandonment, the identification of abused and neglected children and the provision of necessary ameliorative services to abused and neglected children and their families. The department and each county agency shall conduct an ongoing training and education program for local staff, persons required to make reports and other appropriate

persons in order to familiarize those persons with the reporting and investigative procedures for cases of suspected child abuse and the rehabilitative services that are available to children and families. In addition, the department shall, by regulation, establish a program of training and certification for persons classified as protective services workers. The regulations shall provide for the grandfathering of all current permanent protective services workers as certified protective services workers. Upon request by the county agency and approval of the department, the agency may conduct the training of the county's protective services workers.

(a.1) Study by department.--The department shall conduct a study to determine the extent of the reporting of suspected child abuse in this Commonwealth where the reports upon investigation are determined to be unfounded and to be knowingly false and maliciously reported or it is believed that a minor was persuaded to make or substantiate a false and malicious report. The department shall submit the report to the Governor, General Assembly and Attorney General no later than June 1, 1996. The report shall include the department's findings and recommendations on how to reduce the incidence of knowingly false and malicious reporting.

(a.2) Information for mandated and permissive reporters.--

(1) In addition to the requirements of subsection (a), the department shall provide specific information related to the recognition and reporting of child abuse on its Internet website in forms, including, but not limited to, the following:

(i) Website content.

(ii) Printable booklets and brochures.

(iii) Educational videos.

(iv) Internet-based interactive training exercises.

(2) Information shall be pertinent to both mandated and permissive reporters and shall address topics, including, but not limited to:

(i) Conduct constituting child abuse under this chapter.

(ii) Persons classified as mandated reporters.

(iii) Reporting requirements and procedures.

(iv) The basis for making a report of suspected child abuse.

(v) Penalties for failure to report.

(vi) Background clearance requirements for individuals who work or volunteer with children.

(vii) Recognition of the signs and symptoms of child abuse.

(viii) Alternative resources to assist with concerns not related to child abuse.

(3) The department shall include the following with all certifications provided pursuant to section 6344(b)(2) (relating to information relating to prospective child-care personnel):

(i) Information that certain persons are required by law to report suspected child abuse.

(ii) The Internet address where the information and guidance required by

this subsection can be obtained.

(iii) A telephone number and mailing address where guidance materials can be requested by individuals who cannot access the department's Internet website.

(4) The department shall implement this subsection within 180 days of the effective date of this subsection.

(b) Duties of Department of State.--

(1) The Department of State shall make training and educational programs and materials available for all professional licensing boards whose licensees are charged with responsibilities for reporting child abuse under this chapter with a program of distributing educational materials to all licensees.

(2) Each licensing board with jurisdiction over professional licensees identified as mandated reporters under this chapter shall promulgate regulations within one year of the effective date of this subsection on the responsibilities of mandated reporters. These regulations shall clarify that the provisions of this chapter take precedence over any professional standard that might otherwise apply in order to protect children from abuse.

(3) Each licensing board with jurisdiction over professional licensees identified as mandated reporters under this chapter shall:

(i) Require all persons applying for a license or certification issued by the licensing board to submit documentation acceptable to the licensing board of the completion of at least three hours of approved child abuse recognition and reporting training. Training shall address, but shall not be limited to, recognition of the signs of child abuse and the reporting requirements for suspected child abuse in this Commonwealth. Training shall be approved by the department. The training may occur as part of the continuing education requirement of the license.

(ii) Require all persons applying for the renewal of a license or certification issued by the licensing board to submit documentation acceptable to the licensing board of the completion of at least two hours of approved continuing education per licensure cycle. Continuing education shall address, but shall not be limited to, recognition of the signs of child abuse and the reporting requirements for suspected child abuse in this Commonwealth. Continuing education curricula shall be approved by the licensing board in consultation with the department. The two hours of continuing education on child abuse recognition and reporting shall be completed by each licensee as a portion of the total continuing education required for biennial license renewal.

(4) A licensing board with jurisdiction over professional licensees identified as mandated reporters under this chapter may exempt an applicant or licensee from the training or continuing education required by paragraph (3) if all of the following apply:

(i) The applicant or licensee submits documentation acceptable to the licensing board that the person has already completed child_abuse

recognition training.

(ii) The training was:

(A) required by section 1205.6 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, and the training program was approved by the Department of Education in consultation with the department; or

(B) required by the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, and the training program was approved by the department.

(iii) The amount of training received equals or exceeds the amount of training or continuing education required by paragraph (3).

(5) Upon biennial renewal of a license, a licensing board shall provide to professional licensees under its jurisdiction identified as mandated reporters information related to mandatory reporting of child abuse and the reporting requirements of licensees.

(6) A professional licensee identified as a mandated reporter may apply to the licensing board with jurisdiction over the licensee for an exemption from the training or continuing education required by paragraph (3). A licensing board may exempt the licensee if the licensee submits documentation acceptable to the licensing board that the licensee should not be subject to the training or continuing education requirement.

23 PA. C.S. §§ 6383. Education and training.

(c) Training of persons subject to department regulation.--

(1) The following persons shall be required to meet the child abuse recognition and reporting training requirements of this subsection:

(i) Operators of institutions, facilities or agencies which care for children and are subject to supervision by the department under Article IX of the Public Welfare Code, and their employees who have direct contact with children.

(ii) Foster parents.

(iii) Operators of facilities and agencies which care for children and are subject to licensure by the department under Article X of the Public Welfare Code and their employees who have direct contact with children.

(iv) Caregivers in family child-care homes which are subject to licensure by the department under Article X of the Public Welfare Code and their employees who have direct contact with children.

(v) The adult family member who is a person responsible for the child's welfare and is providing services to a child in a family living home, a community home for individuals with an intellectual disability or a host home which is subject to supervision or licensure by the department under Articles IX and X of the Public Welfare Code.

(2) Within six months of the effective date of this subsection, operators and caregivers shall receive three hours of training prior to the issuance of a license or approval certificate and three hours of training every five years thereafter.

(3) Employees who have direct contact with children and foster parents

shall receive three hours of training within six months of the issuance of a license or approval certificate and three hours of training every five years thereafter. New employees and new foster parents shall receive three hours of training within 90 days of hire or approval as a foster parent and three hours of training every five years thereafter.

(d) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Direct contact with children." The care, supervision, guidance or control of children or routine interaction with children.

"Operator." An executive or facility director. The term does not include a person who is not involved in managerial decisions related to the provision of services for or care of children with regard to any of the following:

- (1) Personnel.
- (2) Policy and procedures.
- (3) Regulatory compliance.
- (4) Services related to the general or medical care of children.
- (5) Supervision of children.
- (6) Safety of children.

(Dec. 16, 1994, P.L.1292, No.151; Dec. 9, 2002, P.L.1549, No.201, eff. 60 days; Apr. 15, 2014, P.L.411, No.31, eff. Dec. 31, 2014)

23 PA. CONS. STAT. § 6303. Definitions.

"Founded report." A child abuse report involving a perpetrator that is made pursuant to this chapter, if any of the following applies:

(1) There has been a judicial adjudication based on a finding that a child who is a subject of the report has been abused and the adjudication involves the same factual circumstances involved in the allegation of child abuse. The judicial adjudication may include any of the following:

- (i) The entry of a plea of guilty or nolo contendere.
- (ii) A finding of guilt to a criminal charge.
- (iii) A finding of dependency under 42 Pa.C.S. § 6341 (relating to adjudication) if the court has entered a finding that a child who is the subject of the report has been abused.
- (iv) A finding of delinquency under 42 Pa.C.S. § 6341 if the court has entered a finding that the child who is the subject of the report has been abused by the child who was found to be delinquent.

(2) There has been an acceptance into an accelerated rehabilitative disposition program and the reason for the acceptance involves the same factual circumstances involved in the allegation of child abuse.

(3) There has been a consent decree entered in a juvenile proceeding under 42 Pa.C.S. Ch. 63 (relating to juvenile matters), the decree involves the same factual circumstances involved in the allegation of child abuse and the terms and conditions of the consent decree include an acknowledgment, admission or finding that a child who is the subject of the report has been abused by the child who is alleged to be delinquent.

(4) A final protection from abuse order has been granted under section 6108 (relating to relief), when the child who is a subject of the report is one of the individuals protected under the protection from abuse order and:

- (i) only one individual is charged with the abuse in the protection from abuse action;
- (ii) only that individual defends against the charge;
- (iii) the adjudication involves the same factual circumstances involved in the allegation of child abuse; and
- (iv) the protection from abuse adjudication finds that the child abuse occurred.

"Indicated report."

(1) Subject to paragraphs (2) and (3), a report of child abuse made pursuant to this chapter if an investigation by the Department or county agency determines that substantial evidence of the alleged abuse by a perpetrator exists based on any of the following:

- (i) Available medical evidence.
- (ii) The child protective service investigation.
- (iii) An admission of the acts of abuse by the perpetrator.

(2) A report may be indicated under paragraph (1)(i) or (ii) for any child who is the victim of child abuse, regardless of the number of alleged perpetrators.

