

MANDATED REPORTING For Educators

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Mission and Transformation of the Department

*"Working together with families and communities
for children who are healthy, safe, smart and strong."*

Seven Cross Cutting Themes:

- implementing strength-based family policy, practice and programs;
- applying the neuroscience of early childhood and adolescent development;
- expanding trauma-informed practice and culture;
- addressing racial inequities in all areas of our practice;
- building new community and agency partnerships;
- improving leadership, management, supervision and accountability; and
- becoming a learning organization.



Purpose of Mandated Reporter Training

- Provide information
- To keep you up to date with your roles, responsibilities and changes in the law and possible preventive measures you can take to protect yourselves as well as the children and families you serve
- To hear concerns, answer questions, and develop ways to work together to better protect children.



Who Must Report

Connecticut General Statutes (State law) identify professionals who, because their work involves regular contact with children, are mandated by law to report suspected child abuse and neglect.



Who Must Report

- Any person paid to care for a child in any public or private facility, child day care center, group day care home or family day care home which is licensed by the State.
- Chiropractors
- Dental Hygienists
- Dentists
- Department of Children and Families Employees
- Department of Public Health employees responsible for the licensing of child day care centers, group day care homes, family day care homes or youth camps.
- Domestic Violence Counselor*
- Judicial Employees
- Licensed/Certified Alcohol and Drug Counselors
- Licensed/Certified Emergency Medical Services Providers
- Licensed Foster Parents
- Licensed Marital and Family Therapists
- Licensed or Unlicensed Resident Interns
- Licensed or Unlicensed Resident Physicians
- Licensed Physicians
- Licensed Practical Nurses
- Licensed Professional Counselors
- Licensed Surgeons
- Medical Examiners
- Members of the Clergy
- Mental Health Professionals
- Optometrists
- Parole Officers (Juvenile or Adult)
- Pharmacists
- Physical Therapists
- Physician Assistants
- Podiatrists
- Police Officers
- Probation Officers (Juvenile or Adult)
- Psychologists
- Registered Nurses
- Sexual Assault Counselors
- Social Workers
- The Child Advocate and any employee of the Office of the Child Advocate
- School Employees - as defined in [section 53a-65](#) of the Connecticut General Statutes (CGS) (subsection 13)
- * Paid - Coach or Director of youth athletics – as defined in (P.A. 14-186 §6)
- * Employees of higher education - as defined in (P.A. 14-186 §6)



Who Must Report From a School System

School Employees - as defined in **section 53a-65** of the Connecticut General Statutes (CGS) (subsection 13)

(13) "School employee" means:

- (A) A teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or a private elementary, middle or high school or working in a public or private elementary, middle or high school; or
- (B) any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in
 - (i) a public elementary, middle or high school, pursuant to a contract with the local or regional board of education, or
 - (ii) a private elementary, middle or high school, pursuant to a contract with the supervisory agent of such private school.



Public Act No. 14-186

The list of mandated reporters has been expanded to include certain coaches, paid youth camp directors and assistant directors:

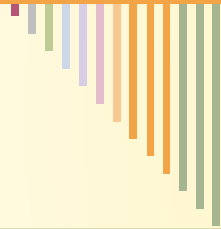
- (P.A. 14-186 §6)
 - (11) any person who **holds** or is **issued a coaching permit by the State Board of Education**, is a coach of intramural or interscholastic athletics and is eighteen years of age or older,
 - (12) any individual who is employed as a coach or director of youth athletics and is **eighteen years of age or older**,
 - (13) any individual who is employed as a coach or director of a private youth sports organization, league or team and is eighteen years of age or older,
 - (14) any **paid** administrator, faculty, staff, athletic director, athletic coach or athletic trainer employed by a public or private institution of **higher education** who is eighteen years of age or older, excluding student employees,
- (35) any paid youth camp director or assistant director.



What Must Be Reported?

Mandated Reporters are required to report or cause a report to be made when, in the ordinary course of their employment or profession, they have reasonable cause to suspect or believe that a child under the age of 18 has been abused, neglected or is placed in imminent risk of serious harm (**CGS 17a-101a**).

A Mandated Reporter must report any suspicion to DCF or law enforcement regardless of the identity of the alleged perpetrator.



