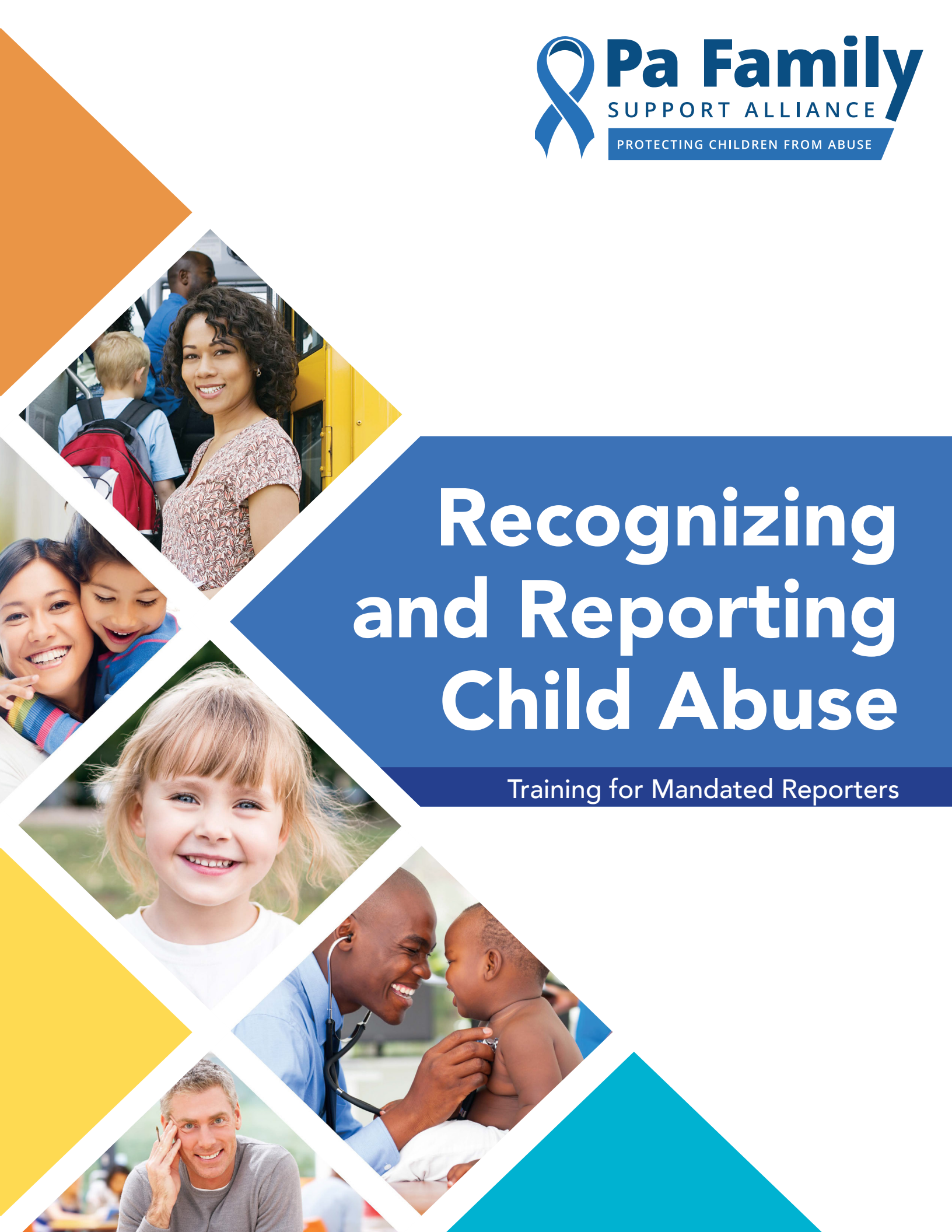




Recognizing and Reporting Child Abuse

Training for Mandated Reporters

Preface

Pennsylvania Family Support Alliance (PFSA) has been strengthening families in Pennsylvania for more than 40 years and is a vital community partner in the prevention, intervention, and treatment of child abuse. Program services are designed to provide a positive environment for children through the provision of parenting skills education, support services for families, and training programs for professionals.

In recognition of our success and expertise in the field of child abuse prevention, Pennsylvania Family Support Alliance has been selected by the Pennsylvania Department of Human Services as the state’s mandated reporter training provider for education, community service, early education, and religious professionals. This workbook was developed to complement that initiative.

The workbook provides descriptions, tips, and exercises designed to increase mandated reporters’ understanding of the Pennsylvania Child Protective Services Law and its application and improve their ability to work effectively with county children and youth services. Those who review this information as part of the comprehensive training program offered by Pennsylvania Family Support Alliance will recognize the greatest benefit.

Pennsylvania Family Support Alliance is proud to have this opportunity to provide professionals with information on the recognition and reporting of child abuse. The system could not respond, nor could children and families receive help, without informed community involvement. No one of us can deal with child abuse alone – a cooperative effort is vital! Thank you for choosing to care for Pennsylvania’s children, because...they need you.



Angela M. Liddle, MPA
President and CEO
Pennsylvania Family Support Alliance

Table of Contents

Introduction: **Recognizing and Reporting Child Abuse**.....Page 7

Lesson One: **The Child Protective Services System**.....Page 10

Lesson Two: **The Reporting Process**Page 23

Lesson Three: **Defining Child Abuse**Page 42

Lesson Four: **The System’s Response to Child Abuse**.....Page 67

Lesson Five: **Conclusion**Page 73

Activity Answer Key.....Page 74

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Initial author of these materials is the Pennsylvania Family Support Alliance. Last edited in collaboration with the Pennsylvania Department of Human Services/Office of Children, Youth, and Families May 2025.

For further information on this publication, contact:

Pennsylvania Family Support Alliance
100 Sterling Parkway, Suite 100

Mechanicsburg, PA 17050
Phone: (800) 448-4906 or (717) 238-0937
www.pafsa.org

Introduction

Recognizing and Reporting Child Abuse

Goal of course

You will gain an understanding of your role as a mandated reporter in meeting your legal obligations in the area of child protection as per the Child Protective Services Law (CPSL). You will describe and apply current information on the CPSL, recognize elements and indicators of child abuse and neglect, and demonstrate reporting procedures. You will also gain a better understanding of how the Child Protective Services system assists children and their families, and what the outcome of an investigation of child abuse may be.

This training has been specifically designed for individuals who are mandated by the Child Protective Services Law (CPSL) to report suspected child abuse. The course will provide an overview of the law and its components and an understanding of the role of a mandated reporter.

The course will also describe the steps that need to be taken when a professional suspects that a child has been abused, how the Child Protective Services system assists children and their families, and what the outcome of an investigation may be.

NOTES

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Mandated reporters refer nearly three-quarters of all suspected abuse reports.

Introduction

Course Objectives

- Describe and apply current information on the PA Child Protective Services Law
- Review the role and responsibilities of the Child Protective Services System
- Identify elements and indicators of child abuse
- Review child abuse reporting procedures
- Provide an understanding of your roles and responsibilities as they relate to child abuse recognition and reporting
- Describe actions taken by the county agency when investigating child abuse
- Understand the outcomes of an investigation

NOTES

Introduction

Agenda

- I. Introduction
- II. The Child Protective Services System
- III. The Reporting Process
- IV. Defining Child Abuse
- V. The System's Response to Child Abuse
- VI. Conclusion

NOTES

The Child Protective Services Law is a civil statute.

Lesson One

The Child Protective Services System

Participants will:

- Determine their role in the child protective services system
- Outline the system established for child protection
- Review the purposes of the CPSL to better understand the responses of the county CYS agency after they receive the report.
- Gain a better understanding of how the Child Protective Services system assists children and their families.

NOTES

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Lesson One

Child maltreatment can have both short-term and long-term consequences.

As we take a look at this slide, we see a number of ways in which child abuse and neglect can have an impact on individuals and communities. Each branch has different words or phrases that are included to help us consider what the negative outcomes associated with child abuse and neglect could be.



Source: Aubry, R & Fiutak, K. *Sequelae of Child Abuse*. Syracuse Healthy Start Newsletter. 2002; Edition 4.2. https://www.upstate.edu/obgyn/pdf/family_violence.pdf. Accessed January 30, 2025

In
Pennsylvania,
dozens of
children die
each year as
a result of
child abuse.

Source: PA Annual
Child Abuse Report

NOTES

Lesson One

Reporting of Child Abuse

- Approx. 4.4 million reports of suspected abuse and neglect made annually in the United States⁶
- In Pennsylvania
 - 3,000-5,000 reports of suspected child abuse are made annually^{4, 7-10}
 - Substantiation rate for child abuse reports is 10-13% annually^{4, 7-10}

What Can Be Done

- Learn about child abuse
- Be alert to warning signs
- Be prepared to report

We can make sure that we do our part by having a better understanding of our responsibility and what the CPSL requires of us. This includes better understanding the definitions of child abuse to know what that means. Knowledge will enable you to be more aware of the signs of child abuse. Knowing how and when to report will enable you to act appropriately if and when the opportunity presents itself. Each person can make the difference in the life of a child.

NOTES ACTIVITY:

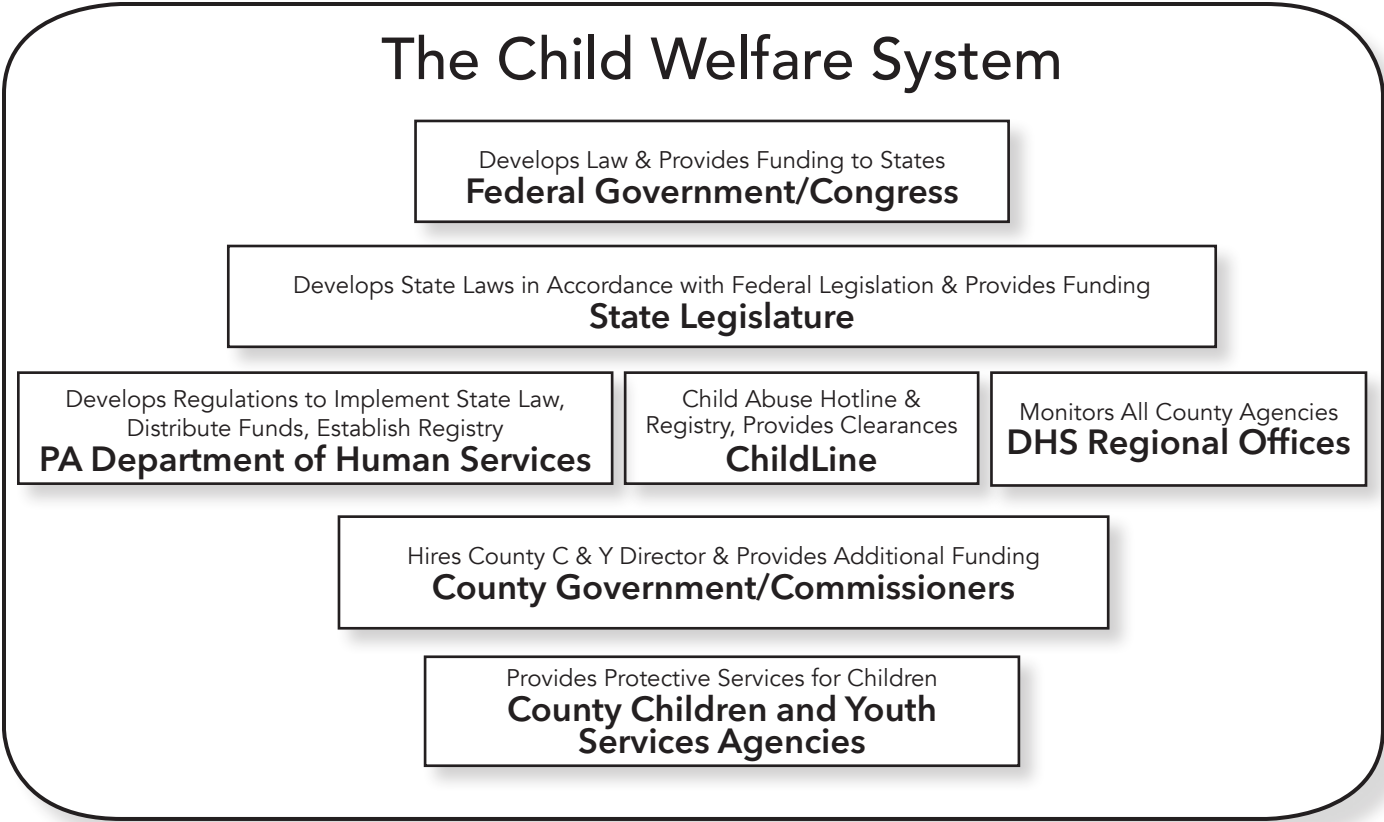
Lesson One

Potential Barriers to Reporting

- Confusion or uncertainty about reporting responsibilities^{35 36}
- Ignorance of the warning signs³⁵
- Fear of an inadequate response^{35 36}
- Do not want to become involved^{35 36}
- Fearful of repercussions^{35 36}
- Concerned that reporting may violate professional obligations³⁵

NOTES

Lesson One



At the top level, Congress and the federal government develop laws and provide funding to the states. In Pennsylvania, the state legislature has given the Department of Human Services (DHS) the responsibility for developing regulations, distributing funds, and operating ChildLine, the child abuse hotline, and the child abuse registry. DHS has also established regional offices. The Child Protective Services System is a county-based system, with offices established in each of the 67 counties that are then managed at the local level.

