

Child Abuse and Neglect Mandated Reporting HS4KC and State of MI Training

(Revised 12/08/2020)



This means we are all mandated reporters at HS4KC

We are a mandatory reporting agency (thus all employees are mandated reporters) **and are required by LAW to report what we suspect is child abuse or neglect** to Children's Protective Services (CPS). We want parents to understand not only our approach, but our required procedures as well. All staff receive training annually on Mandated Reporting. In the next slides we will cover:

- **1.** Steps to Follow for Suspected Abuse or Neglect
- 2. Data Sharing with CPS
- **3. Intoxicated Parent, Guardian, or Person Responsible For** Transporting a Child

Steps to Follow for Suspected Abuse or Neglect

1. Staff suspects a child has been abused or neglected, or a child states they have been abused or neglected, the individual who observed and/or talked to the child or parent should do the reporting per the steps below.

Steps to Follow for Suspected Abuse or Neglect (continued)

- 2. If you are reporting abuse or neglect that puts a child at imminent risk of death or serious harm/injury this is an emergency situation:
 - FIRST, call 911
 - SECOND, call the Michigan Centralized Intake Hotline at 855-444-3911. Do <u>NOT</u> use the online system in an emergency situation
 - Inform the Site Supervisor

Steps to Follow for Suspected Abuse or Neglect (continued)

3. If you are not dealing with an emergency situation as described in step 2, report to CPS by phone (855-444-3911) or online at <u>michigan.gov/mandatedreporter</u> and inform the Site Supervisor.

 If there are any questions, the Site Supervisor contacts the PFCE Manager. (If unavailable, contact the Program Director or any member of the Management Team.) "When in doubt, report it out."

Head Start for Kent County Mandated Reporting Process

PFCE Department

Steps to Follow for Suspected Abuse or Neglect (continued)

4. Next, follow up by:

- If you reported by phone, complete the Protective Services form 3200 (available online) within 72 hours. Fax (616-977-1154 or 616-977-1158) the 3200 Form (with the Log #) and any related documentation to DHHS, Children's Protective Services Department.
- If you reported online, the report is filed automatically and saved under the registered Mandated Reporter's online account. No further action is needed. Reports are only saved on the MI Registry site for 6 months. Anything needed to be kept longer should be saved outside of the state system.
- Reports are **not** kept in the child's file but can be kept separately on site until the end of the school year (at which time they should be shredded/deleted).

Steps to Follow for Suspected Abuse or Neglect (continued)

5. If a third party (parent/guardian or another person outside of our agency) tells any staff member of abuse/neglect about a child, this is considered "2nd hand" information and the options for staff are as follows:

- While the third party is available, staff sit with that person while he/she makes the call and reports the incident to CPS, or:
- If the parent/guardian refuses, or we do not observe the call being made, staff must make the call and report to CPS, then complete and fax the 3200 form. This allows CPS to make the decision on whether to investigate further.

Head Start for Kent County Mandated Reporting Process

PFCE Department

Steps to Follow for Suspected Abuse or Neglect (continued)

6. If Children's Protective Services refers the matter to the police, contact a member of Management Team to assist in contacting the police.

Head Start for Kent County Mandated Reporting Process *PFCE Department* Data Sharing with CPS

- In accordance with our Sharing of Data and Protections for the Privacy of Child Records in Head Start/Early Head Start Policy, we collaborate with CPS to address suspected or known child maltreatment in accordance with federal, state and local laws on reporting child abuse and neglect.
- When we are contacted by CPS, we must verify the CPS worker.

Head Start for Kent County Mandated Reporting Process *PFCE Department* Data Sharing with CPS (continued)

 If CPS calls to verify a child's participation/attendance in our program, the CPS worker is referred to contact Head Start at the designated CPS line. The CPS worker will obtain the phone number from their supervisor. CPS will be asked to identify a password when contacting this line in order to verify any information about a child. There is a tracking sheet kept by the designated Head Start Staff who answer the CPS line to log the calls received from CPS.

Head Start for Kent County Mandated Reporting Process *PFCE Department* Data Sharing with CPS (continued)

- If the CPS worker reports to a location directly, Head Start staff must see and verify the badge from DHHS including the name and photo of the CPS worker and have them sign in per the Sign-In Process.
 - If a CPS Worker asks a staff member questions about a child, they should answer openly, but very factually.
 - If a CPS Worker needs to interview a child, the supervisor or one of the teachers must remain in view of the child at all times to be a safe presence for the child.
 - Head Start staff may honor a follow up request from a CPS worker who makes an in-person request to their Government issued email address.

