Child Abuse Recognition and Reporting Information
Child Abuse - See School Board Policy #806
Frequently Asked Questions (FAQs)

What Is Child Abuse?

Child abuse, according to the CPSL, means intentionally, knowingly or recklessly doing any of the following:

- Causing bodily injury to a child through any recent act or failure to act.
- 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.
- 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.
- Causing sexual abuse or exploitation of a child through any act or failure to act.
- Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.
- Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.
- Causing serious physical neglect of a child.
- Causing the death of the child through any act or failure to act.
- Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (114 Stat. 1466, 22 U.S.C. § 7102).

Child abuse also includes certain acts in which the act itself constitutes abuse without any resulting injury or condition. These recent acts include any of the following:

- Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
- Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.
- 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.
- Causing a child to be present during the operation of a methamphetamine laboratory, provided that the violation is being investigated by law enforcement.
- Leaving a child unsupervised with an individual, other than the child's parent, who the parent knows or reasonably should have known was required to register as a Tier II or III sexual offender or has been determined to be a sexually violent predator or sexually violent delinquent.

"Recent" is defined as an abusive act within two years from the date the report is made to ChildLine. Sexual abuse, serious mental injury, serious physical neglect and deaths have no time limit.

Are You A Mandated Reporter?

The following adults are considered mandated reporters and are required to report suspected child abuse if they have reasonable cause to sus-pect that a child is a victim of child abuse:

- 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.

When Must A Mandated Reporter Make A Report?

A mandated reporter must make a report of suspected child abuse if they have reasonable cause 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 is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child.
- A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.
- An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

Must I report suspected abuse if I learn of the abuse from someone other than the child who was allegedly abused?
Yes. Nothing requires the mandated reporter to have direct contact with the child in order to make a report.

How does a mandated reporter make a report if they suspect child abuse?
Mandated reporters must make an immediate and direct report of suspected child abuse to ChildLine either electronically at www.compass.state.pa.us/cwis or by calling 1-800-932-0313.

Do I need to notify anyone within my institution, school, facility or agency after I make a report?
Yes, after making the report to ChildLine, you are required to immediately thereafter notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge.

What if a mandated reporter fails to follow the law?
The penalties for a mandated reporter who willfully fails to report child abuse range from a misdemeanor of second degree to a felony of the second degree.

Can you report suspected abuse if you are not a mandated reporter?
Yes. Anyone who is concerned about the safety of a child is encouraged to make a report. Individuals who are encouraged, although not required by law, to make a report of suspected child abuse, can make a report to ChildLine by calling 1-800-932-0313.

Am I protected from civil and criminal liability if I make a report of suspected child abuse?
Yes, persons making a report of suspected child abuse are immune from civil and criminal liability as long as the report was made in good faith. The good faith of a mandated reporter is assumed.

If I make a report, is my identity protected?
The identity of the person making the report is kept confidential with the exception of being released to law enforcement officials or the district attorney's office. Law enforcement and the district attorney's office must treat the mandated reporter as a confidential informant.

How Do I Know Whether I Have "Reasonable Cause To Suspect" That A Child Is A Victim Of Abuse?

Reasonable cause to suspect is a determination you make, based on your knowledge of circumstances, observations, familiarity with the individuals, and feelings about the incident.

Knowledge of circumstances would include:
- Who, What, How, When

Observations would include:
- Indicators of abuse or "red flags" present
- Behavior and demeanor of the child
- Behavior and demeanor of the adult.
- Are there any other behaviors or other observations important to notice?

Familiarity would include the knowledge you have about:
- The individuals
- The family situation
- Relevant history or similar prior incidents

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

This information was provided by the Pennsylvania Department of Human Services.

For this and additional information on Child Abuse, please visit their website at:
http://keepkidssafe.pa.gov/about/faqs/index.htm