



Montgomery County
Office of Children & Youth



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Child Abuse And Neglect



A Guide for
Montgomery County
Residents and Professionals

DEFINING CHILD ABUSE

Child Abuse, as defined by the Child Protective Service Law (23 Pa. C.S., Chapter 63), must involve a child, a perpetrator and an act of abuse:

- Child is defined as a person under the age of 18
- Perpetrator is defined as a person who has committed child abuse AND is:
 - A parent of a child
 - A paramour of a child's parent
 - An individual 14 years of age or older residing in the same home as the child
 - A person responsible for the child's welfare

Child Abuse is defined as:

- **Serious Physical Abuse** - Any recent act (within the past two years) or failure to act which results in a non-accidental serious physical injury that causes the child severe pain or significantly impairs the child's functioning temporarily or permanently.
- **Sexual Abuse or Sexual Exploitation** - Any act or failure to act that results in the employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist any other person to engage in any sexually explicit conduct or any simulation of any explicit conduct for the purpose of producing any visual depiction, including photographing, videotaping, computer depicting or filming, of any sexually explicit conduct; or the rape, sexual assault, involuntary deviate sexual intercourse, aggravated indecent assault, molestation, incest, indecent exposure, prostitution, sexual abuse, or other form of sexual exploitation of children.
- **Serious Mental Abuse** - Any recent act or failure to act or series of such acts or failures to act that result in a psychological condition, as diagnosed by a physician or licensed psychologist, rendering a child chronically and severely anxious, agitated,

FREQUENTLY ASKED QUESTIONS

1. If I make a referral will the family know it was me?

No. The referral source or reporter is kept confidential under the Child Protective Services Law. See Mandated Reporters tab of this booklet for more details.

2. Can I call anonymously?

Yes. Anonymous calls are accepted, however, we appreciate as much information as possible in case we need to contact the referral source or reporter again for additional information.

3. If I only have suspicions of child abuse or neglect, should I still make a report?

Yes. The threshold for reporting is suspicion alone. You are not required to have clear evidence or "proof" that the abuse or neglect is occurring. You should, however, be able to explain the effects or impact the alleged abuse or neglect is having on the child.

4. I made a report to Children & Youth, why has no one called me back with information?

The work that Children & Youth staff does with families is strictly confidential. Staff are not permitted to routinely share case information without just cause. If you are a mandated reporter and the referral source you may follow-up with a written request to Children & Youth with your name, the child's name, and the date of the referral. You can then be provided with the outcome of the investigation and the services provided to the family.

5. If I call Children & Youth, will the child be put in foster care?

Only as a last resort and only if it is necessary to ensure the safety of the child. Most of the time (about 85% of the time) children remain at home or with family and services are provided in the family home. In approximately 15% of cases, however, foster care or out-of-home placement is necessary because it is the only way to ensure the child's safety. If a child cannot remain with their primary caregiver(s), relatives and family friends are called upon first to assist in providing temporary care.

6. What kind of training is required for Children & Youth Caseworkers?

Caseworkers with the Montgomery County Office of Children & Youth have a minimum of a Bachelor's Degree with a concentration in social work or a social work-related field. Many staff members also have a Master's level degree. All new caseworkers complete 120 hours of initial training and receive Department of Public Welfare certification in the first year on the job. Caseworkers receive a minimum of 20 hours additional training per year thereafter.

AGENCY VISION and MISSION

- **Agency Vision**

To promote a peaceful community where children are safe and families are supported and happy.

- **Agency Mission**

To deliver effective child welfare services that empower families to appropriately care for their children and maintain or achieve a desirable quality of life in the best interest of each child.

RESPONSIBILITY OF CHILDREN & YOUTH

The Montgomery County Office of Children & Youth, under Pennsylvania law, is mandated to investigate all reports of suspected abuse, neglect or dependency of children from birth to age 18 in Montgomery County.