3) A report may be indicated under paragraph (1)(i) or (ii) listing the

perpetrator as "unknown" if substantial evidence of abuse by a perpetrator exists, but the department or county agency is unable to identify the specific perpetrator.

"Mandated reporter." A person who is required by this chapter to make a report of suspected child abuse.

"Near fatality." A child's serious or critical condition, as certified by a physician, where that child is a subject of the report of child abuse.

"Newborn." As defined in section 6502 (relating to definitions).

"Nonaccidental." (Deleted by amendment).

23 Pa. C.S. §6303 (a)

"Perpetrator." A person who has committed child abuse as defined in this section. The following shall apply:

A person who has committed child abuse. The following shall apply:

(1) The term includes only the following:

- (i) A parent of the child.
- (ii) A spouse or former spouse of the child's parent.
- (iii) A paramour or former paramour of the child's parent.
- (iv) A person 14 years of age or older and responsible for the child's welfare or having direct contact with children as an employee of child-care services, a school or through a program, activity or service.
- (v) An individual 14 years of age or older who resides in the same home as the child.
- (vi) An individual 18 years of age or older who does not reside in the same home as the child but is related within the third degree of consanguinity or affinity by birth or adoption to the child.

(2) Only the following may be considered a perpetrator for failing to act, as provided in this section:

- (i) A parent of the child.
- (ii) A spouse or former spouse of the child's parent.
- (iii) A paramour or former paramour of the child's parent.
- (iv) A person 18 years of age or older and responsible for the child's welfare.
- (v) A person 18 years of age or older who resides in the same home as the child.

(b.1) Child abuse.--The term "child abuse" shall mean intentionally, knowingly or recklessly doing any of the following:

- (1) Causing bodily injury to a child through any recent act or failure to act.
- (2) Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful

medical evaluation or treatment to the child through any recent act.

(3) Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.

(4) Causing sexual abuse or exploitation of a child through any act or failure to act.

(5) Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.

(6) Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.

(7) Causing serious physical neglect of a child.

(8) Engaging in any of the following recent acts:

(i) Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.

(ii) Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.

(iii) Forcefully shaking a child under one year of age.

(iv) Forcefully slapping or otherwise striking a child under one year of age.

(v) Interfering with the breathing of a child.

(vi) Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.

(vii) Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:

(A) Is required to register as a Tier II or Tier III sexual offender under 42 Pa.C.S. Ch. 97 Subch. H (relating to registration of sexual offenders), where the victim of the sexual offense was under 18 years of age when the crime was committed.

(B) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors.

(C) Has been determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.12 (relating to definitions).

(9) Causing the death of the child through any act or failure to act.

(c) Restatement of culpability.--Conduct that causes injury or harm to a child or creates a risk of injury or harm to a child shall not be considered child abuse if there is no evidence that the person acted intentionally, knowingly or recklessly when causing the injury or harm to the child or creating a risk of injury or harm to the child.

(d) Child abuse exclusions.--The term "child abuse" does not include any conduct for which an exclusion is provided in section 6304 (relating to exclusions from child abuse).

(Dec. 16, 1994, P.L.1292, No.151, eff. July 1, 1995; Mar. 31, 1995, 1st

Sp.Sess., P.L.985, No.10, eff. 60 days; Dec. 9, 2002, P.L.1549, No.201, eff. 60 days; Nov. 29, 2004, P.L.1291, No.160, eff. 60 days; Nov. 9, 2006, P.L.1358, No.146, eff. 180 days; Nov. 29, 2006, P.L.1581, No.179, eff. 180 days; July 3, 2008, P.L.276, No.33, eff. 180 days; Dec. 18, 2013, P.L.1170, No.108, eff. Dec. 31, 2014; Dec. 18, 2013, P.L.1195, No.117, eff. Dec. 31, 2014; Dec. 18, 2013, P.L.1201, No.119, eff. Dec. 31, 2014; Jan. 22, 2014, P.L.6, No.4, eff. 90 days; Apr. 7, 2014, P.L.388, No.29, eff. Dec. 31, 2014; Apr. 15, 2014, P.L.417, No.33, eff. Dec. 31, 2014; Mar. 14, 2014, P.L.645, No.44, eff. Dec. 31, 2014; Mar. 14, 2014, P.L.653, No.45, eff. Dec. 31, 2014)

23 PA. C.S. §§ 6383. Education and training.

(hire or approval as a foster parent and three hours of training every five years thereafter.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=083.&subSctn=000>

23 PA. C.S. §§ 6383. Education and training.

(c) Training of persons subject to department regulation.--

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=083.&subSctn=000>

23 PA. C.S. §6383. Education and training.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=083.&subSctn=000>

23 PA. CONS. STAT. §6303 (a) Definitions.

Those services and activities provided by the Department and each county agency for child abuse cases.

23 Pa.C.S. §6303 (a) "General protective services." Those services and activities provided by each county agency for cases requiring protective services, as defined by the **department** in regulations.

55 PA. CODE § 3490.223. General protective services — Services to prevent the potential for harm to a child who meets one of the following conditions:

- (i) Is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his physical, mental, or emotional health, or morals.
- (ii) Has been placed for care or adoption in violation of law.
- (iii) Has been abandoned by his parents, guardian or other custodian.
- (iv) Is without a parent, guardian or legal custodian.
- (v) Is habitually and without justification truant from school while subject to compulsory school attendance.
- (vi) Has committed a specific act of habitual disobedience of the reasonable and lawful commands of his parent, guardian or other custodian and who is ungovernable and found to be in need of care, treatment or supervision.
- (vii) Is under 10 years of age and has committed a delinquent act.
- (viii) Has been formerly adjudicated dependent under section 6341 of the Juvenile Act (relating to adjudication), and is under the jurisdiction of the court, subject to its conditions or placements and who commits an act which is defined as ungovernable in subparagraph (vi).
- (ix) Has been referred under section 6323 of the Juvenile Act (relating to informal adjustment), and who commits an act which is defined as ungovernable in subparagraph (vi).

23 PA. CONS. STAT. §6303 (a)

"Child." An individual under 18 years of age.

23 PA. CONS. STAT. §6303 (a)

"recent act or failure to act"

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 PA. CONS. STAT. §6303 (b.1). Definitions.

(b.1) Child abuse.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

18 Pa.C.S. §302. General requirements of culpability.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=18&div=00.&chpt=003.&sctn=002.&subSctn=000>

23 Pa.C.S. §6303 (b.1) Child abuse.--The term "child abuse" shall mean intentionally, knowingly or recklessly doing any of the following:

(1) Causing bodily injury to a child through any recent act or failure to act.

23 Pa.C.S. §6303 (a). Definitions.

"Bodily injury." Impairment of physical condition or substantial pain.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 Pa.C.S. §6303 (b.1) Child abuse.--

23 Pa.C.S. §6303(a)"Bodily injury."

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 Pa.C.S. §6303 (b.1) Child abuse.--

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 Pa.C.S. §6303 (b.1). Child abuse.--The term "child abuse" shall mean intentionally, knowingly or recklessly doing any of the following:

- (3) Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.**

23 Pa.C.S. §6303(a) "Serious mental injury."

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 Pa.C.S. §6303 (b.1) Child abuse.--

23 Pa.C.S. §6303 (a) "Sexual abuse or exploitation."

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 Pa.C.S. §6303 (a) "Sexual abuse or exploitation."

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 PA. CONS. STAT. §6303 (a)

"Perpetrator."

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 PA. CONS. STAT. §6303 (a)

"Perpetrator."

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

Victims of Trafficking and Violence Protection Act of 2000:

<https://www.state.gov/j/tip/laws/61124.htm>

23 PA. CONS. STAT. §6303 (a)

"Indicated Report"

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 Pa. C.S. § 6311. Persons required to report suspected child abuse.

(b) Basis to report.--

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 Pa.C.S. §6303 (b.1)

(c) Restatement of culpability.--Conduct that causes injury or harm to a child or creates a risk of injury or harm to a child shall not be considered child abuse if there is no evidence that the person acted intentionally, knowingly or recklessly when causing the injury or harm to the child or creating a risk of injury or harm to the child.