Head Start for Kent County Mandated Reporting Process *PFCE Department* Intoxicated Parent, Guardian, or Person Responsible For Transporting a Child

Head Start, in accordance with Performance Standards, will implement the following process when a staff person has reason to suspect that a parent, guardian, or other person responsible for transporting a child to or from a site is intoxicated or under the influence:

Head Start for Kent County Mandated Reporting Process *PFCE Department* Intoxicated Parent, Guardian, or Person Responsible For Transporting a Child (continued)

- 1. Address your concerns with this person, including your concern for their safety, the safety of others, as well as the safety of the child(ren).
 - a. If the person is not the parent or guardian of the child(ren), immediately notify the parent or guardian.
- 2. Offer to call, or have them call, another person from the child's SmartTag Parent Portal System to transport them and the child(ren) or allow them to call another person for their own transportation.
- 3. Offer to call a cab at the expense of Head Start for Kent County, following the established process.

Head Start for Kent County Mandated Reporting Process *PFCE Department* Intoxicated Parent, Guardian, or Person Responsible For Transporting a Child (continued)

- 4. If they refuse these offers and insist on driving, inform them that you will be required to notify the police if they do so, as well as CPS if they transport a child.
- 5. Immediately call 911 upon seeing them drive away, with or without the child(ren).
- 6. Report to PFCE Program Manager or any member of Management Team.
- If a suspected intoxicated person transports a child, notify CPS following the Steps to Follow for Suspected Abuse or Neglect listed above.

Mandated Reporter Training Children's Protective Services (CPS)



Michigan Department OF Health & Human Services

This presentation contains sensitive and graphic content about the realities of child abuse and neglect. If for any reason you must step away, please feel free to do so and rejoin us when you are ready.



Training Objectives

After successful completion, trainees will:

- Understand mandated reporting.
- Know components of the Child Protection Law (CPL).
- Recognize certain signs of child abuse and neglect.
- Know the MDHHS reporting process.



State Law Child Protection Law, 1975 PA 238

The Michigan Child Protection Law, 1975 PA 238, requires the reporting of suspected child abuse and neglect by certain persons (called **mandated reporters**) and encourages the reporting of suspected child abuse and neglect by all persons.

Mandated Reporters

People in the following professional roles are required to report suspected child abuse or neglect:

- Medical and health care providers
- Social workers and counselors
- Childcare providers
- Clergy and faith leaders
- Law enforcement
- School administrators and teachers

Types of Child Abuse and Neglect

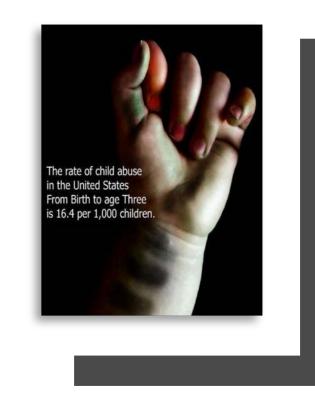
- Physical abuse
- Sexual abuse
- Mental injury
- Physical neglect
- Maltreatment



State Law: Definition of Child Abuse

Harm or threatened harm to a child's health or welfare that occurs:

- By non-accidental physical or mental injury, sexual abuse, sexual exploitation or maltreatment,
- To a child under 18 years of age,
- By the child's parent, legal guardian, or other person who is responsible for the child's health or welfare



Recognizing Physical Abuse

Physical abuse is a <u>non-accidental</u> injury.

Physical abuse indicators may include:

- Bruises
 - Bruises on an infant are suspicious for abuse.
- Burns
- Broken bones
- Injuries that are patterned, would not occur through normal play, and are symmetric on multiple planes of the body

Non-Accidental vs. Accidental

Non-Accidental

- Parent or other household member hit or shook a child hard enough to cause injury.
- Injuries are inconsistent with the explanation provided.
- Bruising on an infant may be suspicious for abuse.

Accidental

- Child was injured during normal child play.
- Parent or other household member inadvertently injured the child.



Recognizing Mental Injury

An existing pattern of physical or verbal acts and omissions that result in a psychological or emotional injury.

Recognizing Mental Injury

Signs can include:

- Depression, anxiety or suicide.
- Lack of attachment.
- Fear of abandonment or safety.
- Fear that life or safety is threatened.