Reasonable Cause to Suspect

- Observed
- What is told or said
- Knowledge from professional training and experience
- A suspicion is enough to file a report based on what you observe or are told.

CERTAINTY IS NOT REQUIRED
It is the role of DCF to investigate



Definitions: Abuse

Connecticut General Statutes, **Section 46b-120**, defines an abused child as a child or youth less than 18 years of age who:

- ❑ Has had physical injuries inflicted upon him or her other than by accidental means, or
- ❑ Has injuries which are at variance with the history given of them, or
- ❑ Is in a condition which is the result of maltreatment such as, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment, or cruel punishment.



Possible Indicators of Sexual Abuse

Physical

- Chronic gastrointestinal complaints
- Unexplained bruises, lacerations, redness, swelling, or bleeding in the genital, vaginal, or anal areas.
- Complaints of genital or rectal pain
- Sexually transmitted disease
 - Child Under 13 with Venereal Disease
 - a physician or facility must report to Careline upon the consultation, examination or treatment for venereal disease of any child not more than twelve (12) years old
- Pregnancy



Possible Indicators of Sexual Abuse

Emotional/Behavioral

- Fire setting
- Cruelty to animals
- Sexually aggressive, manipulative of children
- Truancy
- Engages in self-destructive behaviors
 - Substance abuse
 - Suicide attempts
 - Cutting
 - Prostitution
 - Inability to eat or overeating
- Bedwetting or soiling
- Wears an excessive amount of clothing
- Promiscuity or avoidance of sexuality



Age of Consent for Sexual Activity

The **general** age of consent in Connecticut is 16. This applies in most normal relationships. However, if any of the following apply, then the age of consent becomes 18:

- Where one person is a guardian, or responsible for the general supervision, of the other. See C.G.S. § 53a-71(a)(4).
- Where one person is an [athletic coach](#) or an intensive, ongoing instructor (e.g. piano teacher) outside of a school setting, and the other is being coached or instructed. See C.G.S. § 53a-71(9)(B).
- Where one person's professional, legal, occupational or volunteer status gives him/her a role of supervision, power, or authority, over the other's participation in a program or activity, and the older person is at least 20-years-old. See C.G.S. § 53a-71(a)(4).



Age of Consent for Sexual Activity

Age of consent is *irrelevant* in the following; as even consensual adult sexual activity is *criminalized* in these relationships:

- Where one person is a school employee (of the board of education, by extension excluding post-secondary schools) and the other a student. See C.G.S. § 53a-71(a)(8).
- Where one person is an athletic coach or an intensive, ongoing instructor (e.g. piano teacher) in a secondary (high school) setting and the other a student. See C.G.S. § 53a-71(9)(A).



Neglect

- Has been abandoned; or
- Is being denied proper care and attention, physically, educationally, emotionally, or morally; or
- Is being permitted to live under conditions, circumstances, or associations injurious to his well-being.



Educational Neglect

Educational Neglect occurs when, by action or inaction, the parent or person having control of a child five (5) years of age and older and under eighteen (18) years of age who is not a high school graduate

- Fails to register the child in school
- Fails to allow the child to attend school or receive home instruction in accordance with Connecticut General Statute §10-184
- Fails to take appropriate steps to ensure regular attendance at school if the child is registered.



Medical Neglect

- ❑ The refusal or failure on the part of the person responsible for the child's care to seek, obtain, and/or maintain those services for necessary medical, dental, or mental health care
- ❑ Withholding medically indicated treatment from disabled infants with life-threatening conditions.

Note: *Failure to provide the child with immunizations or routine well child care in and of itself does not constitute medical neglect.*



Child Left Alone in Motor Vehicle or Place of Public Accommodation

CGS Section 53-21a

Sec. 53-21a. Leaving child unsupervised in place
of public accommodation or motor vehicle.

(a) Any parent, guardian or person having custody or control, or providing supervision, of any child under the age of twelve years who knowingly leaves such child unsupervised in a place of public accommodation or a motor vehicle for a period of time that presents a substantial risk to the child's health or safety, shall be guilty of a class A misdemeanor.



Whom Does DCF Investigate?