Criminal Offenses

- Rape
- Statutory sexual assault
- Involuntary deviate sexual intercourse
- Sexual assault
- Institutional sexual assault
- Aggravated indecent
- Indecent assault
- Indecent exposure
- Incest
- Prostitution
- Sexual abuse
- Unlawful contact with a minor
- Sexual exploitation

23 Pa.C.S. §6303(a) "Sexual abuse or exploitation."

- (2) Any of the following offenses committed against a child:**
- (i) Rape as defined in 18 Pa.C.S. § 3121 (relating to rape).**
 - (ii) Statutory sexual assault as defined in 18 Pa.C.S. § 3122.1 (relating to statutory sexual assault).**
 - (iii) Involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse).**
 - (iv) Sexual assault as defined in 18 Pa.C.S. § 3124.1 (relating to sexual assault).**
 - (v) Institutional sexual assault as defined in 18 Pa.C.S. § 3124.2 (relating to institutional sexual assault).**
 - (vi) Aggravated indecent assault as defined in 18 Pa.C.S. § 3125 (relating to aggravated indecent assault).**
 - (vii) Indecent assault as defined in 18 Pa.C.S. § 3126 (relating to indecent assault).**
 - (viii) Indecent exposure as defined in 18 Pa.C.S. § 3127 (relating to indecent exposure).**
 - (ix) Incest as defined in 18 Pa.C.S. § 4302 (relating to incest).**
 - (x) Prostitution as defined in 18 Pa.C.S. § 5902 (relating to prostitution and related offenses).**
 - (xi) Sexual abuse as defined in 18 Pa.C.S. § 6312 (relating to sexual abuse of children).**
 - (xii) Unlawful contact with a minor as defined in 18 Pa.C.S. § 6318 (relating to unlawful contact with minor).**
 - (xiii) Sexual exploitation as defined in 18 Pa.C.S. § 6320 (relating to sexual exploitation of children).**

23 Pa.C.S. §6303 (b.1) Child abuse.--The term "child abuse" shall mean intentionally, knowingly or recklessly doing any of the following:

- (6) Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.**

23 Pa.C.S. §6303 (a)

"Sexual abuse or exploitation." Any of the following:

- (1) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes, but is not limited to, the following:**

- (i) Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.**
- (ii) Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.**
- (iii) Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.**
- (iv) Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.**

This paragraph does not include consensual activities between a child who is 14 years of age or older and another person who is 14 years of age or older and whose age is within four years of the child's age.

- (2) Any of the following offenses committed against a child:**

- (i) Rape as defined in 18 Pa.C.S. § 3121 (relating to rape).**
- (ii) Statutory sexual assault as defined in 18 Pa.C.S. § 3122.1 (relating to statutory sexual assault).**
- (iii) Involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse).**
- (iv) Sexual assault as defined in 18 Pa.C.S. § 3124.1 (relating to sexual assault).**
- (v) Institutional sexual assault as defined in 18 Pa.C.S. § 3124.2 (relating to institutional sexual assault).**
- (vi) Aggravated indecent assault as defined in 18 Pa.C.S. §**

- 3125 (relating to aggravated indecent assault).**
- (vii) Indecent assault as defined in 18 Pa.C.S. § 3126 (relating to indecent assault).**
 - (viii) Indecent exposure as defined in 18 Pa.C.S. § 3127 (relating to indecent exposure).**
 - (ix) Incest as defined in 18 Pa.C.S. § 4302 (relating to incest).**
 - (x) Prostitution as defined in 18 Pa.C.S. § 5902 (relating to prostitution and related offenses).**
 - (xi) Sexual abuse as defined in 18 Pa.C.S. § 6312 (relating to sexual abuse of children).**
 - (xii) Unlawful contact with a minor as defined in 18 Pa.C.S. § 6318 (relating to unlawful contact with minor).**
 - (xiii) Sexual exploitation as defined in 18 Pa.C.S. § 6320 (relating to sexual exploitation of children).**

23 Pa.C.S. §6303 (b.1) Child abuse.--

23 Pa.C.S. §6303 (a) "Serious physical neglect."

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

**23 Pa.C.S. §6303 (b.1) Child abuse.--
"Perpetrator."**

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

Victims of Trafficking and Violence Protection Act of 2000

<https://www.state.gov/j/tip/laws/61124.htm>

Victims of Trafficking and Violence Protection Act of 2000

<https://www.state.gov/j/tip/laws/61124.htm>

23 Pa.C.S. §6303 (b.1) Child abuse.--The term "child abuse" shall mean intentionally, knowingly or recklessly doing any of the following:

(8) Engaging in any of the following recent acts:

(i) Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.

23 Pa.C.S. §6303 (b.1) Child abuse.--The term "child abuse" shall mean intentionally, knowingly or recklessly doing any of the following:

- (8) Engaging in any of the following recent acts:**
 - (ii) Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.**
 - (iii) Forcefully shaking a child under one year of age.**
 - (iv) Forcefully slapping or otherwise striking a child under one year of age.**
 - (v) Interfering with the breathing of a child.**

23 Pa.C.S. §6303 (b.1) Child abuse.--The term "child abuse" shall mean intentionally, knowingly or recklessly doing any of the following:

(8) Engaging in any of the following recent acts:

(vi) Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.

23 Pa.C.S. §6303 (b.1) Child abuse.--The term "child abuse" shall mean intentionally, knowingly or recklessly doing any of the following:

(8) Engaging in any of the following recent acts:

(vii) Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:

(A) Is required to register as a Tier II or Tier III sexual offender

under 42 Pa.C.S. Ch. 97 Subch. H (relating to registration of sexual offenders), where the victim of the sexual offense was under 18 years of age when the crime was committed.

(B) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors.

(C) Has been determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.12 (relating to definitions).

23 Pa.C.S. §6303 (b.1) Child abuse.--The term "child abuse" shall mean intentionally, knowingly or recklessly doing any of the following:

- (9) Causing the death of the child through any act or failure to act.**

(8) SEVERE FORMS OF TRAFFICKING IN PERSONS.—The term "severe forms of trafficking in persons" means—

(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

(B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection

to involuntary servitude, peonage, debt bondage, or slavery.

(9) SEX TRAFFICKING.—The term "sex trafficking" means the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.

23 PA. CONS. STAT. §6303 (b.1). Definitions.

(b.1) Child abuse.--The term "child abuse" shall mean intentionally, knowingly or recklessly doing any of the following:

- (1) Causing bodily injury to a child through any recent act or failure to act.**
- (2) Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.**
- (3) Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.**
- (4) Causing sexual abuse or exploitation of a child through any act or failure to act.**
- (5) Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.**
- (6) Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.**
- (7) Causing serious physical neglect of a child.**
- (8) Engaging in any of the following recent acts:**
 - (i) Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.**
 - (ii) Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.**
 - (iii) Forcefully shaking a child under one year of age.**
 - (iv) Forcefully slapping or otherwise striking a child under one year of age.**
 - (v) Interfering with the breathing of a child.**
 - (vi) Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.**
 - (vii) Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:**
 - (A) Is required to register as a Tier II or Tier III sexual offender under 42 Pa.C.S. Ch. 97 Subch. H (relating to registration of sexual offenders), where the victim of the sexual offense was under 18 years of age when the crime was committed.**
 - (B) Has been determined to be a sexually violent predator**

under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors.

(C) Has been determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.12

(relating to definitions).

(9) Causing the death of the child through any act or failure to act.

(c) Restatement of culpability.--Conduct that causes injury or harm to a child or creates a risk of injury or harm to a child shall not be considered child abuse if there is no evidence that the person acted intentionally, knowingly or recklessly when causing the injury or harm to the child or creating a risk of injury or harm to the child.

(d) Child abuse exclusions.--The term "child abuse" does not include any conduct for which an exclusion is provided in section 6304 (relating to exclusions from child abuse).

23 Pa.C.S. §6303(a). Definitions.

"Intentionally." The term shall have the same meaning as provided in 18 Pa.C.S. § 302 (relating to general requirements of culpability).

"Knowingly." The term shall have the same meaning as provided in 18 Pa.C.S. § 302 (relating to general requirements of culpability).

"Recklessly." The term shall have the same meaning as provided in 18 Pa.C.S. § 302 (relating to general requirements of culpability).

18 Pa.C.S. §302. General requirements of culpability.

(a) Minimum requirements of culpability.--Except as provided in section 305 of this title (relating to limitations on scope of culpability requirements), a person is not guilty of an offense unless he acted intentionally, knowingly, recklessly or negligently, as the law may require, with respect to each material element of the offense.

(b) Kinds of culpability defined.--

(1) A person acts intentionally with respect to a material element of an offense when:

(i) if the element involves the nature of his conduct or a result thereof, it is his conscious object to engage in conduct of that nature or to cause such a result; and

(ii) if the element involves the attendant circumstances, he is aware of the existence of such circumstances or he believes or hopes that they exist.

(2) A person acts knowingly with respect to a material element of an offense when:

(i) if the element involves the nature of his conduct or the

- attendant circumstances, he is aware that his conduct is of that nature or that such circumstances exist; and
- (ii) if the element involves a result of his conduct, he is aware that it is practically certain that his conduct will cause such a result.
- (3) A person acts recklessly with respect to a material element of an offense when he consciously disregards a substantial and unjustifiable risk that the material element exists or will result from his conduct. The risk must be of such a nature and degree that, considering the nature and intent of the actor's conduct and the circumstances known to him, its disregard involves a gross deviation from the standard of conduct that a reasonable person would observe in the actor's situation.

23 Pa.C.S. §6303 (a). Definitions.

"Bodily injury." Impairment of physical condition or substantial pain.

23 Pa.C.S. §6303(a) "Serious mental injury." A psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that:

- (1) renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened; or
- (2) seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

23 Pa.C.S. §6303 (a) "Sexual abuse or exploitation." Any of the following:

- (1) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes, but is not limited to, the following:
- (i) Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.
- (ii) Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.
- (iii) Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.
- (iv) Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing,

videotaping, computer depicting or filming.