NOTES

Lesson One

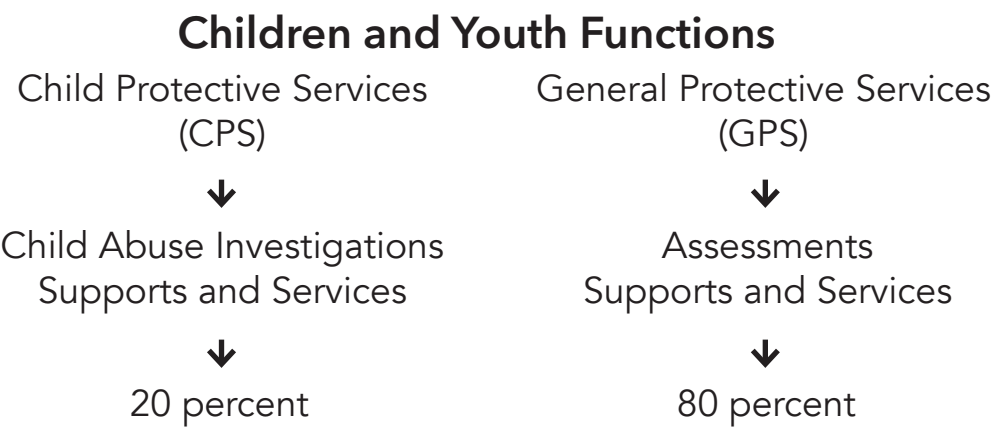
Purposes of the CPSL

- Establish protective services in each county for the purpose of investigating reports swiftly and competently
- Provide protection for children from further abuse
- Provide rehabilitative services for children and parents involved to:
 - ✓ Ensure the child's well-being, and
 - ✓ Preserve, stabilize, and protect the integrity of family life wherever appropriate, OR
 - ✓ Provide an alternative permanent family when the unity of the family cannot be maintained
- Encourage more complete reporting of child abuse
- Involve law enforcement agencies in responding to child abuse
- Establish procedures to assess risk of harm to a child in order to:
 - ✓ Respond adequately to meet the needs of the family and child who may be at risk
 - ✓ Prioritize the response and services to children at most risk

The CPSL has several significant purposes, not the least of which is to encourage more complete reporting of child abuse. It also ensures, through timelines and training requirements, that reports are investigated both swiftly and competently. Children and Youth has 30 days within which to conduct its investigation. In addition, regulation requires that Children and Youth workers must complete a minimum of 120 hours of core training and additional training each year after that.

NOTES

Lesson One



Data derived from the PA DHS Annual Child Abuse Reports 2019-2023

Children and Youth agencies have two primary functions, Child Protective Services or CPS and General Protective Services or GPS. General Protective Services are for cases where the alleged act or failure to act may not meet the definition of child abuse but is still detrimental to the child and therefore require an assessment for services and supports. General Protective Services will be provided to prevent the potential for harm to a child. The objectives of General Protective Services are:³²

- (1) Keep children in their own homes, whenever possible.
- (2) Prevent abuse, neglect and exploitation.
- (3) Overcome problems that result in dependency.
- (4) Provide temporary, substitute placement in a foster family home or residential child-care facility for a child in need of care.
- (5) Reunite children and their families whenever possible when children are in temporary, substitute placement.
- (6) Provide a permanent, legally assured family for a child in temporary, substitute care who cannot be returned to their own home.
- (7) Provide services and care ordered by the court for children who have been adjudicated dependent.

Examples of GPS Cases -- Services 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 their physical, mental, or emotional health, or morals
- Has been placed for care or adoption in violation of law
- Has been abandoned by their parents, guardian, or other custodian
- Is without a parent, guardian, or legal custodian

Lesson One

- Is habitually and without justification truant from school while subject to compulsory school attendance
- Has committed a specific act of habitual disobedience of the reasonable and lawful commands of their 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
- Has been referred under section 6323 of the Juvenile Act (relating to informal adjustment) and who commits an act which is defined as ungovernable

A child is "truant" if the child is subject to compulsory school laws and has incurred three or more school days of unexcused absences during the current school year. "Habitually truant" means six or more school days of unexcused absences during the current school year by a child subject to compulsory school attendance.³⁷

Act 16 of 2019 amended the PA Public School Code to update the definition of compulsory school age to "the period of a child's life from the time the child's parent elected to have the child enter school and which shall be no later than 6 years of age until the child reaches 18 years of age. The term does not include a child who holds a certificate of graduation from a regularly accredited, licensed, registered or approved high school."³⁸

NOTES:

Lesson One

Caseworkers have a systematic approach to assessing safety and risk. While the appearance of the tools may differ from county to county, the information gathered and analyzed is the same. Caseworkers are assessing the immediate safety of children and also projecting a level of risk throughout the life of the case. Risk and safety are required to be assessed under the CPSL³⁰ and through regulation³¹. Assessing safety and risk encompasses categories related to the child, caretakers, alleged perpetrator, parents, and physical environment³¹. It is not important for mandated reporters to understand these assessments, however the standards of an assessment as identified in the cited regulation are encased in the categories listed in the document of the CY-47. The answers you provide when making a report of suspected child abuse help the caseworkers begin their process of assessing risk and safety.



General Protective Services

§ 6374. Principles and goals of general protective services.

- (a) Primary purpose.--The primary purpose of general protective services is to protect the rights and welfare of children so that they have an opportunity for healthy growth and development.
- (b) Assistance to parents.--Implicit in the county agency's protection of children is assistance to parents in recognizing and remedying conditions harmful to their children and in fulfilling their parental duties more adequately.

The majority of services and supports that Children and Youth provides fall under General Protective Services. The goal is to provide children and their families with the supports and services to ensure that children are safe and have the opportunity for healthy growth and development.

As mandated reporters, you can still report concerns you have, even if you do not suspect child abuse. By making that report, the family can receive services and supports.

Lesson One

NOTES ACTIVITY:

[illegible]

Lesson One

ACTIVITY:

Please think critically about these situations and ask yourself “Do I have a reasonable cause to suspect a child is a victim of child abuse?” based on the information provided in the scenario. Are there any indicators of child abuse?

Scenario I:

You are a neighbor to Lori who has six children, ages 16, 14, 13, 11, and 4 year old twins. Lori and the children live in a home that has broken windows, and Lori has shared with you that the family’s oil tank is frequently empty and unable to heat the home. She has asked to borrow money to get cans of heating fuel to hold her over during the coldest days. The younger children have been begging other neighbors for food and the older children aren’t often seen at home. Lori has been complaining to you that she has to attend school meetings for truancy for the older children. Other neighbors are saying that the 13 year old child is drinking and smoking.

What would you do?

Scenario II:

Lisa is a 26 year old mom to Olivia who is 3 years old. A family friend tells you that Olivia may have been left home alone overnight when Lisa was out “looking for drugs.” The friend heard the information from a mutual friend of hers and Lisa’s. The friend also reports that there have been a few times when she has been around Lisa and Lisa has appeared to be under the influence of a substance. She has not been around Lisa much when she has Olivia because they visit when Olivia is with her dad. Olivia visits her dad every other weekend.

What would you do?

Lesson One

Scenario III:

Henry is an 8 year old boy who began coming to school appearing to be very hungry during breakfast. He was observed taking several items from the school’s “sharing cart.” (Sharing cart is a place with extra food available for children to take if they want additional items after eating their share of food.) When asked about the volume of food Henry was taking, he reports that he is often still hungry after eating dinner. He explains that his dad lost his job and they don’t have very much food to eat.

What would you do?

NOTES

Test your knowledge.

Lesson Two

The Reporting Process

Participants Will:

- Understand the difference between permissive and mandated reporters
- Learn how to make a report of suspected child abuse
- Understand the protections provided to mandated reporters
- Identify penalties for willful failure to report suspected child abuse

Reporters of Child Abuse

- Permissive Reporters – those who can
- Mandated Reporters – those who must

Reporters fall into two categories. Anyone can report suspected child abuse as a permissive reporter. Mandated reporters are those adults who are required by law to report suspected child abuse. Mandated Reporters are defined as adults who meet one of the following sixteen categories:

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, is a person responsible for the child's welfare or has direct contact with children.
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.

The CY-47 must be submitted to the county Children and Youth office within 48 hours.

Source:
Reporting Procedure
(23 PA.C.S § 6313)

Lesson Two

12. An independent contractor.
13. An individual supervised or managed by a person who falls into any of the above categories, who has direct contact with children in the course of employment.
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 supervision or licensure by the department under Articles IX and X of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code.

Mandated reporters must report suspected child abuse if the person has reasonable causes to suspect that a child is a victim of child abuse under any of the following circumstances:

- 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.
- The mandated reporter is 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.
- 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 you that the individual has committed child abuse.

Nothing in section 6311 of the PA CPSL requires a child to come before the mandated reporter in order to make a report of suspected child abuse.

Nothing in section 6311 of the PA CPSL requires the mandated reporter to identify the person responsible for the child abuse in order to make a report of suspected child abuse.

Once a mandated reporter has reasonable suspicion that abuse has occurred, they must make a report to ChildLine immediately.

Lesson Two

Reasonable Cause to Suspect

- May be a determination you make based on your training/experience and all known circumstances – to include:
 - “who”, “what”, “when”, and “how”,
 - observations (e.g. indicators of abuse or “red flags”, behavior/demeanor of the child(ren), behavior/demeanor of the adult(s), etc), as well as
 - familiarity with the individuals (e.g. family situation and relevant history or similar prior incidents, etc.)
- Some indicators may be more apparent than others depending on the type of abuse and/or depending on the child’s health, developmental level, and well-being.
 - For example, some indicators may be visible on the child’s body while other indicators may be present in the child’s behaviors.

Making a Report

- Reports of suspected child abuse are made immediately
- Reports may be made orally via phone or electronically
 - Oral reports are made to ChildLine at (800) 932-0313, which is available 24/7
 - Electronic reports are made via CWIS Self-Service portal www.compass.state.pa.us/cwis
- Inform the person in-charge that report was made



FIND IT IN THE LAW:

Persons required to report suspected child abuse (23 Pa.C.S. § 6311)
Staff members of institutions, etc. --

Whenever a person is required to report under subsection (b) (relating to basis to report) 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 (relating to reporting procedure) 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.

Lesson Two

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).

The PA CPSL does not require more than one report from any such institution, school, facility, or agency.