The parent or caretaker may:

- Constantly criticize, punish or demean the child.
- These behaviors are persistent and repetitive.

*A finding must be made by a mental health professional.

Recognizing Sexual Abuse or Sexual Exploitation Intentional touching/contact that can be reasonably construed as being for the purpose of arousal, gratification or any other improper purpose by the perpetrator.

Sexual penetration.

Accosting, soliciting or enticing to commit, or attempt to commit an act of sexual contact or penetration, including prostitution.

Sexual abuse may not always involve sexual penetration.

Recognizing Sexual Abuse

Indicators: Physical evidence (genital bruising, presence of semen, etc.).

Pregnancy or contracting a venereal disease, especially in children 12 years or younger (**requires a report to CPS**). Self-reports sexual abuse.

Inappropriate sexualized behavior.

Sudden change in behavior, isolated or secretive.

Running away.

Human Trafficking

Sex Trafficking

 Subjecting an individual to the recruitment, harboring, transportation, provision, patronizing, or soliciting for the purposes of a commercial sex act or trafficking an individual for a commercial sex act induced by force, fraud, or coercion.

Labor Trafficking

- A person recruited, enticed, harbored, transported, provided, or obtained for the purposes of labor or services.
- Can include domestic servitude, force labor in restaurants or salons, forced agricultural labor or debt bondage.



Sexually transmitted diseases



Symptoms of post-traumatic stress

Human Trafficking Indicators



Malnourished or always hungry



Signs of physical and/or sexual abuse, physical restraint, confinement or torture



Victims and perpetrators are often skilled at concealing their situations



Live with other unrelated youth and with unrelated adults



Not in control of their own identification documents

Recognizing Maltreatment

Child maltreatment is the treatment of a child that involves cruelty or suffering that a reasonable person would recognize as excessive.

Examples may include:

- Medical child abuse.
- Age inappropriate chores.
- Treating a child like an animal: eating pet food from an animal food bowl.
- Parent publicly announcing about a child who is bedwetting (humiliation).
- Inappropriate expectations based on the child's capability.

State Law: Definition of Child Neglect

Harm or threatened harm to a child's health or welfare that occurs through:

- Negligent treatment, including the failure to provide adequate food, clothing, shelter, or medical care.
- Placing the child at an unreasonable risk to the child's health or welfare by failure of the parent, legal guardian, or other person responsible for the child's health or welfare to intervene to eliminate that risk when the person is able to do so and has, or should have, knowledge of the risk.

*Does not include the inability of a parent to feed, clothe or house a child because they lack resources or supports.



Recognizing Neglect

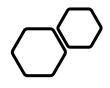
- Suffers from chronic dental and/or medical issues that are not being addressed.
- Filthy/unhygienic or inadequately clothed on multiple occasions.
- Self-reports no one is home and does not demonstrate the ability to care for themselves.
- Frequent absence from school.
- Steals or begs for food or money repeatedly.

Concerns That Do Not Involve Neglect

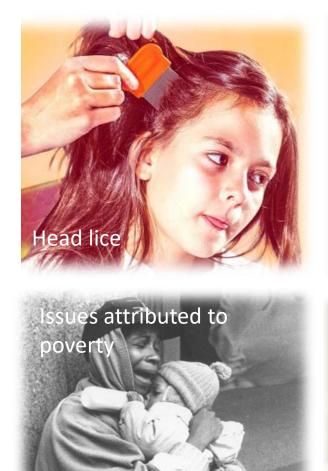
There are certain situations that do not require calling in a complaint to CPS:

- Domestic violence incidents when the child is not harmed or likely to be harmed.
- Children who are unattended in a situation where the child(ren)'s age, development and circumstances do not indicate a likelihood of harm.
- A parent or caretaker's use of substances that does not affect their ability to care for their child.
- A parent or caretaker's mental illness that does not affect their ability to care for their child.

A complaint should be made when there is indication that the child is being abused or neglected.



What is NOT investigated?





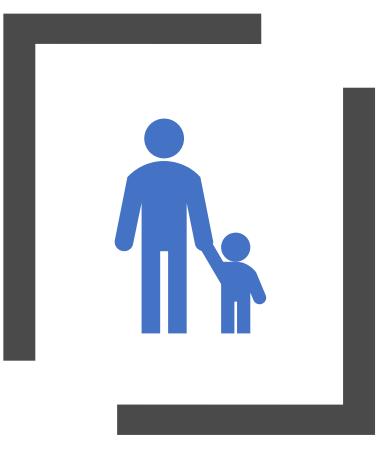
Sibling on sibling abuse



Disproportionality

- Disproportionality is the over or under representation of a certain group of people.
- Child abuse or neglect exists in every racial and ethnic group, culture, economic class, and every cross section of our society.
- Cultural differences do not always equate to abuse or neglect.
- Ask yourself:
 - ✓ Would I make the same call in the same way if I saw things in the same family that reminded me of my own?