This paragraph does not include consensual activities between a child who is 14 years of age or older and another person who is 14 years of age or older and whose age is within four years of the child's age.

- (2) Any of the following offenses committed against a child:**
- (i) Rape as defined in 18 Pa.C.S. § 3121 (relating to rape).**
 - (ii) Statutory sexual assault as defined in 18 Pa.C.S. § 3122.1 (relating to statutory sexual assault).**
 - (iii) Involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse).**
 - (iv) Sexual assault as defined in 18 Pa.C.S. § 3124.1 (relating to sexual assault).**
 - (v) Institutional sexual assault as defined in 18 Pa.C.S. § 3124.2 (relating to institutional sexual assault).**
 - (vi) Aggravated indecent assault as defined in 18 Pa.C.S. § 3125 (relating to aggravated indecent assault).**
 - (vii) Indecent assault as defined in 18 Pa.C.S. § 3126 (relating to indecent assault).**
 - (viii) Indecent exposure as defined in 18 Pa.C.S. § 3127 (relating to indecent exposure).**
 - (ix) Incest as defined in 18 Pa.C.S. § 4302 (relating to incest).**
 - (x) Prostitution as defined in 18 Pa.C.S. § 5902 (relating to prostitution and related offenses).**
 - (xi) Sexual abuse as defined in 18 Pa.C.S. § 6312 (relating to sexual abuse of children).**
 - (xii) Unlawful contact with a minor as defined in 18 Pa.C.S. § 6318 (relating to unlawful contact with minor).**
 - (xiii) Sexual exploitation as defined in 18 Pa.C.S. § 6320 (relating to sexual exploitation of children).**

23 Pa.C.S. §6303 (a) "Serious physical neglect." Any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:

- (1) A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.**
- (2) The failure to provide a child with adequate essentials of life, including food, shelter or medical care.**

23 PA. CONS. STAT. § 6311. Persons required to report suspected child abuse.

(b) Basis to report.--

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=011.&subSctn=000>

23 Pa. C. S. § 6312. Persons encouraged to report suspected child abuse.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=012.&subSctn=000>

Information on trauma compiled from:

<http://www.nonviolenceandsocialjustice.org/FAQs/What-is-Trauma/41/>

Occurs when a child experiences an intense event that threatens or causes harm to his or her emotional or physical well-being. Trauma can be the result of exposure to a natural disaster, to events such as war or terrorism, or witnessing or being the victim of violence, serious injury, or physical or sexual abuse. When children have a traumatic experience, they react in both physiological and psychological ways. Some children who have experienced a traumatic event will have longer lasting reactions that can interfere with their physical and emotional health. (compiled from:

http://www.nctsnet.org/sites/default/files/assets/pdfs/what_is_child_traumatic_stress_0.pdf)

Term used to describe experiences or situations that are emotionally painful and distressing, and that overwhelm people's ability to cope, leaving them powerless. Trauma has sometimes been defined in reference to circumstances that are outside the realm of normal human experience. Unfortunately, trauma may also occur frequently and become part of the common human experience. Particular forms of trauma, such as intentional violence and/or witnessing violence, sustained discrimination, poverty, and ensuing chaotic life conditions are directly related to chronic fear and anxiety, with serious long-term effects on health and other life outcomes. (compiled from:

<http://www.nonviolenceandsocialjustice.org/FAQs/What-is-Trauma/41/>

23 PA. CONS. STAT. § 6311.

Persons required to report suspected child abuse.

(a) Mandated reporters.--The following adults shall make a report of suspected child abuse, subject to subsection (b), if the person has reasonable cause to suspect that a child is a victim of child abuse:

- (1) A person licensed or certified to practice in any health-related field under the jurisdiction of the Department of State.**
- (2) A medical examiner, coroner or funeral director.**
- (3) An employee of a health care facility or provider licensed by the Department of Health, who is engaged in the admission, examination, care or treatment of individuals.**
- (4) A school employee.**
- (5) An employee of a child-care service who has direct contact with children in the course of employment.**
- (6) A clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer or spiritual leader of any regularly established church or other religious organization.**
- (7) An individual paid or unpaid, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service, accepts responsibility for a child.**
- (8) An employee of a social services agency who has direct contact with children in the course of employment.**
- (9) A peace officer or law enforcement official.**
- (10) An emergency medical services provider certified by the Department of Health.**
- (11) An employee of a public library who has direct contact with children in the course of employment.**
- (12) An individual supervised or managed by a person listed under paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) and (11), who has direct contact with children in the course of employment.**
- (13) An independent contractor.**
- (14) An attorney affiliated with an agency, institution, organization or other entity, including a school or regularly established religious organization that is responsible for the care, supervision, guidance or control of children.**

(b) Basis to report.--

- (1) A mandated reporter enumerated in subsection (a) shall make a report of suspected child abuse or cause a report to be made in accordance with section 6313 (relating to reporting procedure), if the mandated reporter has reasonable cause to**

suspect that a child is a victim of child abuse under any of the following circumstances:

(i) The mandated reporter comes into contact with the child in the course of employment, occupation and practice of a profession or through a regularly scheduled program, activity or service.

(ii) The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child.

(iii) A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.

(iv) An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

(2) Nothing in this section shall require a child to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse.

(3) Nothing in this section shall require the mandated reporter to identify the person responsible for the child abuse to make a report of suspected child abuse.

(c) **Staff members of institutions, etc.**--Whenever a person is required to report under subsection (b) in the capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, that person shall **report immediately in accordance with section 6313 and shall immediately thereafter** notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge. Upon notification, the person in charge or the designated agent, if any, shall **facilitate the cooperation of the institution, school, facility or agency with the investigation of the report. Any intimidation, retaliation or obstruction in the investigation of the report is subject to the provisions of 18 Pa.C.S. § 4958 (relating to intimidation, retaliation or obstruction in child abuse cases).** This chapter does not require more than one report from any such institution, school, facility or agency.

23 Pa. C. S. § 6312.

Persons encouraged to report suspected child abuse.

Any person may make an oral or written report of suspected child abuse, which may be submitted electronically, or cause a report of

suspected child abuse to be made to the department, county agency or law enforcement, if that person has reasonable cause to suspect that a child is a victim of child abuse.

23 PA. CONS. STAT. § 6311. Persons required to report suspected child abuse.

(b) Basis to report.--

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=011.&subSctn=000>

23 Pa. C. S. § 6312. Persons encouraged to report suspected child abuse.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=012.&subSctn=000>

23 PA. CONS. STAT. § 6311. Persons required to report suspected child abuse.

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23 PA. CONS. STAT. § 6311. Persons required to report suspected child abuse.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=011.&subSctn=000>

23 PA. CONS. STAT. § 6311.

Persons required to report suspected child abuse.

(a) Mandated reporters.--The following adults shall make a report of suspected child abuse, subject to subsection (b), if the person has reasonable cause to suspect that a child is a victim of child abuse:

- (1) A person licensed or certified to practice in any health-related field under the jurisdiction of the Department of State.**

23 PA. CONS. STAT. § 6311. Persons required to report suspected child abuse.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=011.&subSctn=000>

223 Pa. C.S. § 6303

School, "Institution of higher education." "Education enterprise."

23 Pa. C.S. § 6303. " child care services

23 Pa. C.S. § 6303 "Family child-care home."

23 Pa. C.S. §6303 (a) "Direct contact with children."

23 Pa. C.S. §6303 "Routine interaction."

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 Pa. C.S. §6303 (a) "Direct contact with children."

23 Pa. C.S. §6303 "Routine interaction."

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 PA. CONS. STAT. § 6311. Persons required to report suspected child abuse.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=011.&subSctn=000>

23 Pa. C.S. §6303 (a) "Direct contact with children."

23 Pa. C.S. §6303 "Routine interaction."

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 PA. CONS. STAT. § 6311.

Persons required to report suspected child abuse.

(a) Mandated reporters.--The following adults shall make a report of suspected child abuse, subject to subsection (b), if the person has reasonable cause to suspect that a child is a victim of child abuse:

- (1) A person licensed or certified to practice in any health-related field under the jurisdiction of the Department of State.**
- (2) A medical examiner, coroner or funeral director.**
- (3) An employee of a health care facility or provider licensed by the Department of Health, who is engaged in the admission, examination, care or treatment of individuals.**
- (4) A school employee.**
- (5) An employee of a child-care service who has direct contact with children in the course of employment.**
- (6) A clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer or spiritual leader of any regularly established church or other religious organization.**
- (7) An individual paid or unpaid, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service, accepts responsibility for a child.**
- (8) An employee of a social services agency who has direct contact with children in the course of employment.**
- (9) A peace officer or law enforcement official.**
- (10) An emergency medical services provider certified by the Department of Health.**
- (11) An employee of a public library who has direct contact with children in the course of employment.**
- (12) An individual supervised or managed by a person listed under paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) and (11), who has direct contact with children in the course of employment.**
- (13) An independent contractor.**
- (14) An attorney affiliated with an agency, institution, organization or other entity, including a school or regularly established religious organization that is responsible for the care, supervision, guidance or control of children.**
- (15) A foster parent.**

(b) Basis to report.--

- (1) A mandated reporter enumerated in subsection (a) shall make a report of suspected child abuse or cause a report to be made in accordance with section 6313 (relating to reporting procedure), if the mandated reporter has reasonable cause to**

suspect that a child is a victim of child abuse under any of the following circumstances:

(i) The mandated reporter comes into contact with the child in the course of employment, occupation and practice of a profession or through a regularly scheduled program, activity or service.