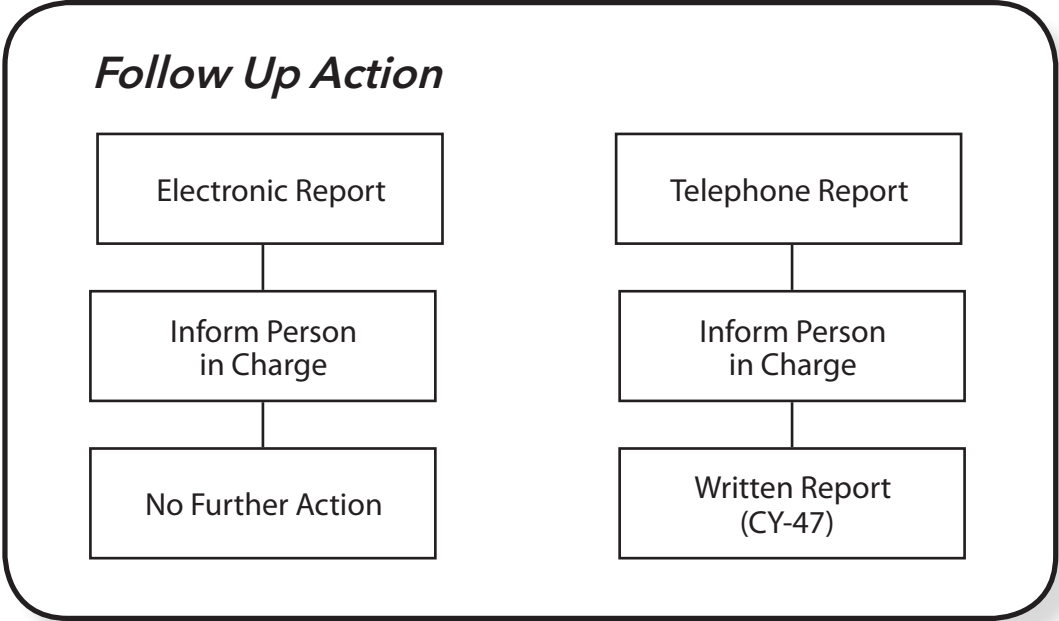
Tips When Making a Report

- Frame your concerns in the facts
- Describe and emphasize the risk of harm or maltreatment to the child
- Present any efforts you have made to address and/or remediate the situation
- Obtain contact information of the person you spoke with
- Request clarification
- Document your referral

NOTES

[illegible]

Lesson Two



Once a mandated reporter has reasonable suspicion that abuse has occurred, they must make a report to ChildLine immediately.

If the mandated reporter makes the report to ChildLine by telephone, they must submit a written report within 48 hours to the Department or county CYS agency assigned to the case by using the CY-47 form.

The CY-47 is not required if an electronic report is made in lieu of a call to ChildLine. The electronic report serves as both the oral and written report. If the mandated reporter does not submit the written report, Children and Youth must still investigate the report.

When you have reasonable cause to suspect that a child you know through work or volunteer activities for children is a victim of abuse you must report. Any child involved with your place of work or volunteer service is your responsibility when it comes to reporting suspected child abuse.

There are some situations outside of your work or volunteer role when you are required to report. If someone tells you about suspected abuse of a child regardless of whether or not you know the child you must report if there is any way to identify the child. If at any time someone tells you information that gives you reasonable cause to suspect that they have abused a child you must report.

The failure of the mandated reporter to file the written report (CY47) does not relieve the county agency from any duty under the PA CPSL, and the county agency shall proceed as though the mandated reporter complied.

Applicability of Mental Health Procedures Act – Notwithstanding any other provision of law, a mandated reporter who makes a report of suspected child abuse or who makes a report of a crime against a child to law enforcement officials shall not be in violation of the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, by releasing information necessary to complete the report.

Lesson Two



FIND IT IN THE LAW:

Reporting procedure (23 Pa.C.S. § 6313)

Report by mandated reporter --

A mandated reporter shall immediately make an oral/verbal report of suspected child abuse to DHS via the Statewide toll-free telephone number under section 6332 (relating to establishment of Statewide toll-free telephone number) ("https://pagov-my.sharepoint.com/personal/asweaver_pa_gov/Documents/-%20OCYF%20-/Assignments/Curricula/KKS%20Trainings%20Page/Curriculum%20Approval%20Guidelines/1-800-932-0313" 1-800-932-0313) or a written report using electronic technologies under section 6305 (relating to electronic reporting) (via the self-service "<http://www.compass.state.pa.us/cwis>" Child Welfare Portal).

A mandated reporter making an oral/verbal report of suspected child abuse to the DHS via the Statewide toll-free telephone number under section 6332 (relating to establishment of Statewide toll-free telephone number) shall also make a written report ("<https://www.dhs.pa.gov/KeepKidsSafe/Resources/Documents/CY47.pdf>" CY-47), which may be submitted electronically, within 48 hours to DHS or county agency assigned to the case in a manner and format prescribed by DHS.

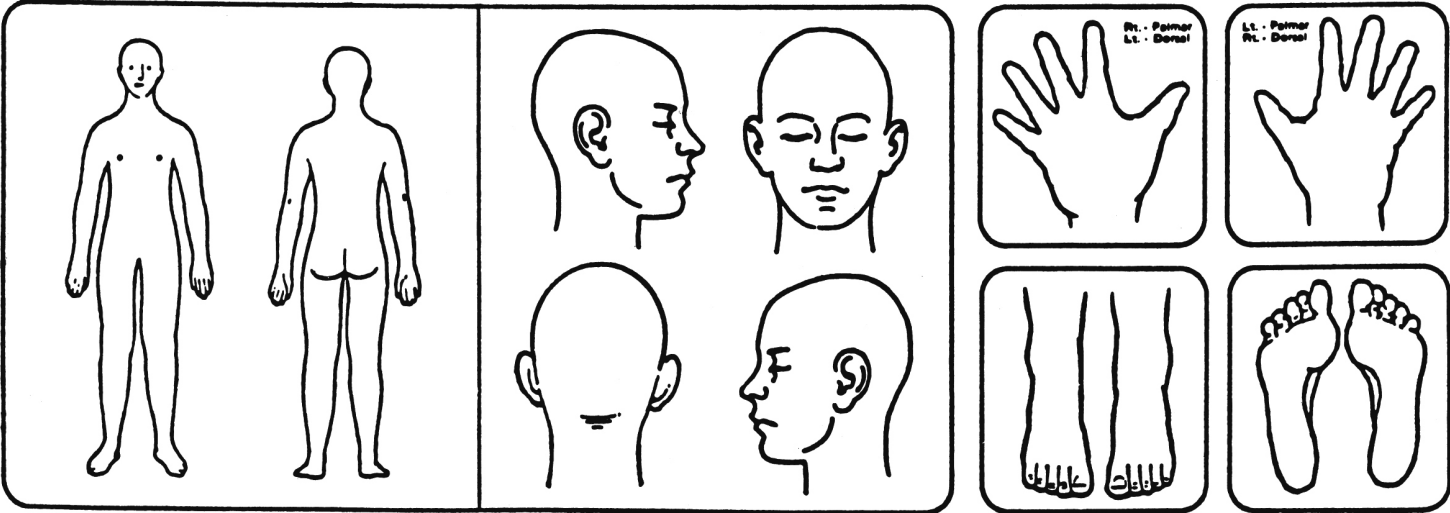
The failure of the mandated reporter to file the written report ("<https://www.dhs.pa.gov/KeepKidsSafe/Resources/Documents/CY47.pdf>" CY-47) described in the paragraph immediately above shall not relieve the county agency from any duty under the PA CPSL, and the county agency shall proceed as though the mandated reporter complied.

NOTES

REPORT OF SUSPECTED CHILD ABUSE
(CHILD PROTECTIVE SERVICE LAW - TITLE 23 PA CSA CHAPTER 63)

PLEASE REFER TO INSTRUCTIONS ON REVERSE SIDE. EXCEPT FOR SIGNATURE, PLEASE PRINT OR TYPE

1. NAME OF CHILD (Last, First, Initial)		SSN	BIRTHDATE	SEX ☐ M ☐ F	
ADDRESS (State, City, State & ZIP Code)			COUNTY		
1A. PRESENT LOCATION IF DIFFERENT THAN ABOVE			COUNTY		
2. BIOLOGICAL/ADOPTIVE MOTHER (Last, First, Initial)		SSN	BIRTHDATE	TELEPHONE NO.	
ADDRESS (City, State & ZIP Code)			COUNTY		
3. BIOLOGICAL/ADOPTIVE FATHER (Last, First, Initial)		SSN	BIRTHDATE	TELEPHONE NO.	
ADDRESS (City, State & ZIP Code)			COUNTY		
4. OTHER PERSON RESPONSIBLE FOR CHILD		SSN	BIRTHDATE	RELATIONSHIP TO CHILD	SEX ☐ M ☐ F
ADDRESS (City, State & ZIP Code)			COUNTY	TELEPHONE NO.	
5. ALLEGED PERPETRATOR (Last, First, Initial)		SSN	BIRTHDATE	RELATIONSHIP TO CHILD	SEX ☐ M ☐ F
ADDRESS (City, State & ZIP Code)			COUNTY	TELEPHONE NO.	
NAME OF ALLEGED PERPETRATOR'S EMPLOYER AND EMPLOYER'S ADDRESS					
6. FAMILY HOUSEHOLD COMPOSITION (Excluding Above Names)		RELATIONSHIP TO CHILD	NAME (Last, First, Initial)		RELATIONSHIP TO CHILD
A.			D.		
B.			E.		
C.			F.		
ADDRESS WHERE THE SUSPECTED ABUSE OCCURRED			COUNTY		
DESCRIBE THE NATURE AND EXTENT OF THE SUSPECTED CHILD ABUSE, INCLUDING ANY EVIDENCE OF PRIOR ABUSE TO THE CHILD OR ANY SIBLING OF THE CHILD. ALSO INCLUDE ANY EVIDENCE OF PRIOR ABUSE BY THE ALLEGED PERPETRATOR(S) TO OTHER CHILDREN. PLEASE NOTE EXACT LOCATION OF THE INJURY(S) ON MODEL BELOW.			DATE OF INCIDENT		



7. ACTIONS TAKEN OR ABOUT TO BE TAKEN BY THE PERSON MAKING THE REPORT:			
☐ NOTIFICATION OF CORONER OR MEDICAL EXAMINER	☐ X-RAYS	☐ PHOTOGRAPHS	☐ HOSPITALIZATION
☐ POLICE NOTIFIED	☐ MEDICAL TEST(S)	☐ TAKEN INTO PROTECTIVE CUSTODY	☐ OTHER (Specify)
8. SAFETY CONCERNS AND RISK FACTORS:			
A. DESCRIBE THE CHILD(REN)'S PHYSICAL AND BEHAVIORAL HEALTH, GOOD MOOD AND TEMPERAMENT. DESCRIBE CHILD(REN)'S INTELLECTUAL FUNCTIONING, COMMUNICATION AND SOCIAL SKILLS, SCHOOL PERFORMANCE AND PEER RELATIONS. INCLUDE WHETHER THE CHILD(REN) HAS EXPRESSED ANY SUICIDAL/HOMICIDAL IDEATION OR PLANS.			☐ INFORMATION UNKNOWN
B. DESCRIBE HOW THE ADULT CAREGIVERS FUNCTION COGNITIVELY, EMOTIONALLY, BEHAVIORALLY, PHYSICALLY AND SOCIALLY. INCLUDE WHETHER THE ADULTS HAVE ANY MENTAL HEALTH, SUBSTANCE USE ISSUES AND/OR CRIMINAL HISTORY. DOCUMENT ANY PAST OR PRESENT DOMESTIC VIOLENCE, RECORD THE EMPLOYMENT STATUS/SOURCE OF INCOME AND WHETHER THERE ARE ANY FINANCIAL STRESSORS IN THE HOME. INCLUDE ANY SAFETY OR SANITARY CONCERNS REGARDING THE CONDITIONS OF THE HOME AND WHETHER THERE ARE WORKING UTILITIES. WHAT IS THE PRIMARY LANGUAGE OF THE HOUSEHOLD?			☐ INFORMATION UNKNOWN
C. DESCRIBE WHETHER THE CAREGIVERS HAVE THE APPROPRIATE KNOWLEDGE, EXPECTATIONS AND SKILLS TO PARENT THE CHILD(REN) ADEQUATELY. DOES THE CAREGIVER ADEQUATELY SUPERVISE THE CHILD(REN)? ARE THEY WILLING AND ABLE TO PROTECT THE CHILD(REN)? DESCRIBE THE ABILITY OF THE CAREGIVER TO EMPATHIZE, NURTURE AND ADVOCATE FOR THE CHILD(REN).			☐ INFORMATION UNKNOWN
D. DESCRIBE THE CAREGIVERS' APPROACH/METHODS OF DISCIPLINING THE CHILD(REN). DESCRIBE WHEN DISCIPLINE OCCURS AND WHETHER DISCIPLINARY METHODS ARE AGE-APPROPRIATE? ARE THERE ANY CULTURAL PRACTICES IN THE HOME THAT WOULD INFLUENCE THE DISCIPLINARY METHODS USED?			☐ INFORMATION UNKNOWN
E. PLEASE PROVIDE ANY ADDITIONAL INFORMATION RELEVANT TO THE INVESTIGATION PROCESS THAT HAS NOT ALREADY BEEN ENTERED IN THIS REFERRAL. THIS MAY INCLUDE ADDITIONAL ADDRESSES TO LOCATE THE CHILD OR PERPETRATOR, ADDITIONAL RESOURCES FOR THE CHILD, EMAIL ADDRESSES, INFORMATION ABOUT ANY WEAPONS IN THE HOME OR CONCERNS YOU MAY HAVE FOR THE CASEWORKER'S SAFETY.			☐ INFORMATION UNKNOWN

INSTRUCTIONS TO MANDATED PERSONS:
A mandated reporter making an oral report of suspected child abuse to the department via the Statewide toll-free telephone number (800-932-0313) must also make a written report, which may be submitted electronically, within 48 hours to the department or county agency assigned to the case by using this form. If needed, attach additional sheet(s) of paper to provide all of the requested information on this form.