Goals of CPS

- The goal of CPS is to keep children safe in their homes and to provide them with a safe environment when they are determined to be unsafe.
- CPS strives to keep children in their own homes when safe to do so and parent's participation through this process is key.
- Most parents want to appropriately care for their children. They have the strength to do so when supported by family or social networks in caring for their children and keeping them safe.
- CPS must be responsive in supporting families and providing them with the tools they need to be successful.

Prevention

- Protective approaches can make meaningful differences in parenting skills and child well-being. Research has shown that these approaches help strengthen families.
- Prevention efforts can be made prior to reaching CPS involvement.
- Referring families to available resources may help mitigate risk, if concerns do not rise to the level of abuse or neglect.
- If you know of resources available that may help a family, provide them with that information.



Five Protective Factors

- 1. Parental resilience
- 2. Social connections
- 3. Knowledge of parenting and child development
- 4. Concrete support in times of need
- 5. Social and emotional competence of children

CENTER FOR THE STUDY OF SOCIAL POLICY'S

strengthening families



Prevention



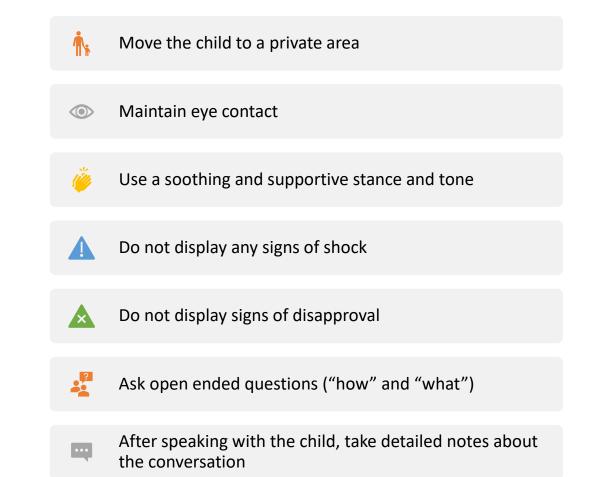
The **Children's Trust Fund** serves as a voice for Michigan's children and families and promotes their health, safety and welfare by funding effective local programs and services that prevent child abuse and neglect.

Learn more at <u>www.Michigan.gov/ctf</u> or by calling 517-373-4320



Protecting Michigan's Children

How to respond When A Child Tells you Something Happened



Reporting Concerns

"I don't want to interfere in someone's family."

• You may be the only person to intervene and ensure a child's safety.

Ways to Report

• Immediate report to MDHHS

*855-444-3911

- Be prepared to give as much demographic information as possible
- o Providing the family's address is essential
- Provide detailed information including statements in quotations

Michigan Online Reporting System (MORS)

- o State of Michigan employees: MiLogin
- o Outside entities: Michigan.gov/mandatedreporter
 - Must select link and register.
- Written report (DHS-3200) within 72 hours
 - o A DHS-3200 is not required, if utilizing MORS
 - Only mandated reporters are required to follow up with a DHS-3200
- Notify your immediate Supervisor or a member of the Management Team

Detailed Reporting Requirements

Child Protection Law requires a detailed report:

- "The report shall contain other information available to the reporting person that might establish the cause of the child abuse or child neglect, and the manner in which the child abuse or child neglect occurred."
- This "other information available to the reporting person" includes details known about the child, family and the specific situation. **Please explain the who, what, where, when, why and how.**
- Complaints should still be made if not all the information is known; however, as much information that is known, must be provided.



Provide as much detail as possible when making a report

A detailed report would be as follows:

"On 5/01/2019, Johnny reported his mother hit him four times on the right elbow with a wooden spoon. The incident happened in Johnny's bedroom. On 5/02/2019, Johnny had a large, circular, dark purple bruise on his inner right elbow. Johnny is afraid to go home because he fears being hit."

You can also utilize the <u>Guide to Detailed Reporting</u> found on the MDHHS Mandated Reporters website.