(ii) The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child.

(iii) A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.

(iv) An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

(2) Nothing in this section shall require a child to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse.

(3) Nothing in this section shall require the mandated reporter to identify the person responsible for the child abuse to make a report of suspected child abuse.

(c) **Staff members of institutions, etc.**--Whenever a person is required to report under subsection (b) in the capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, that person **shall report immediately in accordance with section 6313 and shall immediately thereafter** notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge. Upon notification, the person in charge or the designated agent, if any, shall **facilitate the cooperation of the institution, school, facility or agency with the investigation of the report. Any intimidation, retaliation or obstruction in the investigation of the report is subject to the provisions of 18 Pa.C.S. § 4958 (relating to intimidation, retaliation or obstruction in child abuse cases).** This chapter does not require more than one report from any such institution, school, facility or agency.

23 Pa. C. S. § 6312.

Persons encouraged to report suspected child abuse.

Any person may make an oral or written report of suspected child abuse, which may be submitted electronically, or cause a report of

suspected child abuse to be made to the department, county agency or law enforcement, if that person has reasonable cause to suspect that a child is a victim of child abuse.

23 Pa. C.S. § 6311. Persons required to report suspected child abuse.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=011.&subSctn=000>

23 Pa. C.S. § 6311.1. Privileged communications.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=011.&subSctn=001>

42 Pa.C.S. § 5943. Confidential communications to clergymen.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=42&div=00.&chpt=059.&sctn=043.&subSctn=000>

23 PA. CONS. STAT. § 6311. Persons required to report suspected child abuse.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=011.&subSctn=000>

23 Pa. C.S. § 6303 "Person responsible for the child's welfare."

23 Pa. C.S. § 6303 "Program, activity or service."

23 Pa. C. S. §6303 (a) "Direct contact with children."

23 Pa. C.S. §6303 (a) "Routine interaction."

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 PA. CONS. STAT. § 6311. Persons required to report suspected child abuse.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=011.&subSctn=000>

23 Pa. C. S. §6303 (a) "Adult family member."

23 Pa. C. S. §6303 "Direct contact with children"

23 Pa. C. S. §6303 "Routine interaction."

23 Pa. C.S. § 6303. "Law enforcement official."

23 Pa. C.S. § 6303 "Person responsible for the child's welfare."

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 Pa. C.S. § 6311. Persons required to report suspected child abuse.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=011.&subSctn=000>

23 Pa. C. S. §6303 (a) "Direct contact with children."

23 Pa. C. S. §6303 (a) "Routine interaction."

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 Pa. C.S. § 6311. Persons required to report suspected child abuse.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=011.&subSctn=000>

§ 6311.1. Privileged communications.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=011.&subSctn=001>

42 Pa.C.S. § 5916. Confidential communications to attorney.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=42&div=00.&chpt=059.&sctn=016.&subSctn=000>

23 Pa. C.S. § 6311. Persons required to report suspected child abuse.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=011.&subSctn=000>

23 Pa. C.S. § 6303

"School."

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 Pa. C.S. § 6311. Persons required to report suspected child abuse.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=011.&subSctn=000>

23 Pa. C. S. §6303 (a) "Direct contact with children."

23 Pa. C. S. §6303 (a) "Routine interaction."

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 Pa. C.S. § 6311. Persons required to report suspected child abuse.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=011.&subSctn=000>

23 Pa. C.S. § 6303 "Program, activity or service."

23 Pa. C. S. §6303 (a) "Direct contact with children."

23 Pa. C.S. §6303 (a) "Routine interaction"

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 Pa. C.S. § 6312.

Persons encouraged to report suspected child abuse.

Any person may make an oral or written report of suspected child abuse, which may be submitted electronically, or cause a report of suspected child abuse to be made to the department, county agency or law enforcement, if that person has reasonable cause to suspect that a child is a victim of child abuse.

23 Pa. C.S. § 6311. Persons required to report suspected child abuse.

(b) Basis to report.--

(1) A mandated reporter enumerated in subsection (a) shall make a report of suspected child abuse or cause a report to be made in accordance with section 6313 (relating to reporting procedure), if the mandated reporter has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

(i) The mandated reporter comes into contact with the child in the course of employment, occupation and practice of a profession or through a regularly scheduled program, activity or service.

(ii) The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child.

23 Pa. C.S. § 6311.

Persons required to report suspected child abuse.

(b) Basis to report.--

(1) A mandated reporter enumerated in subsection (a) shall make a report of suspected child abuse or cause a report to be made in accordance with section 6313 (relating to reporting procedure), if the mandated reporter has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

(iii) A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.

(iv) An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

23 Pa. C.S. § 6311. Persons required to report suspected child abuse.

(b) Basis to report.--

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=011.&subSctn=000>

23 C.S. § 6313.

Reporting procedure.

(a) Report by mandated reporter.--

(1) A mandated reporter shall immediately make an oral report of suspected child abuse to the department via the Statewide toll-free telephone number under section 6332 (relating to establishment of Statewide toll-free telephone number) or a written report using electronic technologies under section 6305 (relating to electronic reporting).

(2) A mandated reporter making an oral report under paragraph (1) of suspected child abuse shall also make a written report, which may be submitted electronically, within 48 hours to the department or county agency assigned to the case in a manner and format prescribed by the department.

23 Pa. C.S. § 6311. Persons required to report suspected child abuse.

(b) Basis to report.--

(1) A mandated reporter enumerated in subsection (a) shall make a report of suspected child abuse or cause a report to be made in accordance with section 6313 (relating to reporting procedure), if the mandated reporter has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

(iv) An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

23 Pa. C.S. § 6311. Persons required to report suspected child abuse.

(b) Basis to report.--

(1) A mandated reporter enumerated in subsection (a) shall make a report of suspected child abuse or cause a report to be made in accordance with section 6313 (relating to reporting procedure), if the mandated reporter has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

(iv) An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

23 PA. CONS. STAT § 6311.

Persons required to report suspected child abuse.

(a) Mandated reporters.--The following adults shall make a report of suspected child abuse, subject to subsection (b), if the person has reasonable cause to suspect that a child is a victim of child abuse:

- (1) A person licensed or certified to practice in any health-related field under the jurisdiction of the Department of State.**
- (2) A medical examiner, coroner or funeral director.**
- (3) An employee of a health care facility or provider licensed by the Department of Health, who is engaged in the admission, examination, care or treatment of individuals.**
- (4) A school employee.**
- (5) An employee of a child-care service who has direct contact with children in the course of employment.**
- (6) A clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer or spiritual leader of any regularly established church or other religious organization.**
- (7) An individual paid or unpaid, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service, accepts responsibility for a child.**
- (8) An employee of a social services agency who has direct contact with children in the course of employment.**
- (9) A peace officer or law enforcement official.**
- (10) An emergency medical services provider certified by the Department of Health.**
- (11) An employee of a public library who has direct contact with children in the course of employment.**
- (12) An individual supervised or managed by a person listed under paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) and (11), who has direct contact with children in the course of employment.**
- (13) An independent contractor.**
- (14) An attorney affiliated with an agency, institution, organization or other entity, including a school or regularly established religious organization that is responsible for the care, supervision, guidance or control of children.**
- (15) A foster parent.**

(b) Basis to report.--

- (1) A mandated reporter enumerated in subsection (a) shall make a report of suspected child abuse or cause a report to be made in accordance with section 6313 (relating to reporting procedure), if the mandated reporter has reasonable cause to**

suspect that a child is a victim of child abuse under any of the following circumstances:

- (i) The mandated reporter comes into contact with the child in the course of employment, occupation and practice of a profession or through a regularly scheduled program, activity or service.**
 - (ii) The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child.**
 - (iii) A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.**
 - (iv) An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.**
- (2) Nothing in this section shall require a child to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse.**
- (3) Nothing in this section shall require the mandated reporter to identify the person responsible for the child abuse to make a report of suspected child abuse.**
- (c) Staff members of institutions, etc.--Whenever a person is required to report under subsection (b) in the capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, that person shall report immediately in accordance with section 6313 and shall immediately thereafter notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge. Upon notification, the person in charge or the designated agent, if any, shall facilitate the cooperation of the institution, school, facility or agency with the investigation of the report. Any intimidation, retaliation or obstruction in the investigation of the report is subject to the provisions of 18 Pa.C.S. § 4958 (relating to intimidation, retaliation or obstruction in child abuse cases). This chapter does not require more than one report from any such institution, school, facility or agency.**

23 Pa. C.S. § 6303. "Child-care services." Includes any of the following:

- (1) Child day-care centers.**
- (2) Group day-care homes.**

- (3) Family day-care homes.
- (4) Foster homes.
- (5) Adoptive parents.
- (6) Boarding homes for children.
- (7) Juvenile detention center services or programs for delinquent or dependent children.
- (8) Mental health services for children.
- (9) Services for children with intellectual disabilities.
- (10) Early intervention services for children.
- (11) Drug and alcohol services for children.
- (12) Day-care services or programs that are offered by a school.
- (13) Other child-care services that are provided by or subject to approval, licensure, registration or certification by the Department or a county social services agency or that are provided pursuant to a contract with the Department or a county social services agency.