NOTE:
If the child has been taken into custody, you must immediately contact the county children and youth agency where the abuse occurred.

REPORTING SOURCE:			
PRINTED NAME AND SIGNATURE:			DATE OF REPORT:
ADDRESS:			
TITLE OR RELATIONSHIP TO CHILD:	FACILITY OR ORGANIZATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:

Lesson Two



FIND IT IN THE LAW:

Reporting procedure (23 Pa.C.S. § 6313)

Contents of report -- A written report of suspected child abuse, which may be submitted electronically, shall include the following information, if known:

The names and addresses of the child, the child’s parents, and any other person responsible for the child’s welfare

Where the suspected abuse occurred

The age and sex of each subject of the report

The nature and extent of the suspected child abuse, including any evidence of prior abuse to the child or any sibling of the child

The name and relationship of each individual responsible for causing the suspected abuse and any evidence of prior abuse by each individual

Family composition

The source of the report

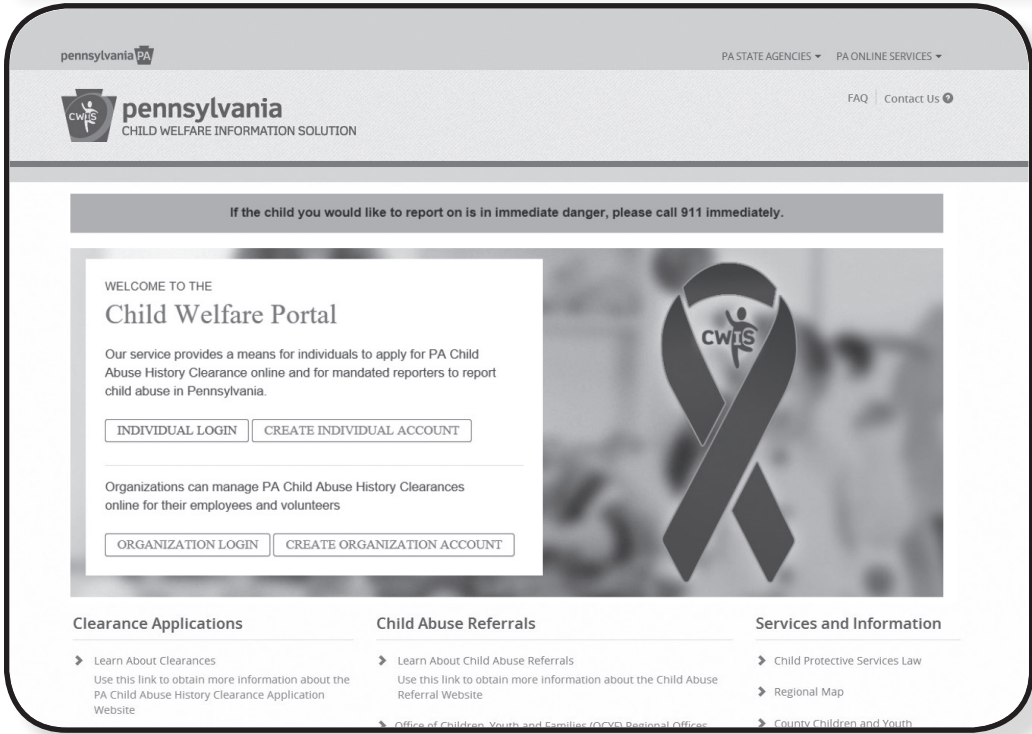
The name, telephone number and e-mail address of the person making the report

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)

Any other information required by Federal law or regulation

Any other information that DHS requires by regulation

Lesson Two



Mandated reporters need to set up a user account. After submitting the report, the mandated reporter will receive a report ID and confirmation that the report was submitted. Clearances can also be submitted using the Self-Service Portal. www.compass.state.pa.us/cwis

Confirmation of reports – A confirmation by DHS of the receipt of a report of suspected child abuse submitted electronically shall relieve the person making the report of making an additional oral/verbal or written report of suspected child abuse, subject to section 6313 (relating to reporting procedure).

Plan of Supervision - §6368 Schools and Child Care Services

- Upon notification, the school or child-care service shall immediately implement a plan of supervision or alternative arrangement for the individual under investigation.
- 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.
- You do not need to know if a plan of supervision is needed when you make the report, but please provide the alleged perpetrator’s place of employment (if known) when you file the report so proper notification can be made.

Lesson Two

CPSL § 6368. Investigation of reports. – 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.

Plans of Safe Care

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:

- Substance use or withdrawal symptoms resulting from prenatal drug exposure; or
- 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.

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 Pennsylvania, 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.

After notification of a child born affected by substance use or withdrawal symptoms resulting from prenatal drug exposure or a fetal alcohol spectrum disorder:

A multidisciplinary team meeting must be held prior to the child’s discharge from the health care facility.

Lesson Two

The meeting will inform an assessment of the needs of the child and the child’s parents and immediate caregivers to determine the most appropriate lead agency for developing, implementing, and monitoring a Plan of Safe Care.

The child’s parents and immediate caregivers must be engaged to identify the 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.

Depending upon the needs of the child and parent(s)/caregiver(s), ongoing involvement of the county agency may not be required.

Multidisciplinary Team: For the purpose of informing the Plan of Safe Care, may include public health agencies, maternal and child health agencies, home visitation programs, substance use disorder prevention and treatment providers, mental health providers, public and private children and youth agencies, early intervention and developmental services, courts, local education agencies, managed care organizations and private insurers, and hospitals and medical providers.

Protections for Mandated Reporters

- Immunity from civil or criminal liability, if you
 - ✓ Make a report
 - ✓ Cooperate with an investigation
 - ✓ Testify in proceedings, if necessary
 - ✓ Take photographs, medical tests, and X-rays of child
 - ✓ Admission to private and public hospitals
 - ✓ Postmortem investigations of deaths
- Departmental and county agency immunity
- Presumption of good faith
- Remove a child in accordance with the law
- Confidentiality

The CPSL has designed protections for reporters of suspected child abuse, including immunity from both civil and criminal liability. Cooperation with the investigation includes allowing Children and Youth investigators access to the abused child and the opportunity to interview them.

Taking photographs, medical tests and X-rays: Medical summaries or reports of the photographs, X-rays and relevant medical tests taken shall be sent 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.

Permissive reporters may report anonymously; however, mandated reporters cannot.

Lesson Two

Taking a Child into Protective Custody

Only the following can take a child into Protective Custody:

- Physician or the medical director
- Court Order allowing County CYs to place child into protective custody
- Police Officer
- Emergency Services Provider
- Health Care Provider at Urgent Care Center

Only certain individuals are permitted by law to take protective custody of a child, if the child is believed to be in immediate danger. Those individuals include police officers, physicians, medical directors, emergency services providers, and health care providers at urgent care centers. Children and Youth workers must petition for a court order in order to obtain custody of an abused child.



FIND IT IN THE LAW:

REMOVE A CHILD IN ACCORDANCE WITH THE LAW:

§ 6315. Taking child into protective custody.

(a) General rule.--A child may be taken into protective custody:

- (1) As provided by 42 Pa.C.S. § 6324 (relating to taking into custody).
- (2) By a physician examining or treating the child or by the director, or a person specifically designated in writing by the director, of any hospital or other medical institution where the child is being treated if protective custody is immediately necessary to protect the child under this chapter.
- (3) By a physician or the director, or a person specifically designated by the director, of a hospital pursuant to Chapter 65 (relating to newborn protection) if the child is a newborn.
- (4) Subject to this section and after receipt of a court order, the county agency shall take a child into protective custody for protection from abuse. No county agency worker may take custody of the child without judicial authorization based on the merits of the situation.
- (5) By a police officer at a police station under Chapter 65.
- (6) By an emergency services provider on the grounds of an entity that employs or otherwise provides access to the emergency services provider under Chapter 65.
- (7) By a health care provider as defined in section 6502 (relating to definitions) at an urgent care center under Chapter 65.

Lesson Two

Protection from Employment Discrimination

A person may commence an action for appropriate relief if all of the following apply:

- The person is required or encouraged to report suspected child abuse
- The person acted in good faith in making or causing the report of suspected child abuse to be made
- 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

This does not apply to perpetrators in the report or those that failed to make a report of suspected child abuse as required by law

The CPSL also provides protections from employment discrimination. If such discrimination occurs, the person may start an action in the county court of common pleas for appropriate relief, including, but not limited to, reinstatement with back pay.



FIND IT IN THE LAW:

PROTECTION FROM EMPLOYMENT DISCRIMINATION (23 PA.C.S. § 6320)

Basis for relief – A person may commence an action for appropriate relief if all of the following apply:

The person is required to report suspected child abuse under section 6311 (relating to persons required to report suspected child abuse) or encouraged to report suspected child abuse under section 6312 (relating to persons encouraged to report suspected child abuse).

The person acted in good faith in making or causing the report of suspected child abuse to be made.

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.

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 (relating to persons required to report suspected child abuse) and is subject to conviction under section 6319 (relating to penalties) for failure to report or to refer.

Lesson Two



FIND IT IN THE LAW:

Immunity from liability (23 Pa.C.S. § 6318)

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:

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 the PA CPSL.

Cooperating or consulting with an investigation under the PA CPSL, including providing information to a child fatality or near-fatality review team.

Testifying in a proceeding arising out of an instance of suspected child abuse or general protective services.

Engaging in any action authorized under 23 Pa.C.S. § 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).

Departmental and county agency immunity – An official or employee of DHS 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 the PA CPSL shall have immunity from civil and criminal liability that might otherwise result from the action.

Presumption of good faith – For the purpose of any civil or criminal proceeding, the good faith of a person required to report suspected child abuse and of any person required to make a referral to law enforcement officers under the PA CPSL shall be presumed.



FIND IT IN THE LAW:

ADMISSION TO PRIVATE AND PUBLIC Hospitals:

§ 6316. Admission to private and public hospitals.

(a) General rule.--Children appearing to suffer any physical or mental condition which may constitute child abuse shall be admitted to, treated and maintained in facilities of private and public hospitals on the basis of medical need and shall not be refused or deprived in any way of proper medical treatment and care.

(a.1) Newborns.--A newborn taken into protective custody pursuant to section 6315(a)(3) or (5) (relating to taking child into protective custody) shall be admitted to, treated and maintained in facilities of public and

Lesson Two

private hospitals on the basis of medical need and shall not be refused or deprived in any way of proper medical treatment and care. Once a newborn is taken into protective custody pursuant to section 6315(a)(3) or (5), the newborn shall be considered immediately eligible for Medicaid for payment of medical services provided. Until otherwise provided by court order, the county agency shall assume the responsibility for making decisions regarding the newborn's medical care.