The Department will investigate cases where the abuse or neglect has been inflicted by or caused by

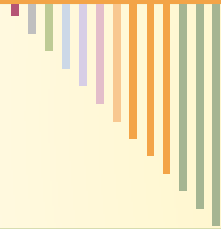
a **person responsible or entrusted** for a child's health, welfare, or care;

or by a **person given access** to a child by a person responsible.



“Person Responsible”

- Parent
- Guardian
- Foster parent
- Staff personnel of child center based, family or group day care settings
- Staff employees of residential child care settings and that individual responsible for a child’s health, welfare, or care and is allegedly responsible for causing or allowing the infliction of physical injury or injuries or imminent risk.



“Person Entrusted”

Anyone given access to child or youth by a person who is responsible for the health, welfare, or care of a child or youth for the purpose of providing education, child care, counseling, spiritual guidance, coaching, training, instruction, tutoring, or mentoring of such child or youth.



Reporting Procedures

When –

As soon as practical, but no later than 12 hours after the mandated reporter becomes aware of or suspects abuse/neglect or imminent risk of serious harm or that a mandated reporter must notify DCF

To Whom –

DCF Careline: 1-800-842-2288; or calling the local law enforcement agency

- ❑ A written report (DCF 136) is required by law to be written and submitted within 48 hours of oral report.
- ❑ <http://www.ct.gov/dcf/lib/dcf/policy/pdf/DCF-136.pdf>
- ❑ **ORAL REPORT TO CARELINE IS REQUIRED**
- ❑ **DCF-136 will not be accepted without oral report being made**



Preliminary Investigation

- ❑ A mandated reporter should not conduct his/her own investigation prior to making a report.
- ❑ If abuse or neglect is suspected, a referral should be made to the DCF Careline. 1-800-842-2288



All oral and written reports shall contain the following information if known:

1. The names and addresses of the child and his parents or other person responsible for his care;
2. The age of the child;
3. The gender of the child;
4. The nature and extent of the child's injury or injuries, maltreatment or neglect;
5. The approximate date and time the injury or injuries, maltreatment or neglect occurred;
6. Information concerning any previous injury or injuries to, or maltreatment or neglect of, the child or his siblings;
7. The circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;



All oral and written reports shall contain the following information if known:

8. The name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect;
9. The reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect;
10. Any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child;
11. Whatever action, if any, was taken to treat, provide shelter or otherwise assist the child (PA 11-93 §15).
Items 9 and 10 are new.

Report of Suspected Child Abuse or Neglect: Form DCF - 136

Child's Name		<input type="checkbox"/> M <input type="checkbox"/> F	Age Or DOB	<i>Please print or type</i>		
Child's Address		Race:		<input type="checkbox"/> American Indian or Alaskan Native	<input type="checkbox"/> Hispanic	
Name Of Parents Or Other Person Responsible For Child's Care		Address		<input type="checkbox"/> Asian/Pacific Islander	<input type="checkbox"/> White (not of Hispanic origin)	
Name Of Careline Worker To Whom Oral Report Was Made		Date Of Oral Report		<input type="checkbox"/> Black/African American (not of Hispanic Origin)	<input type="checkbox"/> Unknown	
Name Of Suspected Perpetrator, If Known		Address And Phone Number, If Known		<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	
Relationship To Child						
Nature And Extent Of Injury(ies), Maltreatment Or Neglect						
Describe The Circumstances Under Which The Injury(ies), Maltreatment Or Neglect Came To Be Known						
Describe the Reasons Such Persons(s) Are Suspected of Causing Such Injuries, Maltreatment of Neglect						
Information Concerning Any Previous Injury(ies), Maltreatment Or Neglect Of The Child Or His/Her Siblings						
Information Concerning Any Prior Cases(s) In Which The Person(s) Have Been Suspected Of Causing An Injury(ies), Maltreatment Or Neglect Of A Child						
List Names And Ages Of Siblings, If Known						
What Action, If Any, Has Been Taken To Treat, Provide Shelter Or Otherwise Assist The Child?						
REPORTER SECTION						
Reporter's Name And Agency		<input type="checkbox"/> American Indian or Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black/African American (not of Hispanic Origin) <input type="checkbox"/> Hispanic <input type="checkbox"/> White (not of Hispanic origin) <input type="checkbox"/> Prefer Not to Answer <input type="checkbox"/> Other _____		Address :		Phone Number
Reporter's Signature				City:		
				Position		Date