Our professional staff investigate reports made to our office and support families, when appropriate, to address conditions which adversely affect a child’s care. Our staff work with families directly and also coordinate services with community resources to improve family conditions. Family Engagement, In-home Supportive Services, Placement Services and Adoption Services are integral to our focus on child safety and well-being.

Maintaining natural family connections for children and involving family and the family’s support system is a priority in Children & Youth casework services.

depressed, socially withdrawn, or psychotic; or seriously interferes with the child’s ability to accomplish age appropriate developmental and social tasks.

- **Serious Physical Neglect** - A prolonged or repeated lack of supervision or the failure to provide the essentials of life, including adequate medical care, which endangers a child’s life or development or impairs the child’s functioning.
- **Imminent Risk of Child Abuse** – Any recent act or failure to act or series of such acts or failures to act which create an immediately threatening risk of serious physical injury or sexual abuse or exploitation.

Child Neglect is defined as:

- Any act or omissions that result in a failure to provide the essentials of life, including food, shelter, clothing, health care, personal care and proper supervision, and that create a potential for harm to the child’s safety, functioning or development.

Student Abuse is defined as:

- Any act or acts committed by a school employee involving a student which results in the serious bodily injury or sexual abuse or exploitation of the student. A school employee is defined as a person employed by or under contract with a school.

If a school employee has reasonable cause to suspect that a student is a victim of serious bodily injury or sexual abuse or exploitation by another school employee, he/she shall immediately notify the school administrator of the alleged abuse or injury.

If an administrator learns of suspected student abuse from another person, the administrator shall make a report, without screening, directly to law enforcement who notifies the Office of Children & Youth as necessary.

Montgomery County Children and Youth Office Locations

<p>POTTSTOWN Western Regional Office 364 King Street 2nd Floor Pottstown, PA 19464</p> <p>Ph (610) 327-1588 Fax (610) 327-1104</p>	<p>NORRISTOWN Human Services Center 1430 DeKalb Street P.O. Box 311 Norristown, PA 19404-0311</p> <p>Ph (610) 278-5800 Fax (610) 278-5898</p>	<p>WILLOW GROVE Eastern Regional Office Courthouse Annex 102 York Road, Suite 402 Willow Grove, PA 19090</p> <p>Ph (215) 784-5486 Fax (215) 784-5426</p>
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HOW TO MAKE A REPORT

- **CHILDLINE 1-800-932-0313**
 - CHILDLINE is the toll-free Pennsylvania statewide hot line and registry for reporting suspicions of child abuse and neglect. CHILDLINE operates seven days/week, 24 hours/day to receive reports of suspected child abuse and neglect. CHILDLINE maintains a record of all substantiated reports of abuse and neglect for purposes of Child Abuse History Clearances for individuals wishing to become employed in a child-serving profession, volunteer with children or become foster parents.
 - In situations where a report of suspected child abuse is made, but the alleged abuse was committed by a person who does not meet the definition of a perpetrator under the CPSL, then CHILDLINE shall report immediately to the district attorney, the district attorney's designee, or other law enforcement official, in accordance with the county protocols for investigative teams.
- **Montgomery County Office of Children & Youth (610) 278-5800**
 - A call may be made directly to the Office of Children & Youth, anytime of the day or night, to report concerns. An Intake Caseworker is available 24 hours/day, seven days/week. During evenings, weekends, or holidays, call (610) 275-1222.
- **When to call 911**
 - If you are in immediate danger of injury
 - If you suspect a child is in immediate danger of injury or if the abuse or injury is happening right now
 - If there is a need to collect evidence or maintain a chain of custody of evidence
 - If a child has been abused or neglected by a stranger, or someone other than parent, guardian or caretaker of the child

CHILDLINE: 1-800-932-0313

AVAILABLE SERVICES

- **Child Protective Services**

The Office of Children & Youth accepts all incoming reports of suspected child abuse and neglect, ensures the safety of children residing in the reported household, investigates the validity of reports, and provides services to families dealing with child abuse and neglect issues.
- **Information & Referral Services**