(b) Failure of hospital to admit child or newborn.--The failure of a hospital to admit and properly treat and care for a child pursuant to subsection (a) or (a.1) shall be cause for the department to order immediate admittance, treatment and care by the hospital which shall be enforceable, if necessary, by the prompt institution of a civil action by the department. The child, through an attorney, shall also have the additional and independent right to seek immediate injunctive relief and institute an appropriate civil action for damages against the hospital.

Postmortem investigation of deaths:

A person or official required to report cases of suspected child abuse, including employees of a county agency, who has reasonable cause to suspect that a child died as a result of child abuse shall report that suspicion to the appropriate coroner or medical examiner. The coroner or medical examiner shall accept the report for investigation and shall report his finding to the police, the district attorney, the appropriate county agency and, if the report is made by a hospital, the hospital.



FIND IT IN THE LAW:

Confidentiality of reports (23 Pa.C.S. § 6339)

Except as otherwise provided in subchapter C of the PA CPSL (relating to powers and duties of department) or by the Pennsylvania Rules of Juvenile Court Procedure, reports made pursuant to the PA CPSL – 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 DHS or a county agency – shall be confidential.

Protecting identity – Except for reports under section 6340(a)(9) and (10) of the PA CPSL and in response to a law enforcement official investigating allegations of false reports under 18 Pa.C.S. § 4906.1 (relating to false reports of child abuse), the release of data by DHS, county, institution, school, facility, or agency or designated agent of the person in charge that would identify the person who made a report of suspected child abuse or who cooperated in a subsequent investigation is prohibited. Law enforcement officials shall treat all reporting sources as confidential informants.

Lesson Two

A willful failure to report means that the individual knew there was reasonable cause to suspect child abuse and chose not to report.

Privileged Communications

Privileged communications between a mandated reporter and a patient or client of the mandated report does not:

- Apply to a situation involving child abuse
- Relieve the mandated reporter of the duty to make a report of suspected child abuse.

Note: This general rule applies, except for situations that fall into the definition of confidential communications

Confidential Communications

- Confidential Communications made to a member of the clergy are protected under 42 Pa. C.S. 5943 (relating to confidential communications to clergyman).
- 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.

Failing to Report

A person who is required to report abuse who willfully fails to do so commits:

3rd degree felony	Suspected continued abuse of child or contact with other children
3rd degree felony	Abuse is 1st degree felony or higher and direct knowledge
3rd degree felony	Subsequent Failures
2nd degree felony	Continued abuse of child and the abuse is a 1st degree felony
2nd degree felony	Subsequent failures & abuse is 1st degree felony or higher
2nd degree misdemeanor	An offense not otherwise specified above

A willful failure to report means that the individual knew there was reasonable cause to suspect child abuse and chose not to report. Penalties range from two years in prison up to ten years in prison. Repeated failures to report or failures to report that cause repeated abuse or failures to report severe abuse will result in higher penalties.

Lesson Two



FIND IT IN THE LAW:

Penalties (23 Pa.C.S. § 6319)

Failure to report or refer –

A person or official required by the PA CPSL 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.

An offense under this section 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 above is a misdemeanor of the second degree.

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 DHS, 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 the PA CPSL.

Continuing course of action – If a person’s willful failure to report an individual suspected of child abuse continues while the person knows or has reasonable cause to suspect a child is being subjected to child abuse by the same individual, 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 person 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.

Multiple offenses – A person who, at the time of sentencing for an offense under this section, has been convicted of a prior offense under this section 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.

Statute of limitations – 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.

Lesson Two

ACTIVITY:

Recognizing and Reporting Child Abuse

Directions:

Read each item and circle the correct answer.

1. Anyone can make a report of suspected child abuse.

True or False

2. A mandated reporter who is told that a neighbor is abusing their child must make a report to ChildLine immediately.

True or False

3. Mandated reporters are required to take photographs.

True or False

Test your
knowledge.

4. If the report is made to ChildLine via telephone and the mandated reporter has informed the person in charge there are no other actions for the mandated reporter to take.

True or False

5. A CY-47 only needs to be submitted if you are able to complete the entire form.

True or False

6. An eight-year-old girl in your class is sitting off to the side during play time. When you ask her why she is not playing with the other children, she replies, "It hurts." You ask her to explain, and she turns around. There are several small areas where blood has soaked through the back of her shirt, and it appears that several parts of her shirt are stuck to her skin. As she begins to lift the back of her shirt a few inches, you see many rectangular bruises and several areas where the skin has been broken and is seeping or bloody. As a mandated reporter, you must report to ChildLine immediately.

True or False

Lesson Two

7. If the report of suspected child abuse is made electronically, the mandated reporter informs the person in charge and then takes no further action.

True or False

8. A mandated reporter must be absolutely sure abuse has occurred before making a report to ChildLine.

True or False

9. Penalties for willful failure to report child abuse could include fines and/or imprisonment.

True or False

10. As a mandated reporter, you may keep a child at your place of employment if you believe the child will be in danger if they return home.

True or False

Test your knowledge.

NOTES

[illegible]

Lesson Three

Defining Child Abuse

Participants will:

- Identify the elements of child abuse
- Identify the categories of perpetrators
- Name exclusions to child abuse
- Define the categories of child abuse
- Identify indicators of child abuse

Components of Child Abuse

- Child
- Perpetrator
- Act or Failure to Act
- Intentionally, Knowingly, or Recklessly

The CPSL's definition of "child abuse" recognizes four key components of child abuse. These components are:

- **Child:** An individual under the age of 18 when the alleged abuse occurred
- **Perpetrator:** An abuser that fits into one of the categories outlined by the CPSL
- **Act or failure to act; Recent act; Recent act or failure to act; or A series of acts or failures to act:** The law considers both commissions and omissions that cause harm or the risk of serious harm to a child.
Act: Something that is done to harm or cause potential harm to a child
Failure to act: Something that is NOT done to prevent harm or potential harm to a child
Recent act: Any act committed within two (2) years of the date of the report to DHS or county agency
Recent act or failure to act: Any act or failure to act committed within two (2) years of the date of the report to DHS or county agency
- **Intentionally, Knowingly, or Recklessly:**
 - *Intentionally:* Done with the direct purpose of causing the type of harm that resulted
 - *Knowingly:* Awareness that harm is practically certain to result
 - *Recklessly:* Conscious disregard of substantial and unjustifiable risk

NOTES

Lesson Three

Perpetrators – Acts of Abuse

- Parent of the child
- Persons responsible for a child's welfare
- Individuals residing in the same home as the child
- Paramour (and former) of the child's parent
- Spouse (and former) of the child's parent
- Relatives
- Individuals engaging a child in severe forms of trafficking in persons or sex trafficking

Nothing under the PA CPSL requires a person who has reasonable cause to suspect a child is a victim of child abuse to identify the person responsible for the child abuse in order to make a report of suspected child abuse.

The categories of perpetrator as outlined by the CPSL include:

Parent of the child — A parent may be a biological parent, adoptive parent, stepparent, or legal guardian.

Persons responsible for a child's welfare —This category includes individuals 14 years of age or older who provide permanent or temporary care, supervision, mental health diagnosis or treatment, training, or control of a child in lieu of parental care, supervision, and control. The term also includes individuals who have direct contact with children as an employee of child care services, a school, or through a program, activity or service sponsored by a school or public/private organization in which children participate. Included in this category are babysitters, daycare providers, residential care staff, foster parents and school employees, coaches, youth group leaders and scout leaders.

Individuals residing in the same home as the child — Household members in the child's home must be at least 14 years of age to be considered a perpetrator.

Paramour of the child's parent — This category refers to an individual who is engaged in an ongoing intimate relationship with a parent of the child, but is not married to the parent. It is not necessary for this significant other to live with the parent to qualify as a perpetrator. This category also includes former paramour.

Spouse of the parent — This includes former spouses.

Relatives — Persons 18 years of age or older related to child within the third degree by blood, marriage or adoption.

Individuals engaging a child in severe forms of trafficking in persons or sex trafficking — Persons 18 years of age or older who engage 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.

Lesson Three

Perpetrators – Failure to Act

- Parent of the child
- Paramour (former) of the child’s parent
- Spouse (former) of the child’s parent
- Person responsible for the child’s welfare 18+
- Household Member 18+

The Law makes a distinction between those who are responsible to protect children and those who may be providing supervision.



FIND IT IN THE LAW:

§ 6303. Definitions.

“Perpetrator.” A person who has committed child abuse as defined in this section. 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.
 - (vii) 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).
- (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.

Lesson Three

- (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.

Exclusions to Child Abuse

- Culpability
- Environmental factors
- Religious beliefs
- Ensuring safety
- Rights of Parents
- Participation in Events that involve physical contact with child
- Child-on-child contact
- Defensive Force

There are several exclusions to child abuse as per the CPSL. There are some situations where, as an investigation proceeds, an incident of suspected abuse would be determined to be an exclusion to child abuse. Once again, it is not the mandated reporter’s responsibility to determine what is and is not an exclusion. This information is provided to gain a better understanding of why a report of suspected child abuse might not be determined to be abuse.

Please Note:

Nothing in the PA CPSL requires a person who has reasonable cause to suspect a child is a victim of child abuse to consider the exclusions from child abuse before making a report of suspected child abuse.

The exclusions from child abuse are considered/determined by DHS or the investigating agency after receipt of a referral/report

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.

Lesson Three

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

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 exclusion shall not apply to any childcare service as defined under section 6303(a) of the PA CPSL (excluding an adoptive parent).

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:

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.

All correspondence with a subject of the report and the records of DHS and the county agency shall not reference child abuse and shall acknowledge the religious basis for the child’s condition.

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

This exclusion shall not apply if the failure to provide needed medical or surgical care causes the death of the child.

This exclusion shall not apply to any childcare service as defined under section 6303(a) of the PA CPSL (excluding an adoptive parent).

Use of force for supervision, control, and safety purposes – Subject to subsection (d) (relating to rights of parents), 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:

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.

The use of reasonable force is necessary:

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

Lesson Three

to prevent the child from self-inflicted physical harm;

for self-defense or the defense of another individual; or

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.

Rights of parents – Nothing in the PA CPSL 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.

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 the PA CPSL.

Child-on-child contact

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.

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

Acts constituting any of the following crimes against a child shall be subject to the reporting requirements of the PA CPSL:

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

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

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

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

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

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

No child shall be deemed to be a perpetrator of child abuse based solely on

Lesson Three

physical or mental injuries caused to another child in the course of a dispute, fight, or scuffle entered into by mutual consent.

A law enforcement official who receives a report of suspected child abuse is not required to make a report to DHS if the person allegedly responsible for the child abuse is a non-perpetrator child.

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.

NOTES

Lesson Three

Categories of Child Abuse

- Bodily injury
- Serious mental injury
- Sexual abuse or exploitation
- Serious physical neglect
- Likelihood of bodily injury or sexual abuse
- Medical child abuse
- Engaging in any of the recent “per se” acts
- Causing the death of a child through an act or failure to act
- Engaging a child in a severe form of trafficking in persons or sex trafficking

Each of the categories is specifically defined by the CPSL. It is important to understand that although the abuse must meet the legal definition for abuse to be substantiated, mandated reporters do not need to determine this. The standard for mandated reporters is simply reasonable cause to suspect abuse.

Bodily injury

- Recent Act or Failure to Act
- Causes substantial pain, or
- Impairs physical condition

This category is defined as causing bodily injury to a child through any recent act or failure to act.

Impairment: If, due to the injury, the child’s ability to function is reduced temporarily or permanently in any way

Substantial Pain: If the child experiences what a reasonable person believes to be substantial pain

Recent refers to something that has occurred within two years of the date ChildLine is called.

Lesson Three

Per the CPSL, recent means that the act or failure to act, which results in bodily injury, must have occurred within two years of the date of the report to DHS or the county agency.