23 Pa. C.S. §6303 (a) "Direct contact with children." The care, supervision, guidance or control of children or routine interaction with children.

23 Pa. C.S. § 6311.1. Privileged communications.

(a) General rule.--Subject to subsection (b), the privileged communications between a mandated reporter and a patient or client of the mandated reporter shall not:

- (1) Apply to a situation involving child abuse.
- (2) Relieve the mandated reporter of the duty to make a report of suspected child abuse.

(b) Confidential communications.--The following protections shall apply:

- (1) Confidential communications made to a member of the clergy are protected under 42 Pa.C.S. § 5943 (relating to confidential communications to clergymen).
- (2) Confidential communications made to an attorney are protected so long as they are within the scope of 42 Pa.C.S. §§ 5916 (relating to confidential communications to attorney) and 5928 (relating to confidential communications to attorney), the attorney work product doctrine or the rules of professional conduct for attorneys.

42 Pa.C.S. § 5943. Confidential communications to clergymen. No clergyman, priest, rabbi or minister of the gospel of any regularly

established church or religious organization, except clergymen or ministers, who are self-ordained or who are members of religious organizations in which members other than the leader thereof are deemed clergymen or ministers, who while in the course of his duties has acquired information from any person secretly and in confidence shall be compelled, or allowed without consent of such person, to disclose that information in any legal proceeding, trial or investigation before any government unit.

42 Pa.C.S. § 5916. Confidential communications to attorney.
In a criminal proceeding counsel shall not be competent or permitted to testify to confidential communications made to him by his client, nor shall the client be compelled to disclose the same, unless in either case this privilege is waived upon the trial by the client.

42 Pa. C.S. §5928. Confidential communications to attorney.
In a civil matter counsel shall not be competent or permitted to testify to confidential communications made to him by his client, nor shall the client be compelled to disclose the same, unless in either case this privilege is waived upon the trial by the client.

23 Pa. C.S. § 6303. "Law enforcement official." The term includes the following:

- (1) The Attorney General.
- (2) A Pennsylvania district attorney.
- (3) A Pennsylvania State Police officer.
- (4) A municipal police officer.

"Independent contractor." An individual who provides a program, activity or service to an agency, institution, organization or other entity, including a school or regularly established religious organization, that is responsible for the care, supervision, guidance or control of children. The term does not include an individual who has no direct contact with children.

23 Pa. C.S. § 6312. Persons encouraged to report suspected child abuse.

Any person may make an oral or written report of suspected child abuse, which may be submitted electronically, or cause a report of suspected child abuse to be made to the department, county agency or law enforcement, if that person has reasonable cause to suspect that a child is a victim of child abuse.

23 Pa. C.S. § 6304. Exclusions from child abuse.

(a) Environmental factors.--No child shall be deemed to be physically or mentally abused based on injuries that result solely from environmental factors, such as inadequate housing, furnishings, income, clothing and medical care, that are beyond the control of the parent or person responsible for the child's welfare with whom the child resides. This subsection shall not apply to any child-care service as defined in this chapter, excluding an adoptive parent.

(b) Practice of religious beliefs.--If, upon investigation, the county agency determines that a child has not been provided needed medical or surgical care because of sincerely held religious beliefs of the child's parents or relative within the third degree of consanguinity and with whom the child resides, which beliefs are consistent with those of a bona fide religion, the child shall not be deemed to be physically or mentally abused. In such cases the following shall apply:

(1) The county agency shall closely monitor the child and the child's family and shall seek court-ordered medical intervention when the lack of medical or surgical care threatens the child's life or long-term health.

(2) All correspondence with a subject of the report and the records of the department and the county agency shall not reference child abuse and shall acknowledge the religious basis for the child's condition.

(3) The family shall be referred for general protective services, if appropriate.

(4) This subsection shall not apply if the failure to provide needed medical or surgical care causes the death of the child.

(5) This subsection shall not apply to any child-care service as defined in this chapter, excluding an adoptive parent.

(c) Use of force for supervision, control and safety purposes.--Subject to subsection (d), the use of reasonable force on or against a child by the child's own parent or person responsible for the child's welfare shall not be considered child abuse if any of the following conditions apply:

(1) The use of reasonable force constitutes incidental, minor or reasonable physical contact with the child or other actions that are designed to maintain order and control.

(2) The use of reasonable force is necessary:

(i) to quell a disturbance or remove the child from the scene of a disturbance that threatens physical injury to persons or damage to property;

(ii) to prevent the child from self-inflicted physical harm;

- (iii) for self-defense or the defense of another individual; or
 - (iv) to obtain possession of weapons or other dangerous objects or controlled substances or paraphernalia that are on the child or within the control of the child.
- (d) Rights of parents.--Nothing in this chapter shall be construed to restrict the generally recognized existing rights of parents to use reasonable force on or against their children for the purposes of supervision, control and discipline of their children. Such reasonable force shall not constitute child abuse.
- (e) Participation in events that involve physical contact with child.--An individual participating in a practice or competition in an interscholastic sport, physical education, a recreational activity or an extracurricular activity that involves physical contact with a child does not, in itself, constitute contact that is subject to the reporting requirements of this chapter.
- (f) Child-on-child contact.--
 - (1) Harm or injury to a child that results from the act of another child shall not constitute child abuse unless the child who caused the harm or injury is a perpetrator.
 - (2) Notwithstanding paragraph (1), the following shall apply:
 - (i) Acts constituting any of the following crimes against a child shall be subject to the reporting requirements of this chapter:
 - (A) rape as defined in 18 Pa.C.S. § 3121 (relating to rape);
 - (B) involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse);
 - (C) sexual assault as defined in 18 Pa.C.S. § 3124.1 (relating to sexual assault);
 - (D) aggravated indecent assault as defined in 18 Pa.C.S. § 3125 (relating to aggravated indecent assault);
 - (E) indecent assault as defined in 18 Pa.C.S. § 3126 (relating to indecent assault); and
 - (F) indecent exposure as defined in 18 Pa.C.S. § 3127 (relating to indecent exposure).
 - (ii) No child shall be deemed to be a perpetrator of child abuse based solely on physical or mental injuries caused to another child in the course of a dispute, fight or scuffle entered into by mutual consent.
 - (iii) A law enforcement official who receives a report of suspected child abuse is not required to make a report to the department under section 6334(a) (relating to

disposition of complaints received), if the person allegedly responsible for the child abuse is a nonperpetrator child.

(g) **Defensive force.**--Reasonable force for self-defense or the defense of another individual, consistent with the provisions of 18 Pa.C.S. §§ 505 (relating to use of force in self-protection) and 506 (relating to use of force for the protection of other persons), shall not be considered child abuse.

23 PA. CONS. STAT. § 6386. Mandatory reporting of children under one year of age.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=086.&subSctn=000>

23 Pa. C.S. § 6303 "Health care provider."

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 Pa. C.S. § 6303 "Health care provider."

A licensed hospital or health care facility or person who is licensed, certified or otherwise regulated to provide health care services under the laws of this Commonwealth, including a physician, podiatrist, optometrist, psychologist, physical therapist, certified nurse practitioner, registered nurse, nurse midwife, physician's assistant, chiropractor, dentist, pharmacist or an individual accredited or certified to provide behavioral health services.

23 Pa. C.S. § 6386.

Mandatory reporting of children under one year of age.

(b) Safety or risk assessment.--The county agency shall perform a safety assessment or risk assessment, or both, for the child and determine whether child protective services or general protective services are warranted.

(c) County agency duties.--Upon receipt of a report under this section, the county agency for the county where the child resides shall:

(1) Immediately ensure the safety of the child and see the child immediately if emergency protective custody is required or has been or shall be taken or if it cannot be determined from the report whether emergency protective custody is needed.

(2) Physically see the child within 48 hours of receipt of the report.

(3) Contact the parents of the child within 24 hours of receipt of the report.

(4) Provide or arrange reasonable services to ensure the child is provided with proper parental care, control and supervision.

23 Pa. C. S. § 6386

Mandatory reporting of children under one year of age.

(a) When report to be made.--A health care provider shall immediately make a report or cause a report to be made to the appropriate county agency if the provider is involved in the delivery or care of a child under one year of age who is born and identified as being affected by any of the following:

- (1) Illegal substance abuse by the child's mother.**
- (2) Withdrawal symptoms resulting from prenatal drug exposure.**
- (3) A Fetal Alcohol Spectrum Disorder.**

(b) Safety or risk assessment.--The county agency shall perform a safety assessment or risk assessment, or both, for the child and determine whether child protective services or general protective services are warranted.