The Office of Children & Youth provides information and referral services to approximately 6,000 county residents each year. This may include phone number and address information for appropriate community-based or public services, or direct brief casework assistance by a Children & Youth staff member.
- **Case Management Services**

Children & Youth staff provide direct casework services to children and families dealing with issues of child abuse and neglect, along with the purchase, coordination, implementation, and evaluation of services for families in need of support.
- **Adolescent Services**

Children & Youth staff provide assessment and casework services to families if a parent contacts the agency with concerns regarding their 10-18 year old child who has committed a specific act or acts of habitual disobedience of the reasonable and lawful commands of his/her parent, guardian or custodian.
- **Foster Care Services**

Most children are served at home and families remain intact. When safety prohibits children from remaining at home, out-of-home placement may be necessary. Children & Youth staff recruit, study, train, and inspect foster homes to ensure the safety of the children residing there.
- **Permanency Services**

Under the Adoption & Safe Families Act of 1997, Children & Youth staff have the legal mandate to establish permanency for abused and neglected children. In the majority of cases, children remain at home or experience brief out-of-home placement services with the goal of family reunification. In the event the child may not be able to return home, Children & Youth staff are working toward permanency from the first day of placement. Thus, if return home is not achieved in a timely fashion, Children & Youth staff are working concurrently toward adoption, independent living, subsidized permanent legal custodianship or another planned permanent arrangement for the child(ren).
- **Child Abuse & Neglect Educational Services**

Children & Youth Staff provide educational meetings to mandated reporters of child abuse and neglect, as well as, attend community forums to increase child abuse and neglect awareness and foster parent recruitment.

CHILDLINE: 1-800-932-0313

INVESTIGATION OUTCOMES

Children & Youth staff respond quickly to reports of suspected child abuse and neglect to ensure safety of children, but have 30 days (and can request one extension to 60 days) to fully investigate the report and reach an investigation determination with regard to the reported information.

The following determinations may be made in suspected child abuse and neglect cases:

- **Indicated**

The Office of Children & Youth has determined that substantial evidence of the alleged abuse exists based on available medical evidence, the child protective service investigation, or an admission of the acts of abuse by the abuser named in the report .

- **Founded**

The Court has ruled that the child was abused. A founded determination can be the result of a proceeding taking place in Juvenile, Family or Criminal Courts.

- **Unfounded**

All reports **not** determined as “Indicated” or “Founded” are determined to be “Unfounded”. An unfounded determination may indicate that there is no evidence of child abuse or neglect, or it may indicate that there is not enough evidence under the Child Protective Services Law to state that child abuse or neglect exists. In many cases where initial reports are determined to be unfounded, the family is still provided supportive services from the Office of Children & Youth.

- **Helpful Information to have available when making a report to CHILDLINE or contacting the Office of Children & Youth:**
- **About the Child:**
 - Name, Social Security number, birth date, gender, address, current location, age
 - Age or approximate age range
- **About the Parent or Legal Guardian:**
 - Name, home address and telephone number
- **About the Suspected Abuser:**
 - Name or physical description or license plate number if the name is unknown, Social Security number, age
 - Home address or telephone number
 - Relationship with the child – whether the suspected abuser is a parent, neighbor, babysitter or teacher
- **About the Type of Abuse Suspected:**
 - A description of the suspected injury or impairment of bodily function
 - Where the incident took place and when it occurred
 - Any concern for the child’s immediate safety
- **About You, the Reporter:**
 - What is your (the reporter’s) relationship with the child?
 - What actions have you taken – talking to the parent, reporting to the police, obtaining medical care for the child?
 - You may report an incident anonymously; however, it is helpful for the agency to be able to contact you for additional information if necessary.

You may be asked for additional information to help assess the urgency or seriousness of the situation. This information may include knowledge of substance abuse, domestic violence or other physical or behavior concerns.