Behavioral Indicators of Abuse

- Withdrawn from others
- No expectation of comfort
- “Frozen watchfulness”
- Fear of physical contact
- Clings to adults
- Appears depressed or lacks emotion
- Timid and easily frightened
- Eager to please
- Role reversal

Behavioral indicators can provide clues about what may be going on in an abused child's life. They may not be the result of abuse, and should not be considered in isolation, but can be very helpful in looking at the overall situation.

Serious Mental Injury

- A psychological condition that is diagnosed by a physician or licensed psychologist including the refusal of appropriate treatment, that:
 - Renders the child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic, or in reasonable fear that his/her safety is threatened; OR
 - Seriously interferes with the child's ability to accomplish age-appropriate developmental and social tasks

Historically,
the majority
of abusers
have a
parental
relationship
with the
victim.

Source: PA DHS Annual Child Abuse Report

Lesson Three

Serious mental injury is one of the least substantiated category of abuse. It requires that a diagnosis be made, which can then be linked to the act or failure to act of a perpetrator. It is important to stress that the category is Serious Mental Injury and not emotional or mental abuse, both of which may contribute to Serious Mental Injury, but which would not meet the definition for child abuse in this category on their own. This category is defined as 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.

Indicators of Serious Mental Injury

- Depression or absence of affect
- Mental or emotional developmental delays
- Self-mutilation or other self-injurious behaviors
- Suicide attempts
- Compulsive disorders
- Antisocial behavior, including cruelty to other children or animals
- Delinquent behavior
- Alcohol or drug abuse
- Neurotic traits such as extreme fearfulness

Although there are other reasons a child may exhibit the above behaviors, it is important to recognize that these indicators are common among abused children.

NOTES

[illegible]

Although there are other reasons a child may exhibit the above behaviors, it is important to recognize that these indicators are common among abused children.

Lesson Three

Sexual Abuse or Exploitation

The employment, use, persuasion, inducement, enticement, or coercion of any child to engage in or assist any other person to engage in any sexually explicit conduct which includes, but is not limited to, the following:

- 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.
- 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.
- Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.
- Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.

This 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.

Any of the following when committed against a child:
Rape, Statutory Sexual Assault, Sexual Assault, Institutional Sexual Assault, Aggravated Indecent Assault, Indecent Assault, Incest, Prostitution, Sexual Abuse, Unlawful Contact with a Minor, Sexual Exploitation, Involuntary deviate sexual intercourse & Indecent exposure.

This category is defined as causing sexual abuse or exploitation of a child through any act or failure to act. Sexual abuse and exploitation is the most frequent form of abuse perpetrated against children in Pennsylvania. Tragically, the abusers are most frequently individuals who are known to the child, including family members and close acquaintances. The standards for sexual abuse and exploitation under the CPSL mirror the standards for the criminal code. It is a category that would also be referred to law enforcement for criminal investigation.

NOTES

Sexual abuse and exploitation is the most frequent form of abuse perpetrated against children in Pennsylvania.

Source: PA DHS Annual Child Abuse Report

Lesson Three

Physical Indicators of Sexual Abuse

- Injury to the genitals
- Sexually transmitted diseases
- Suspicious stains
- Bladder or urinary tract infections
- Painful bowel movements
- Pregnancy

Some physical indicators of sexual abuse are obviously the result of abuse. However, for many mandated reporters, the very nature of these indicators may mean they are not visible to a mandated reporter. A professional whose job might include assisting a toddler in the restroom would be a circumstance where a mandated reporter might actually observe physical indicators.

NOTES

Behavioral Indicators of Sexual Abuse

- Verbal disclosure
- Precocious sexual knowledge
- Inappropriate sexual behavior
- Lack of interest or involvement in activities
- Layered or inappropriate clothing
- Hiding clothing
- Generalized emotional distress

Behavioral indicators are often the first clues that present themselves to mandated reporters with regard to sexual abuse.

NOTES

Lesson Three

Serious Physical Neglect

- When a perpetrator 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 due to
- A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child’s developmental age and abilities, OR
 - Failure to provide adequate essentials of life, including food, shelter or medical care

This category is defined as causing serious physical neglect of a child. Serious Physical Neglect generally stems from circumstances that have gone unaddressed for a period of time and/or that occur repeatedly. They are often situations that could initially have been referred as a GPS concern, but were allowed to worsen and then crossed the line to abuse.

NOTES

Physical Signs of Neglect

- Lack of adequate medical or dental care
 - Often hungry
 - Lack of shelter
 - Child’s weight is significantly lower than what is normal for their age and gender
 - Developmental delays
- Persistent (untreated) conditions(e.g. head lice, diaper rash)
 - Exposure to hazards (e.g., illegal drugs, rodent/insect infestations, mold)
 - Clothing that is dirty, inappropriate for the weather, too small or too large

Source: [Keepkidssafe.pa.gov](https://www.keepkidssafe.pa.gov)

Lesson Three

Neglect is sometimes difficult to identify, since any number of the indicators could also be the result of other issues.

The nature of this category is usually the result of a long-term problem that has been ongoing for some time and has worsened. The severity of the situation has then crossed the line from being a concern to being abuse.

NOTES

Additional Categories

- Medical child abuse
- Likelihood of bodily injury
- Likelihood of sexual abuse or exploitation
- Causing the death of a child

Medical Child Abuse describes situations in which parent or caregivers makes up symptoms or harms the child in a way that produces symptoms in order to receive special attention. Sometimes children are subjected to painful and invasive medical tests in an attempt to diagnose the child’s alleged condition. This category is defined as 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.

Likelihood of bodily injury and likelihood of sexual abuse address circumstances where the child was not actually harmed, but the child was placed in a situation (either by an act or failure to act) where there was a reasonable likelihood that the child could have been harmed physically or sexually.

A situation where a parent knowingly puts their child in a position where they could be sexually abused would be considered creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act. A situation where a parent throws a hammer at the child’s head, which winds up embedded in the wall

Across the United States, more than three quarters of child fatalities due to abuse involve children younger than age 4.

Source: *Child Maltreatment Report 2022*, US Department of Health and Human Services

Lesson Three

and misses only because the child ducked behind the couch, would be considered creating a likelihood of bodily injury of a child through any recent act or failure to act.

Causing the death of a child is its own category of abuse. This death of a child can be caused by either an act or failure to act by the perpetrator.

Engaging in any of the Specific Recent “Per se” Acts

Definitions of per se means the act alone

- Kicking, biting, throwing, burning, stabbing, or cutting a child in a manner that endangers the child
- Unreasonably restraining or confining a child
- Forcefully shaking a child under one year of age
- Forcefully slapping or otherwise striking a child under one year of age
- Interfering with the breathing of a child
- Having a child present at a meth lab
- Leaving a child in the care of a sexual offender (other than the child’s parent)

This group of abuse definitions are referred to as the per se definitions. Per se is a Latin term meaning in itself. The actions described in this group are themselves abuse. Physical violence includes kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child. Leaving a child in the care of a sexual offender excludes the child’s parent, but includes those required to register as a Tier II or Tier III sexual offender due to an offense against a child; sexually violent predators; and sexually violent delinquent children.

NOTES

Lesson Three



FIND IT IN THE LAW:

Definitions (23 Pa.C.S. § 6303)

- (8) Engaging in any of the following recent “per se” 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)
 - (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)

NOTES

Lesson Three

Engaging a child in a severe form of trafficking in persons or sex trafficking

- Act 115 of 2016 added to the CPSL the definition “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
- This type of abuse includes both instances of sex trafficking and labor trafficking of children.

“Severe form of trafficking in persons” is defined in the Trafficking Victims Protection Act of 2000 as:

- “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
- 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.”

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

Peonage: paying off debt through work

Debt Bondage: debt slavery, bonded labor, or services for a debt or other obligation

Slavery: a condition compared to that of a slave in respect of exhausting labor or restricted freedom

Sex Trafficking

- Any child under the age of 18 who is induced to engage in commercial sex is a victim of sex trafficking.
- Examples of sex trafficking of children includes prostitution, stripping, pornography, and sex tourism.

Indicators of Sex Trafficking – Child (Note: these indicators are not exclusionary of all other indicators):

- Sexual knowledge which is beyond what is normal for the child’s age
- Sexually transmitted diseases
- Unexplained bruises and scars
- Withdrawn behaviors
- History of running away or current status as a runaway
- Inexplicable appearance of expensive gifts, clothing, cell phones, tattoos, or other costly items
- Presence of an older boyfriend or girlfriend who is controlling
- Drug addiction
- Gang involvement

Know the
indicators
of sex
trafficking

Lesson Three

Labor Trafficking

- Labor obtained by use of threat of serious harm, physical restraint, or abuse of legal process
- Examples of where labor trafficking can occur:
 - Agricultural or domestic service workers
 - Selling of items (e.g., magazines or illegal drugs)
 - Businesses such as hair and nail salons & restaurants
 - Beggars
 - Au pairs & Nannies

Indicators of Labor Trafficking – Child (Note: these indicators are not exclusionary of all other indicators):

- Living with employer
- No freedom to leave or come and go as desired/high security measures
- Unpaid or paid very little
- Excessive and/or unusual work hours, often without breaks
- Answers appear to be scripted and rehearsed
- Employer is holding identity documents
- Signs of physical abuse
- Lack of knowledge of whereabouts and/or lost sense of time

At-Risk Youth Populations - including, but not limited to, youth

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

Lesson Three

ACTIVITY:

Is There Reasonable Cause To Suspect Abuse?

- 1. You will work in small groups to complete this activity.
- 2. Read each scenario and decide as a group if the scenario is child abuse and what action should be taken.

Scenarios - Is This Suspected Abuse?

- 1. There is a strained relationship between a father and his 15-year-old daughter. The father has set 11:00 p.m. as the curfew for his daughter. The daughter returns home at 1:00 a.m., which is the third time in the past two weeks that she has missed the curfew. After each incident, the emotions between the father and daughter have been escalating. This time, the father has been drinking, and he is enraged by his daughter’s late return. After a period of heated verbal exchange, the father chases his daughter, but cannot catch her. In desperation, he picks up a chair and hurls it at her, narrowly missing her head. The legs of the chair were implanted in the drywall.

Test your knowledge.

Is there reasonable cause to suspect abuse?

If so, what type and why?

If not, why?

What would you do?

Lesson Three

- 2. Your brother who is in treatment for Methamphetamine addiction tells you that he used to buy his meth from the father of a girl in your program. Your brother reveals that the meth is made in the house.

Is there reasonable cause to suspect abuse?

If so, what type and why?

If not, why?

What would you do?

- 3. A parent tries to obtain drugs by offering her daughter for sex. However, there are no offers.

Is there reasonable cause to suspect abuse?

If so, what type and why?

If not, why?

What would you do?

Test your knowledge

Lesson Three

4. A 10-year-old boy in your program says he cannot play outside because his feet hurt. He is limping, but he does not want you to look at his feet. At your insistence, the boy removes his shoes and socks and reveals three distinct round burns on the soles of his feet. One of the burns appears to be infected. When you ask him how the burns happened, the boy’s only comment is that, “My dad said I was bad.”

Is there reasonable cause to suspect abuse?

If so, what type and why?

If not, why?

What would you do?

5. A 12-year-old boy comes to your office asking for aspirin. He is wearing an oversized sweater on an unusually warm day. He reluctantly explains that his teammate’s father “was angry with him for losing the game, grabbed him by the arm, and threw him into a fence.” He pleads with you not to let his parents know. When the boy’s sweater is removed, you find several cuts and scrapes, and it appears that his shoulder may have been dislocated.

Is there reasonable cause to suspect abuse?

If so, what type and why?

If not, why?

What would you do?

Lesson Three

6. A child in your program comes to you complaining about a toothache. You call the mother, who agrees to take the child to a dentist. Several weeks later, the child again comes to your office, and this time, the tooth is obviously abscessed. You again call the mother who says she could not get a dental appointment. You make an appointment for the next day with a dentist who works with your program and let the mother know when she can take her child for free treatment. Three days later, the child still has not received treatment and is now presenting with a fever and severe swelling.

Is there reasonable cause to suspect abuse?

If so, what type and why?

If not, why?

What would you do?

7. A 12-year-old girl discloses to you that she was raped by her 14-year-old brother while he was babysitting her and their younger brother.

Is there reasonable cause to suspect abuse?