04/22/2015



Careline Contact Information

Child Abuse and Neglect Careline

505 Hudson Street

Hartford, CT 06106

(FAX) 860-560-7073

Phone: 1-800-842-2288



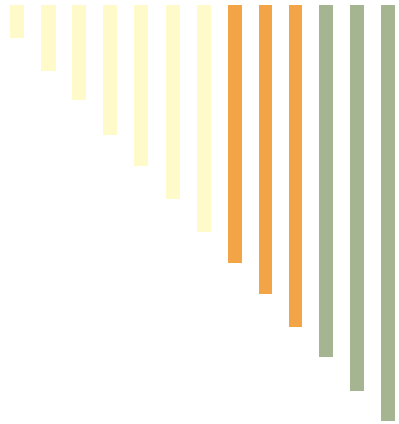
When DCF Notifies the Police

When DCF receives a report alleging sexual abuse or serious physical abuse, including, but not limited to, a report that a child has:

- Died;
- Been sexually assaulted;
- Suffered brain damage, loss, or serious impairment of a bodily function or organ;
- Been sexually exploited; or
- Suffered serious non-accidental physical injury

DCF will notify the appropriate police department within 12 hours of the receipt of such report.

Confidentiality & Anonymity





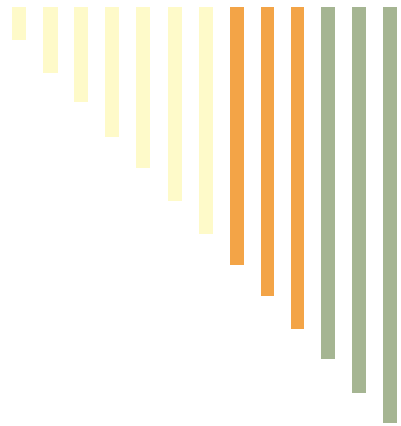
Anonymity

The name of the reporter of child abuse/neglect shall be kept confidential upon his/her request. However, it shall be disclosed to:

Mandated Reporters are required to give their name when they make a report to DCF, however, reporters may request anonymity to protect their privacy.

DCF would not disclose their name or identity unless mandated to do so by the law.
(CGS 17a-28 and 17a-101)

- A DCF Employee
- A Law Enforcement Officer
- An Appropriate State's Attorney
- An Appropriate Assistant Attorney General
- A Judge and all necessary parties in a Juvenile Court proceeding or criminal prosecution involving child abuse and neglect
- A State Child Care Licensing Agency, Executive Director of any institution, school or facility, or Superintendent of Schools.



Legal Protections for Reporting & Consequences for Failing to Report



Immunity and False Reporting

Immunity –

Any person, institutions, or agency which in good faith makes or in **good faith does not make the report** pursuant to (17a-101a to 17a-101d) inclusive shall be immune from any liability, civil, or criminal charges.

False Reporting –

Any person who knowingly makes a false report of child abuse/neglect or imminent risk of serious harm shall be criminally fined not more than \$2000 or imprisoned not more than one year or both.



Failing to Report and/or Delayed Reporting

Any person required by the law to report a case of suspected child abuse/neglect who fails to make such report or fails to do so within the required time period:

- a. may be liable for civil damages caused by such failure.
- b. shall be guilty of a class A misdemeanor and
- c. ordered to attend an educational training program.

DCF IS REQUIRED TO NOTIFY THE CHIEF STATE'S ATTORNEY IF IT SUSPECTS THAT A PERSON HAS FAILED TO REPORT OR DID NOT REPORT WITHIN THE REQUIRED TIME-FRAMES.



Prevention or Interference in Reporting

Any person who intentionally or unreasonably interferes with or prevents a report of suspected child abuse or neglect from being made shall be guilty of a class D felony.



Employee Protection

No employer shall

(1) discharge, or in any manner discriminate or retaliate against, any employee who in good faith makes a report pursuant to sections 17a-101a to 17a-101d, inclusive, and 17a-103, testifies or is about to testify in any proceeding involving child abuse or neglect, or

(2) hinder or prevent, or attempt to hinder or prevent, any employee from making a report pursuant to sections 17a-101a to 17a-101d, inclusive, and 17a-103, or testifying in any proceeding involving child abuse or neglect.