MANDATED REPORTERS

A mandated reporter is a person who, in the course of employment, occupation or practice of a profession, comes into contact with children. A mandated reporter shall report or cause a report to be made when the person has reasonable cause to suspect, on the basis of medical, professional or other training and experience, that a child under the care, supervision, guidance or training of that person or of an agency, institution, organization or other entity with which that person is affiliated is a victim of child abuse, including child abuse by an individual who is not a perpetrator. The only exceptions to this are in respect to confidential communications made with a member of the clergy or an attorney.

- The child does not have to “come before” the mandated reporter. If the person has sufficient information about the child that creates a “reasonable cause to suspect” that the child is a victim of abuse, a report must be made.
- A mandated reporter must report suspicions of child abuse regardless of whether the alleged perpetrator of abuse falls under the definition of a perpetrator under the CPSL. (“A perpetrator of child abuse can be a child’s parent, the person responsible for the welfare of a child such as a babysitter or day care staff person, an individual residing in the same home as the child who is at least 14 years of age, or a person having an intimate relationship with the child’s parent.”)

Mandated reporters **are required** by law to report suspected child abuse immediately to Pennsylvania’s Childline (1-800-932-0313) based on their medical or professional training or other experience. They also must make a written follow-up report on a CY-47 reporting form to the investigating County Children and Youth Agency within 48 hours. Mandated reporters who make a report in good faith have immunity from civil and criminal liability that might otherwise result from their actions.

Mandated reporters include:

	<u>Health Care Professionals</u>	
Chiropractors	Interns	Physicians
Dentists	Medical Examiners	Podiatrists
EMT’s	Nurses	Psychiatrists
Funeral Directors	Optometrists	Psychologists
Hospital Personnel	Public Health Department Personnel	
	<u>Law Enforcement Officials</u>	<u>Educational Professionals</u>
County Detectives	Police Officers	Counselors School Nurses
Coroners	Sheriffs	Principals Teachers
Court Officials		School Administration
	<u>Social Service Professionals</u>	
Childcare Workers	Social Service Workers	Therapists

CHILDLINE: 1-800-932-0313

AM I REQUIRED TO REPORT CHILD ABUSE & NEGLECT

Anyone who comes into contact with children during the daily course of their business is considered a mandated reporter of suspected child abuse and neglect and must report their suspicions to Childline or the Office of Children and Youth. **All citizens, while not mandated by law to report suspicions of child abuse and neglect, are strongly encouraged to report suspicions of child abuse and neglect as well.**

- **Immunity from Liability**

Any person making a report of suspected child abuse and neglect in good faith cannot be held liable. Reporters of suspected child abuse and neglect are provided civil and criminal immunity from legal liability. If a lawsuit would be brought against a person making a report in good faith, the lawsuit would be dismissed under Pennsylvania law.

- **Confidentiality of Referral /Reporting Source**

The names and identities of those persons who report suspected child abuse and neglect or who cooperate in an investigation of child abuse or neglect are strictly confidential.

The Office of Children & Youth may release names and identities to law enforcement officials in the case of homicide, sexual abuse of exploitation, serious bodily injury, non-family member perpetrator of abuse, repeated physical injury, or missing child report.

In the event a case would proceed to court, testimony of the mandated reporter may be essential. Under those circumstances, you could be called upon to testify to the facts and observations related to suspected child abuse and neglect.

- **Failure to Report**

A person or official required to report a case of suspected child abuse or to make a referral to the appropriate authorities who willfully fails to do so commits a misdemeanor of the third degree for the first violation and a misdemeanor of the second degree for a second or subsequent violation.

- **Endangering Welfare of Children**

“A parent, guardian, or other person supervising the welfare of a child under 18 years of age, or a person that employs or supervises such a person commits an offense if he knowingly endangers the welfare of the child by violating a duty of care, protection, or support.” The offense also includes circumstances where a person, in an official capacity, prevents or interferes with the making of a report of suspected child abuse. Persons supervising the welfare of a child are defined as a person other than a parent or guardian that provides care, education, training or control of a child.

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