(c) County agency duties.--Upon receipt of a report under this section, the county agency for the county where the child resides shall:

- (1) Immediately ensure the safety of the child and see the child immediately if emergency protective custody is required or has been or shall be taken or if it cannot be determined from the report whether emergency protective custody is needed.**
 - (2) Physically see the child within 48 hours of receipt of the report.**
 - (3) Contact the parents of the child within 24 hours of receipt of the report.**
 - (4) Provide or arrange reasonable services to ensure the child is provided with proper parental care, control and supervision.**
- (Nov. 9, 2006, P.L.1358, No.146, eff. 180 days; Jan. 22, 2014, P.L.6, No.4, eff. 90 days)**

23 Pa. C.S. § 6303 "Health care provider." A licensed hospital or health care facility or person who is licensed, certified or otherwise regulated to provide health care services under the laws of this Commonwealth, including a physician, podiatrist, optometrist, psychologist, physical therapist, certified nurse practitioner, registered nurse, nurse midwife, physician's assistant, chiropractor, dentist, pharmacist or an individual accredited or certified to provide behavioral health services.

23 PA. CONS. STAT. § 6334. Disposition of complaints received.

23 Pa. C.S. § 6334.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=034.&subSctn=000>

§ 6334.1. Responsibility for investigation.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=034.&subSctn=001>

23 PA. CONS. STAT. § 6334. Disposition of complaints received.

23 Pa. C.S. § 6334.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=034.&subSctn=000>

§ 6334.1. Responsibility for investigation.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=034.&subSctn=001>

23 Pa. C.S. § 6334.1. Responsibility for investigation.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=034.&subSctn=001>

23 Pa. C.S. § 6334.1. Responsibility for investigation.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=086.&subSctn=000>

General protective

<https://www.pacode.com/secure/data/055/chapter3490/chap3490toc.html#3490.223.55>

PA. CODE § 3490.223

23 PA. C.S. § 6334. Disposition of complaints received.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=034.&subSctn=000>

23 PA. C.S. § 6313. Reporting procedure.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=013.&subSctn=000>

23 PA. C.S. § 6303. Definitions.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=003.&subSctn=000>

23 PA. C.S. § 6368. Investigation of reports

(l) Notice of investigation.—

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=068.&subSctn=000>

42 PA. C.S. § 6337. Right to counsel.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=42&div=00.&chpt=063.&sctn=037.&subSctn=000>

42 PA. C.S. 6338. Other basic rights.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=42&div=00.&chpt=063.&sctn=038.&subSctn=000>

23 PA. C. S. § 6314. Photographs, medical tests and X-rays of child subject to report.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=034.&subSctn=000>

23 PA. C.S. § 6340.1. Exchange of information.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=040.&subSctn=001>

23 PA. C.S. § 6340.1. Exchange of information.

(d) Notification by county agency.--In circumstances which negatively affect the medical health of a child, the county agency shall notify the certified medical practitioner who is the child's primary care provider, if known, of the following information:

(1) The final status of any assessment of general protective services or an investigation of child abuse, if the report of child abuse is indicated or founded.

- Information on an unfounded report of child abuse if the certified medical practitioner made the report as a mandated reporter under section 6311.

(3) If accepted for services, any service provided, arranged for or to be provided by the county agency.

223 PA. C.S. § 6340.1. Exchange of information.

(c) Request by certified medical practitioner.--If requested by the child's primary care physician or a certified medical practitioner who is providing medical care to the child, the county agency, in order to ensure the proper medical care of the child, shall provide the following information as it pertains to circumstances which negatively affect the medical health of the child:

(1) The final status of any assessment of general protective services or an investigation of child abuse, if the report of child abuse is indicated or founded.

Information on an unfounded report of child abuse if the certified medical practitioner made the report as a mandated reporter under section 6311 (relating to persons required to report suspected child abuse).

If accepted for services, any service provided, arranged for or to be provided by the county agency.

(4) The identity of other certified medical practitioners providing medical care to the child to obtain the child's medical records to allow for coordination of care between medical practitioners.

23 PA. C.S. § 6362. Responsibilities of county agency for child protective services.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=062.&subSctn=000>

23 PA. CONS. STAT. § 6311.

Persons required to report suspected child abuse.

(a) Mandated reporters.--The following adults shall make a report of suspected child abuse, subject to subsection (b), if the person has reasonable cause to suspect that a child is a victim of child abuse:

- (1) A person licensed or certified to practice in any health-related field under the jurisdiction of the Department of State.**
- (2) A medical examiner, coroner or funeral director.**
- (3) An employee of a health care facility or provider licensed by the Department of Health, who is engaged in the admission, examination, care or treatment of individuals.**
- (4) A school employee.**
- (5) An employee of a child-care service who has direct contact with children in the course of employment.**
- (6) A clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer or spiritual leader of any regularly established church or other religious organization.**
- (7) An individual paid or unpaid, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service, accepts responsibility for a child.**
- (8) An employee of a social services agency who has direct contact with children in the course of employment.**
- (9) A peace officer or law enforcement official.**
- (10) An emergency medical services provider certified by the Department of Health.**
- (11) An employee of a public library who has direct contact with children in the course of employment.**
- (12) An individual supervised or managed by a person listed under paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) and (11), who has direct contact with children in the course of employment.**
- (13) An independent contractor.**
- (14) An attorney affiliated with an agency, institution, organization or other entity, including a school or regularly established religious organization that is responsible for the care, supervision, guidance or control of children.**
- (15) A foster parent.**

(b) Basis to report.--

- (1) A mandated reporter enumerated in subsection (a) shall make a report of suspected child abuse or cause a report to be made in accordance with section 6313 (relating to reporting procedure), if the mandated reporter has reasonable cause to**

suspect that a child is a victim of child abuse under any of the following circumstances:

- (i) The mandated reporter comes into contact with the child in the course of employment, occupation and practice of a profession or through a regularly scheduled program, activity or service.
- (ii) The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child.
- (iii) A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.
- (iv) An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

(2) Nothing in this section shall require a child to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse.

(3) Nothing in this section shall require the mandated reporter to identify the person responsible for the child abuse to make a report of suspected child abuse.

(c) Staff members of institutions, etc.--Whenever a person is required to report under subsection (b) in the capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, that person **shall report immediately in accordance with section 6313 and shall immediately thereafter** notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge. Upon notification, the person in charge or the designated agent, if any, shall **facilitate the cooperation of the institution, school, facility or agency with the investigation of the report. Any intimidation, retaliation or obstruction in the investigation of the report is subject to the provisions of 18 Pa.C.S. § 4958 (relating to intimidation, retaliation or obstruction in child abuse cases).** This chapter does not require more than one report from any such institution, school, facility or agency.

23 Pa. C. S. § 6312.

Persons encouraged to report suspected child abuse.

Any person may make an oral or written report of suspected child abuse, which may be submitted electronically, or cause a report of suspected child abuse to be made to the department, county agency

or law enforcement, if that person has reasonable cause to suspect that a child is a victim of child abuse.

23 PA. CONS. STAT. § 6318. Immunity from liability.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=018.&subSctn=000>

23 Pa. C.S. § 6320. Protection from employment discrimination.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=020.&subSctn=000>

23 Pa. C.S. § 6339. Confidentiality of reports.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=039.&subSctn=000>

23 Pa. C.S. § 6340 Release of Information in confidential reports

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=040.&subSctn=000>

23 Pa. C.S. § 6368. Investigation of reports.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=068.&subSctn=000>

23 Pa. C.S. § 6340 Release of Information in confidential reports

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=040.&subSctn=000>

23 Pa. C.S. § 6339. § 6319. Penalties.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=039.&subSctn=000>

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=019.&subSctn=000>

23 Pa. C.S. § 6319.

<http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&sctn=019.&subSctn=000>

23 Pa. C.S. § 6319. (c) Multiple offenses.--A person who commits a second or subsequent offense under subsection (a) commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the penalty for the second or subsequent offenses is a felony of the second degree.

23 PA. CONS. STAT. § 6318.

Immunity from liability.

(a) General rule.--A person, hospital, institution, school, facility, agency or agency employee acting in good faith shall have immunity from civil and criminal liability that might otherwise result from any of the following:

- (1) Making a report of suspected child abuse or making a referral for general protective services, regardless of whether the report is required to be made under this chapter.**
- (2) Cooperating or consulting with an investigation under this chapter, including providing information to a child fatality or near-fatality review team.**
- (3) Testifying in a proceeding arising out of an instance of suspected child abuse or general protective services.**
- (4) Engaging in any action authorized under section 6314 (relating to photographs, medical tests and X-rays of child subject to report), 6315 (relating to taking child into protective custody), 6316 (relating to admission to private and public hospitals) or 6317 (relating to mandatory reporting and postmortem investigation of deaths).**

(b) Departmental and county agency immunity.--An official or employee of the department or county agency who refers a report of suspected child abuse for general protective services to law enforcement authorities or provides services as authorized by this chapter shall have immunity from civil and criminal liability that might otherwise result from the action.