If so, what type and why?

If not, why?

What would you do?

Test your knowledge.

Lesson Three

8. You are the art teacher, and one of your seventh grade students is a gifted artist you have befriended. Over the last several months, you have noticed his work becoming very dark in nature, which is matched by his increasingly sullen and withdrawn behavior. One day, while reaching for his art supplies, his sleeves pull up to reveal cut marks on his arms. When confronted, he admits he cut himself intentionally. He explains that he is “evil” and that bad things happen to anyone with whom he associates, which is what his mother told him. A call to his mother confirms that she feels the boy is “evil.” Your concerns that he may be suicidal are met with the statement: “Well, maybe that would be for the best.”

Is there reasonable cause to suspect abuse?

If so, what type and why?

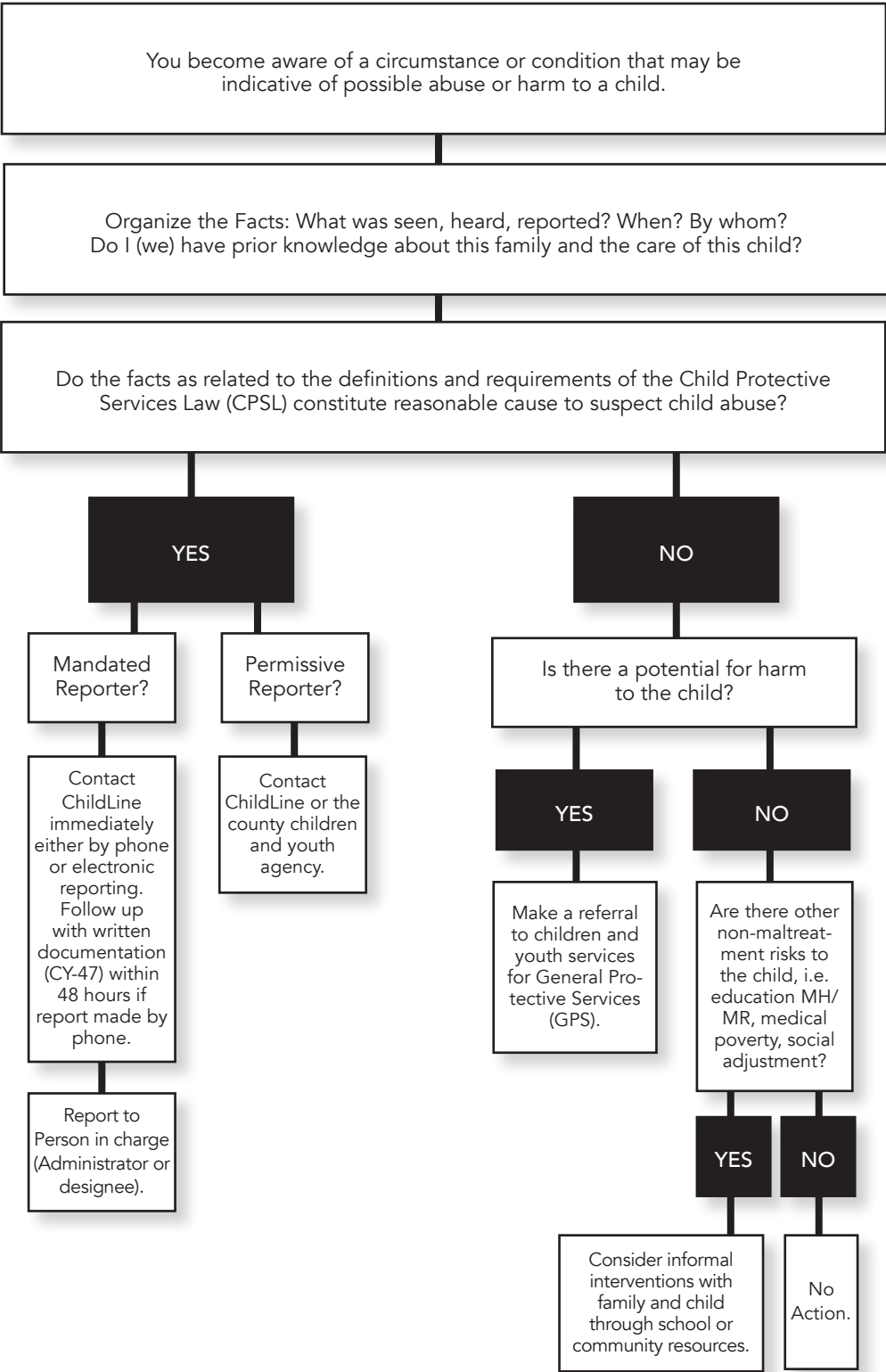
If not, why?

What would you do?

Lesson Three

PHYSICAL INDICATORS	CHILD'S BEHAVIORAL INDICATORS	PERPETRATOR'S BEHAVIORAL INDICATORS
BODILY INJURY		
Unexplained: - Burns (forming a distinct pattern, sock or glove-like, cigarette burns especially on soles, palms, back, buttocks) - Bruises, Welts and Bite Marks ("grab marks", patterns reflecting an article, regularly appearing after an absence, in various stages of healing) - Lacerations or Abrasions (on back or arms, legs or torso – to external genitalia) - Fractures - Head Injuries	- Complaints of soreness/pain - Reports injury by caretaker "Accident prone" - Destructive to self and/or others - Behavioral extremes - Clothing covers body inappropriately (hiding injury) - Seeks affection from any adult - Intolerant of physical contact - Wary of adult contact (seems frightened of caretaker) - Afraid to go home (runaway) - Low self-esteem - Withdrawn - Depressed (suicidal)	- Attempts to conceal child's injury or protect identity of person responsible - History of abuse as a child - Explanation of child's injury not consistent with type of injury - Offers no explanation for child's injury - Seems unconcerned about child - Sees child as evil or "bad" - Alcohol or drug abuse
SERIOUS PHYSICAL NEGLECT		
- Persistent hunger - Unattended medical needs - Developmentally delayed - Abandonment - Inappropriate dress (clothing is wrong for weather conditions or dirty) - Poor hygiene - Always tired	- Begging for or stealing food - Reports no caretaker at home - Constant fatigue - Lying or stealing - Difficulty relating to others - (emotionally and/or socially withdrawn) - Chronic truancy - Alcohol or drug misuse	- History of neglect as a child - Addictive disorders - Dysfunctional home life - Long-term chronic illness - Lethargic - Isolated from friends, relatives or neighbors
SERIOUS MENTAL INJURY		
- Mental or emotional developmental delays - Speech disorders - Depression - Signs of self mutilation - Signs of attempted suicide	- Compulsive disorders - Conduct disorders (antisocial, destructive, cruelty to animals) - Neurotic traits - Delinquent behavior - Mental/emotional developmental deficiencies - Inappropriately adult or infantile	- Blames or belittles child - Cold and rejecting - Withholds love - Children in family are treated unequally - Ignores child's problems
SEXUAL ABUSE OR EXPLOITATION		
- Injury to genitals - Difficulty walking or sitting - Sexually transmitted disease - Frequent urinary or yeast infections - Suspicious stains or blood on child's underwear - Painful bowel movements or retention - Early, unexplained pregnancy - Frequent unexplained sore throats	- Verbal disclosure - Wearing excessive layers of clothing - Hiding stained or bloodied clothing - Precocious sexual knowledge/behavior - Seductive behavior toward adults - Excessive masturbation - Intolerance of physical contact - Role reversal - Specific fear of males or females	- History of being sexually abused - Blurring of generational boundaries - Role reversal of mother and daughter - Jealous or overprotective of child - Alcohol or drug misuse - Frequent absences from home by caretaker - Justifies child's frequent absences from school

Lesson Three



Lesson Four

The System's Response to Child Abuse

Participants Will:

- Understand the process for investigating child abuse
- Identify types of abuse referred to law enforcement
- Define the status determinations
- Identify information mandated reporters are entitled to know

Once a report is made to ChildLine, it sets the investigation process in motion and the clock starts ticking.

Transmission of Referral/Report

When ChildLine receives a referral/report, ChildLine will immediately evaluate and transmit the information to the appropriate agency for assessment or investigation.

When a county agency or law enforcement receives a referral/report, the county agency or law enforcement official is to notify DHS after ensuring the immediate safety of the child and any other child(ren) in the child's home.

Referral Assignments:

- Referral to county agency (CPS)
- Referral to county agency and law enforcement officials (LEO)
- Referral to law enforcement officials only (LEO)
- Referral to county agency (GPS)

Investigation of Report - CPSL §6368

- Ensure safety of child and other children in home
- Commence an Investigation immediately if:
 - Emergency protective custody required
 - Cannot be determined if emergency protective custody is needed
- All other situations within 24 hrs.
- Investigation
- Investigative Actions
- Review of Indicated Reports

CPSL § 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:

Historically, over 50% of child abuse is committed by a parent or another person who is related to the victim.

Lesson Four

- (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.

Status Determination per CPSL (§ 6303 Definitions):

- Unfounded
- Indicated
- Founded

Regulation 3490.67 also allows for:

- Pending Juvenile Court Action
- Pending Criminal Court Action

Lesson Four



FIND IT IN THE LAW:

§ 6303. Definitions

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

"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.

"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

Lesson Four



- 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.
- Regulation 3490.67
- (b) To avoid expunction of a case as required by § 3490.69 (relating to reports not received within 60-calendar days) when a status determination cannot be made and the county agency has petitioned the juvenile court, an arrest has been made or there is criminal court action pending, the county agency shall send a copy of the CY-48 to ChildLine with one of the following status determinations:
- (1) Pending juvenile court action.
 - (2) Pending criminal court action.
 - (3) Indicated, when there is substantial evidence that the child was abused.

NOTES

Lesson Four

NOTES

Lesson Four

Follow-Up Results

- Child Abuse Certifications
- Notice to Mandated Reporters

Organizations that work with children are required to obtain both criminal background checks and Child Abuse Certifications for prospective employees. Child Abuse Certifications are obtained from ChildLine’s child abuse registry.

Notice to mandated reporter – If a report was made by a mandated reporter, DHS shall notify the mandated reporter who made the report of suspected child abuse of all of the following within three (3) business days of DHS’s receipt of the results of the investigation:

Whether the child abuse report is founded, indicated, or unfounded.

Any services provided, arranged for, or to be provided by the county agency to protect the child.

Teaming With Children and Youth

- Be open-minded and positive
- Avoid judgments and gossip
- Focus on building positive relationships
- Be proactive and communicate with others
- Acknowledge positive experiences
- Become part of the multidisciplinary team
- Find solutions to chronic problems together
- Cooperation with C&Y is part of legal obligation

NOTES

Conclusion

CEs for Health Related Licenses Act 31 and Act 48 Continuing Professional Education Requirements

Participants who need CEs for Act 31 health-related state license or for Act 48 Continuing Professional Education Requirements must go to training.pafsa.org and complete the corresponding web form. After confirming your attendance, PFSA will upload your information to either the Department of State or the Department of Education. You will not receive credit towards your health-related license licensure or renewal or maintaining your teaching certificate without completing the web form. If you need credits for both Act 31 and Act 48, you must complete both web forms.

Conclusion:

NOTES

Childline: 1-800-932-0313

County Children and Youth in My County: _____

Pennsylvania Family Support Alliance: 1-800-448-4906 or 717-238-0937
Web site: www.pafsa.org
Address: 100 Sterling Parkway, Suite 100, Mechanicsburg, PA 17050

Pennsylvania Department of Human Services
Mandated reporter and clearance
information keepkidssafe.pa.gov

Child Welfare Information Gateway 1-800-394-3366
childwelfare.gov

National Center for Missing and Exploited Children:
1-800-843-5678 2101 Wilson Blvd, Suite 550, Arlington, VA 22201
missingkids.com

Answers for Activities

ACTIVITY:

Lesson 2

Recognizing and Reporting Child Abuse

1. True – Anyone may report suspected child abuse.
2. True – Someone has disclosed abuse about a child who is identifiable. The mandated reporter must report this suspected abuse immediately.
3. False – The law protects mandated reporters from civil and criminal liability if they photograph a child's injury but the law does not require a photograph to be taken by the mandated reporter.
4. False – A report made to ChildLine via the telephone requires that a written report be made using a CY-47.
5. False – The CY-47 should be completed as much as possible and then submitted within 48 hours.
6. True – This is a case of suspected bodily injury and must be reported immediately.
7. True – If the child abuse report is made via telephone to ChildLine then it must be followed up with a written report. If the report is made using the self-service portal then no other action is required from the mandated reporter.
8. False – A mandated reporter need only have reasonable suspicion that abuse has occurred.
9. True – The first offense for willful failure to report is punishable by up to \$5,000 in fines and/or up to two years in jail. Penalties are increased for second and subsequent offenses, if the abuse to the child continues and if the abuse to the child constitutes a felony offense.
10. False – Only law enforcement, physicians, and medical directors are permitted to take immediate protective custody of a child. If you feel this is necessary, you should contact law enforcement.