The Attorney General may bring an action in Superior Court against an employer who violates this subsection. The court may assess a civil penalty of not more than two thousand five hundred dollars and may order such other equitable relief as the court deems appropriate.



Overview of Public Act 11-93 Mandated Reporting by Schools

- ❑ A legislative response to a report issued by the Offices of the Child Advocate and Attorney General which identified flaws in the way child abuse and neglect in schools is identified, reported and investigated.
- ❑ Encourages reporting, streamlines investigations and clarifies information sharing among the various entities involved. The public act also requires mandatory training of school district personnel in reporting and investigating child abuse and neglect and the standard use of the DCF central registry for background checks for current and prospective school employees and certificate applicants.



Key Components Related to Educators of Public Act 11-93

- ❑ Boards of Education cross check Central Registry for any position. If applicant is listed on the Central Registry, application is denied
- ❑ Disclosure to School Superintendents of Central Registry information
- ❑ Expands list of Mandated Reporters in School Systems
- ❑ Requires newly hired *local or regional board* of education employees (on or after 7/1/11) to complete the Mandated Reporter Training. Refreshers to occur every three years.



Key Components Related to Educators of Public Act 11-93

- ❑ Data Base kept by DCF of incidents where school systems failed to report abuse/neglect in timely manner
- ❑ If a school employee is the alleged perpetrator of abuse or neglect, allows the sharing of records. DCF will report the allegations to the Connecticut State Department of Education