(c) Presumption of good faith.--For the purpose of any civil or criminal proceeding, the good faith of a person required to report pursuant to section 6311 (relating to persons required to report suspected child abuse) and of any person required to make a referral to law enforcement officers under this chapter shall be presumed.

23 Pa. C.S. § 6320. Protection from employment discrimination.

(a) Basis for relief.--A person may commence an action for appropriate relief if all of the following apply:

- (1) The person is required to report under section 6311 (relating to persons required to report suspected child abuse) or encouraged to report under section 6312 (relating to persons encouraged to report suspected child abuse).**
- (2) The person acted in good faith in making or causing the report of suspected child abuse to be made.**
- (3) As a result of making the report of suspected child abuse,**

the person is discharged from employment or is discriminated against with respect to compensation, hire, tenure, terms, conditions or privileges of employment.

(b) **Applicability.**--This section does not apply to an individual making a report of suspected child abuse who is found to be a perpetrator because of the report or to any individual who fails to make a report of suspected child abuse as required under section 6311 and is subject to conviction under section 6319 (relating to penalties) for failure to report or to refer.

(c) **Location.**--An action under this section must be filed in the court of common pleas of the county in which the alleged unlawful discharge or discrimination occurred.

(d) **Relief.**--Upon a finding in favor of the plaintiff, the court may grant appropriate relief, which may include reinstatement of the plaintiff with back pay.

(e) **Departmental intervention.**--The department may intervene in an action commenced under this section.

23 Pa. C.S. § 6339. Confidentiality of reports.

Except as otherwise provided in this subchapter, or by the Pennsylvania Rules of Juvenile Court Procedure, reports made pursuant to this chapter, including, but not limited to, report summaries of child abuse and reports made pursuant to section 6313 (relating to reporting procedure) as well as any other information obtained, reports written or photographs or X-rays taken concerning alleged instances of child abuse in the possession of the department or a county agency shall be confidential.

23 Pa. C.S. § 6339. § 6319. Penalties.

(a) **Failure to report or refer.**--

(1) A person or official required by this chapter to report a case of suspected child abuse or to make a referral to the appropriate authorities commits an offense if the person or official willfully fails to do so.

(2) An offense under this section is a felony of the third degree if:

- (i) the person or official willfully fails to report;
- (ii) the child abuse constitutes a felony of the first degree or higher; and
- (iii) the person or official has direct knowledge of the nature of the abuse.

(3) An offense not otherwise specified in paragraph (2) is a misdemeanor of the second degree.

(4) A report of suspected child abuse to law enforcement or the appropriate county agency by a mandated reporter, made in lieu of a report to the department, shall not constitute an offense under this subsection, provided that the report was made in a good faith effort to comply with the requirements of this chapter.

(b) Continuing course of action.--If a person's willful failure under subsection (a) continues while the person knows or has reasonable cause to believe the child is actively being subjected to child abuse, the person commits a misdemeanor of the first degree, except that if the child abuse constitutes a felony of the first degree or higher, the person commits a felony of the third degree.

(c) Multiple offenses.--A person who commits a second or subsequent offense under subsection (a) commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the penalty for the second or subsequent offenses is a felony of the second degree.

(d) Statute of limitations.--The statute of limitations for an offense under subsection (a) shall be either the statute of limitations for the crime committed against the minor child or five years, whichever is greater.

23 Pa. C.S. § 6319. Penalties.

(a) Failure to report or refer.--(3) An offense not otherwise specified in paragraph (2) is a misdemeanor of the second degree.

23 Pa. C.S. § 6319. (b) Continuing course of action.--If a person's willful failure under subsection (a) continues while the person knows or has reasonable cause to believe the child is actively being subjected to child abuse, the person commits a misdemeanor of the first degree, except that if the child abuse constitutes a felony of the first degree or higher, the person commits a felony of the third degree.

23 Pa. C.S. § 6319. (c) Multiple offenses.--A person who commits a second or subsequent offense under subsection (a) commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the penalty for the second or subsequent offenses is a felony of the second degree.

23 Pa. C.S. § 6319. (a) (4) A report of suspected child abuse to law enforcement or the appropriate county agency by a mandated reporter, made in lieu of a report to the department, shall not

constitute an offense under this subsection, provided that the report was made in a good faith effort to comply with the requirements of this chapter.

23 Pa. C.S. § 6368. Investigation of reports.

(h) Notice to mandated reporter.--If a report was made by a mandated reporter under section 6313 (relating to reporting procedure), the department shall notify the mandated reporter who made the report of suspected child abuse of all of the following within three business days of the department's receipt of the results of the investigation:

- (1) Whether the child abuse report is founded, indicated or unfounded.**
- (2) Any services provided, arranged for or to be provided by the county agency to protect the child.**

23 PA. CONS. STAT. § 6312. Persons encouraged to report suspected child abuse.

Any person may make an oral or written report of suspected child abuse, which may be submitted electronically, or cause a report of suspected child abuse to be made to the department, county agency or law enforcement, if that person has reasonable cause to suspect that a child is a victim of child abuse.

NOTICE:

By clicking on the "**Go to CWIS**" button below you will be leaving the "Recognizing and Reporting Child Abuse" course.

The link to CWIS is provided for your reference only.

To return to the course just close the window or tab that contains the CWIS website.

You must answer all questions

You must answer all questions

3. If Other please specify:

2. Please select the most relevant role/occupation from the list

REQUIRED INFORMATION for Mandated Reporters

1. Check all that apply to you out of the following list:

- (1) A person licensed or certified to practice in any health-related field under the jurisdiction of the Department of State.
- (2) A medical examiner, coroner or funeral director.
- (3) An employee of a health care facility or provider licensed by the Department of Health, who is engaged in the admission, examination, care or treatment of individuals.
- (4) A school employee.
- (5) An employee of a child-care service who has direct contact with children in the course of employment.
- (6) A clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer or spiritual leader of any regularly established church or other religious organization.
- (7) An individual paid or unpaid, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service, accepts responsibility for a child.
- (8) An employee of a social services agency who has direct contact with children in the course of employment.
- (9) A peace officer or law enforcement official.
- (10) An emergency medical services provider certified by the Department of Health.

(11) An employee of a public library who has direct contact with children in the course of employment.

(12) An individual supervised or managed by a person listed under paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) and (11), who has direct contact with children in the course of employment.

(13) An independent contractor.

(14) An attorney affiliated with an agency, institution, organization or other entity, including a school or regularly established religious organization that is responsible for the care, supervision, guidance or control of children.

(15) A foster parent.

(16) An adult family member who is a person responsible for the child's welfare and provides services to a child in a family living home, community home for individuals with an intellectual disability or host home for children which are subject to supervis

You must answer the question

:

1. What is your primary reason for taking this course?

- a) To raise my knowledge and awareness
- b) Due to concerns about a specific child or family
- c) To determine whether or not I am a Mandated Reporter
- d) Required to take the course for my employer
- e) Required to take the course for a volunteer organization
- f) Other

REQUIRED INFORMATION for Permissive Reporters

(5) INVOLUNTARY SERVITUDE.—The term "involuntary servitude" includes a condition of servitude induced by means of—

- (A) any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint; or**
- (B) the abuse or threatened abuse of the legal process.**

(Victims of Trafficking and Violence Protection Act of 2000, 22 U.S.C. § 103(5))

Warning signs can include but are not limited to:

- A youth that has been verified to be under 18 and is in any way involved in the commercial sex industry, or has a record of prior arrest for prostitution or related charges
- Has an explicitly sexual online profile
- Excessive frequenting of internet chat room or classified sites
- Depicts elements of sexual exploitation in drawing, poetry, or other modes of creative
- Frequent or multiple sexually transmitted diseases or pregnancies
- Lying about or not being aware of their true age
- Having no knowledge of personal data, such as but not limited to: age, name, and/or date of birth
- Having no identification
- Wearing sexually provocative clothing
- Wearing new clothes of any style, getting hair and/or nails done with no financial means
- Secrecy about whereabouts
- Having late nights or unusual hours
- Having a tattoo that she/he is reluctant to explain
- Being in a controlling or domination relationship
- Not having control of own finances
- Exhibit hypervigilance or paranoid behaviors
- Express interest in relationships with adults or much older men/women

Human trafficking is the recruitment, harboring, transportation, provision of obtaining of a child for labor or services through the use of force, fraud, or coercion. Under federal law, sex trafficking (such as prostitution, pornography, exotic dancing, etc.) does not require there to be force, fraud or coercion if the victim is under age 18.

Human trafficking affects individuals across the world, including here in the United States, and is commonly regarded as one of the most pressing human rights issues of our time. Human trafficking affects every community in the United States across age, gender, ethnicity, and socio-economic backgrounds.

There are two forms of human trafficking we will be considering.

Labor trafficking is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purposes of subjection to involuntary servitude, peonage, debt bondage, or slavery, (22 USC § 7102).

Sex trafficking is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age (22 USC § 7102).