74

ACTIVITY:

Lesson 3

Activity

1. Yes – This is a case of likelihood of bodily injury. The child would have been injured had the chair struck her. Report to ChildLine immediately.
2. Yes – Per se definitions – having a child present at a meth lab. The fact that the child was present where meth was being made in of itself would be enough for a mandated reporter to make a report of suspected child abuse.
3. Yes – This is a case of likelihood of sexual abuse or exploitation. Even though there were no offers, the mother placed her child in a situation that put her at risk for serious danger. Report to ChildLine immediately.
4. Yes – This is a case of Bodily Injury. Report to ChildLine immediately.
5. Yes – The suspected abuser does not fit into one of the categories of perpetrator as listed in the CPSL. Although this does not meet the definition of child abuse in the CPSL, nothing in the CPSL requires the mandated reporter to identify the person responsible for the child abuse to make a report of suspected child abuse. You must still report when you have a reasonable cause to suspect abuse of a child, regardless if you think the alleged perpetrator meets the definition of perpetrator in the CPSL or not.
6. Yes – This is a case of Serious Physical Neglect. The condition was allowed to worsen to the point where there is a serious physical condition causing serious pain. Report to ChildLine immediately.
7. Yes – This is a case of Sexual Abuse/Exploitation, because the brother was acting in the role of a caretaker. In addition, he is a household member over the age of 14. Report to ChildLine immediately. This meets the definition due to it being a criminal act as defined under the sexual abuse and exploitation definition.
8. Yes – This is a case of Serious Mental Injury. There is at least a reasonable cause to suspect that the mother's actions have lead to the student harming himself and possibly becoming depressed. In order for this incident to be substantiated, the investigation will need to reveal that the child has or recently was diagnosed to have a psychological condition.

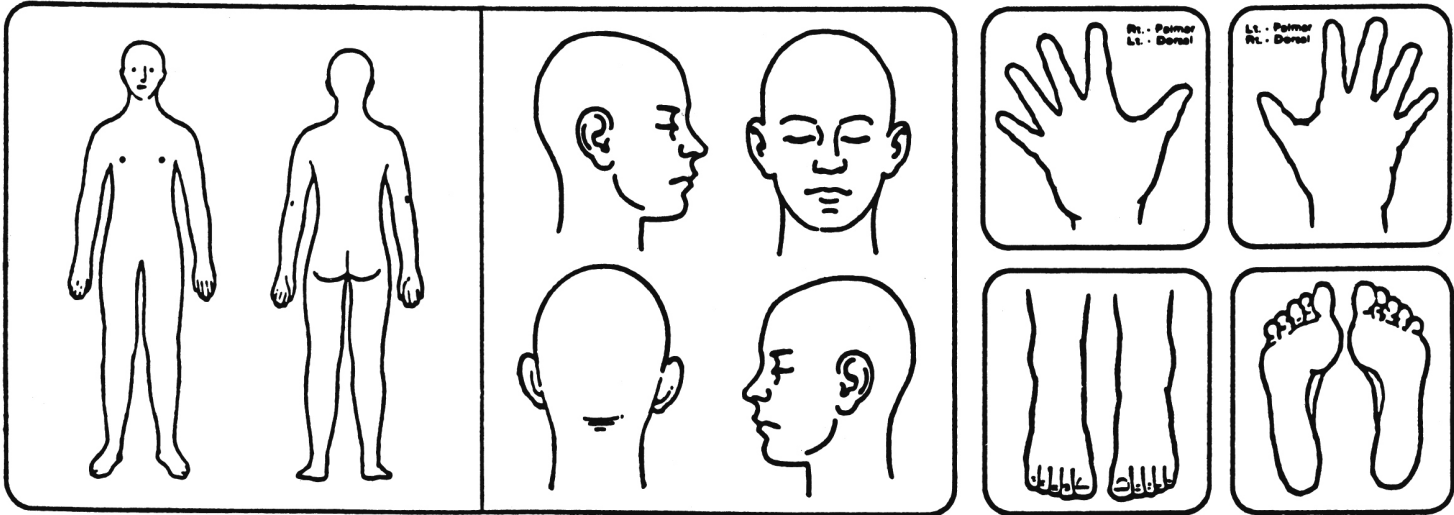
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REPORT OF SUSPECTED CHILD ABUSE
(CHILD PROTECTIVE SERVICE LAW - TITLE 23 PA CSA CHAPTER 63)

PLEASE REFER TO INSTRUCTIONS ON REVERSE SIDE. EXCEPT FOR SIGNATURE, PLEASE PRINT OR TYPE

1. NAME OF CHILD (Last, First, Initial)		SSN	BIRTHDATE		SEX ☐ M ☐ F
ADDRESS (State, City, State & ZIP Code)				COUNTY	
1A. PRESENT LOCATION IF DIFFERENT THAN ABOVE				COUNTY	
2. BIOLOGICAL/ADOPTIVE MOTHER (Last, First, Initial)		SSN	BIRTHDATE		TELEPHONE NO.
ADDRESS (City, State & ZIP Code)				COUNTY	
3. BIOLOGICAL/ADOPTIVE FATHER (Last, First, Initial)		SSN	BIRTHDATE		TELEPHONE NO.
ADDRESS (City, State & ZIP Code)				COUNTY	
4. OTHER PERSON RESPONSIBLE FOR CHILD		SSN	BIRTHDATE		RELATIONSHIP TO CHILD SEX ☐ M ☐ F
ADDRESS (City, State & ZIP Code)			COUNTY	TELEPHONE NO.	
5. ALLEGED PERPETRATOR (Last, First, Initial)		SSN	BIRTHDATE		RELATIONSHIP TO CHILD SEX ☐ M ☐ F
ADDRESS (City, State & ZIP Code)			COUNTY	TELEPHONE NO.	
NAME OF ALLEGED PERPETRATOR'S EMPLOYER AND EMPLOYER'S ADDRESS					
6. FAMILY HOUSEHOLD COMPOSITION (Excluding Above Names)		RELATIONSHIP TO CHILD		NAME (Last, First, Initial)	
NAME (Last, First, Initial)		RELATIONSHIP TO CHILD		NAME (Last, First, Initial)	
A.				D.	
B.				E.	
C.				F.	
ADDRESS WHERE THE SUSPECTED ABUSE OCCURRED				COUNTY	
DESCRIBE THE NATURE AND EXTENT OF THE SUSPECTED CHILD ABUSE, INCLUDING ANY EVIDENCE OF PRIOR ABUSE TO THE CHILD OR ANY SIBLING OF THE CHILD. ALSO INCLUDE ANY EVIDENCE OF PRIOR ABUSE BY THE ALLEGED PERPETRATOR(S) TO OTHER CHILDREN. PLEASE NOTE EXACT LOCATION OF THE INJURY(S) ON MODEL BELOW.				DATE OF INCIDENT	



7. ACTIONS TAKEN OR ABOUT TO BE TAKEN BY THE PERSON MAKING THE REPORT:			
☐ NOTIFICATION OF CORONER OR MEDICAL EXAMINER	☐ X-RAYS	☐ PHOTOGRAPHS	☐ HOSPITALIZATION
☐ POLICE NOTIFIED	☐ MEDICAL TEST(S)	☐ TAKEN INTO PROTECTIVE CUSTODY	☐ OTHER (Specify)
8. SAFETY CONCERNS AND RISK FACTORS:			
A. DESCRIBE THE CHILD(REN)'S PHYSICAL AND BEHAVIORAL HEALTH, GOOD MOOD AND TEMPERAMENT. DESCRIBE CHILD(REN)'S INTELLECTUAL FUNCTIONING, COMMUNICATION AND SOCIAL SKILLS, SCHOOL PERFORMANCE AND PEER RELATIONS. INCLUDE WHETHER THE CHILD(REN) HAS EXPRESSED ANY SUICIDAL/HOMICIDAL IDEATION OR PLANS.			☐ INFORMATION UNKNOWN
B. DESCRIBE HOW THE ADULT CAREGIVERS FUNCTION COGNITIVELY, EMOTIONALLY, BEHAVIORALLY, PHYSICALLY AND SOCIALLY. INCLUDE WHETHER THE ADULTS HAVE ANY MENTAL HEALTH, SUBSTANCE USE ISSUES AND/OR CRIMINAL HISTORY. DOCUMENT ANY PAST OR PRESENT DOMESTIC VIOLENCE. RECORD THE EMPLOYMENT STATUS/SOURCE OF INCOME AND WHETHER THERE ARE ANY FINANCIAL STRESSORS IN THE HOME. INCLUDE ANY SAFETY OR SANITARY CONCERNS REGARDING THE CONDITIONS OF THE HOME AND WHETHER THERE ARE WORKING UTILITIES. WHAT IS THE PRIMARY LANGUAGE OF THE HOUSEHOLD?			☐ INFORMATION UNKNOWN
C. DESCRIBE WHETHER THE CAREGIVERS HAVE THE APPROPRIATE KNOWLEDGE, EXPECTATIONS AND SKILLS TO PARENT THE CHILD(REN) ADEQUATELY. DOES THE CAREGIVER ADEQUATELY SUPERVISE THE CHILD(REN)? ARE THEY WILLING AND ABLE TO PROTECT THE CHILD(REN)? DESCRIBE THE ABILITY OF THE CAREGIVER TO EMPATHIZE, NURTURE AND ADVOCATE FOR THE CHILD(REN).			☐ INFORMATION UNKNOWN
D. DESCRIBE THE CAREGIVERS' APPROACH/METHODS OF DISCIPLINING THE CHILD(REN). DESCRIBE WHEN DISCIPLINE OCCURS AND WHETHER DISCIPLINARY METHODS ARE AGE-APPROPRIATE? ARE THERE ANY CULTURAL PRACTICES IN THE HOME THAT WOULD INFLUENCE THE DISCIPLINARY METHODS USED?			☐ INFORMATION UNKNOWN
E. PLEASE PROVIDE ANY ADDITIONAL INFORMATION RELEVANT TO THE INVESTIGATION PROCESS THAT HAS NOT ALREADY BEEN ENTERED IN THIS REFERRAL. THIS MAY INCLUDE ADDITIONAL ADDRESSES TO LOCATE THE CHILD OR PERPETRATOR, ADDITIONAL RESOURCES FOR THE CHILD, EMAIL ADDRESSES, INFORMATION ABOUT ANY WEAPONS IN THE HOME OR CONCERNS YOU MAY HAVE FOR THE CASEWORKER'S SAFETY.			☐ INFORMATION UNKNOWN

INSTRUCTIONS TO MANDATED PERSONS:
A mandated reporter making an oral report of suspected child abuse to the department via the Statewide toll-free telephone number (800-932-0313) must also make a written report, which may be submitted electronically, within 48 hours to the department or county agency assigned to the case by using this form. If needed, attach additional sheet(s) of paper to provide all of the requested information on this form.

NOTE:
If the child has been taken into custody, you must immediately contact the county children and youth agency where the abuse occurred.

REPORTING SOURCE:			
PRINTED NAME AND SIGNATURE:			DATE OF REPORT:
ADDRESS:			
TITLE OR RELATIONSHIP TO CHILD:	FACILITY OR ORGANIZATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:

Notes

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Notes

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Notes

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82

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info@pafsa.org | www.pafsa.org |  **ProtectPAKids** |  **PAFamilySupport**

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