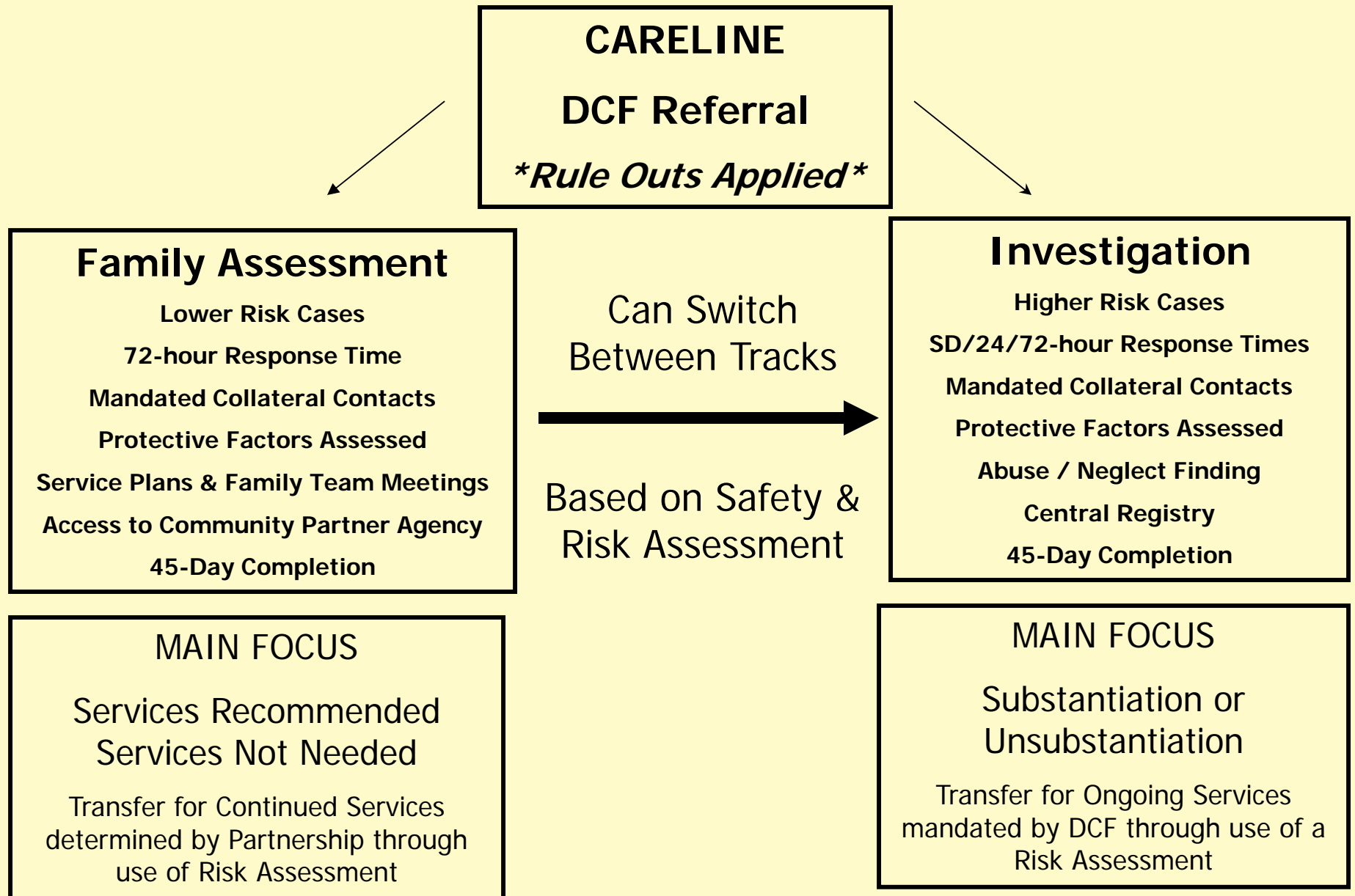


Board of Education

Human Resources Investigations

- ❑ If child abuse or neglect is suspected, a referral must be made to the DCF Careline.
- ❑ School district investigations are allowable after a report is made as long as DCF or the investigating law enforcement agency notifies the school district that the district's investigation will not interfere with the DCF or law enforcement investigation.

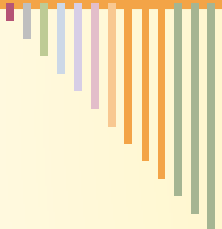
DRS: Two Track Response System





Why Two Tracks?

- ❑ Be more flexible in the response to child abuse and neglect reports
- ❑ Better understand the family issues that lie beneath maltreatment reports
- ❑ Engage parents more effectively to use services that address their specific needs
- ❑ Increase sharing responsibility and accountability for families and communities



Disparate Outcomes Result From Overt & Unconscious Decisions

Lower the rate of disproportionality -

- ❑ In CPS cases, people of color are over-represented relative to the general population.
- ❑ The DRS approach is to begin addressing these inequities and disparities as early as possible by using the assessment track to focus on service delivery to ameliorate such issues.
- ❑ These disparities and inequities by race and culture are seen at every decision point within the DCF system.
- ❑ The first decision making point comes from assessing “reasonable suspicion”- simply ask, “Is my suspicion (or lack of) based on the race of this family?”



Safe Haven Act

An act that creates a safe alternative to leaving infants in unsafe places

A parent may voluntarily surrender physical custody of an infant age thirty (30) days or younger to the nursing staff of a hospital emergency room.

Parent is not required to provide his or her name or medical history.



Protecting our Infants, Toddlers and Preschoolers

- ❑ For our agency this is our invisible population
- ❑ Early Assessment and Intervention is essential
- ❑ Call 211
- ❑ 3-5 year olds deserve quality child care
- ❑ Unsafe sleep related deaths are the leading cause of preventable deaths of infants in Connecticut
- ❑ Educating families about safe sleep environments is key
- ❑ DCF has embarked on campaign to educate staff, providers and the families we serve about safe sleep
- ❑ DCF and NICHD resources (links provided below)
- ❑ http://www.ctparenting.com/_files_/Safe%20Sleep%20Flyer%2012-%202013%20final.pdf
- ❑ <http://www.nichd.nih.gov/sts/about/Pages/default.aspx>



DCF Strengthening Families

Strengthening Families

DCF recognizes that strengthening Connecticut families requires partnership with the immediate family, the extended family, and community providers.

Thank you for being part of this team.



Additional Resources

Still Have Questions?

Please visit our website to view additional information regarding mandated reporting or to find out who to speak with from our staff.

If you have any concerns of abuse or neglect, please call our Careline at 800-842-2288

BE A HERO, BE A FOSTER PARENT

If you are interested in being a foster parent or would like information on how to become one, please call

1-888-KID-HERO