State Law Protections for Reporters



Immunity Protection

- A person making a report is presumed to have acted in good faith and is immune from civil or criminal liability.
- This does not extend to a negligent act that causes personal injury or death.

Confidentiality Protection

- The identity of the referral source is kept confidential without:
 - Consent of the reporter
 - Judicial order

State Law Penalties for Not Reporting

• Criminal penalties

- 93 days in jail, or
- A fine not more than \$500, or
- Both

• Civil penalties

- Liable for injuries
- Liable for future loss/damages

State Law Penalties for False Reporting

- If the child abuse or neglect reported would not constitute a crime or would constitute as a **misdemeanor**, if the report were true:
 - 93 days in jail, or
 - A fine of not more than \$100, or
 - Both
- If the child abuse or neglect reported would constitute a **felony,** if the report were true is punishable by the lesser of the following:
 - The penalty for the child abuse or neglect falsely reported.
 - Imprisonment for not more than 4 years, or a fine of not more than \$5000, or both.

Reporting: Centralized Intake

Centralized Intake will gather the following from the reporter:

- Name of the child, parents, and/or legal guardians.
- Description of suspected abuse or neglect.
- Any information that might establish the cause of suspected abuse or neglect.
- Who, what, when, where, why and how.
- Your contact information.

Reporting DHS-3200 Form

REPORT OF ACTUAL OR SUSPECTED CHILD ABUSE OR NEGLECT Michigan Department of Health and Human Services

Yes No If yes, Intake ID # TRUCTIONS: REPORTING PERSON: Complete items 1-19 (20 pplicable). Send to Centralized Intake at the address listed on pa	-)-28 should be comp	ontact Centralized Intake pleted by medical pers	. ,	
st of Child(ren) Suspected of Being Abused or Neglected. To inserta	2	the end of leatroute		
NAME	BIRTH DATE	SOCIAL SECURITY#	SEX	RACE
Lick Here and Type"	DIRTHUATE	SUCIAL SECORITY#	JEA	RACE
other's Name				
ather's Name				
hild(ren)'s Address (No. & Street)	6. City	7. County	8. Phone No.	
ame of Alleged Perpetrator of Abuse or Neglect	10. Relationship to Child(ren)			
Person(s) The Child(ren) Living With When Abuse/Neglect Occurred	12. Address, City & Zip Code Where Abuse/Neglect Occurred			

Go to http://michigan.gov/dhhs

- Click on "Abuse and Neglect" tab in the middle of screen.
- On right side of screen, click on the PDF that corresponds with the DHS 3200.

Next Steps for CPS

Notification process for mandated reporters includes:

- If the report is **NOT** assigned for investigation, you will receive a letter from Centralized Intake.
- If the report **IS** investigated, you will receive a letter from the appropriate MDHHS county office.

CPS is no longer required to contact the mandated reporter for additional information; however, the investigator may do so if necessary.

- Complaint will be reviewed for assignment.
- If assigned, a caseworker begins an investigation within 24 hours.
- An investigation is normally completed within 30 days.
- Services may be offered to the family.
- Protecting interventions may be necessary.
- CPS will keep your information confidential.
 Per the CPL, your identifying information will not be shared unless court ordered.

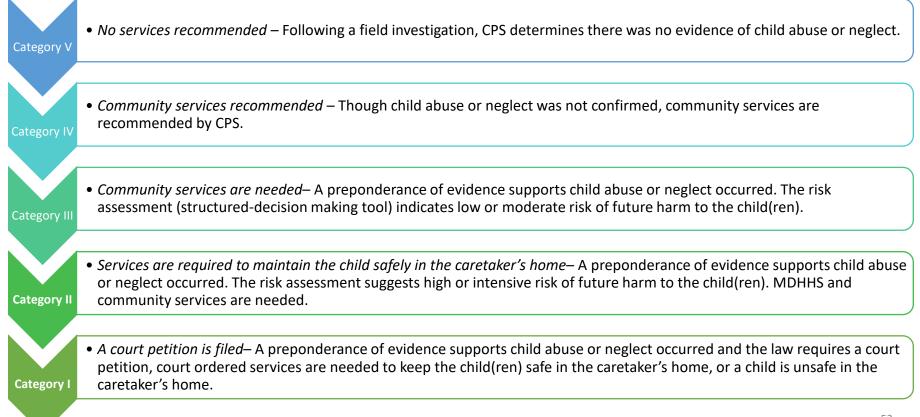
Next Steps for CPS

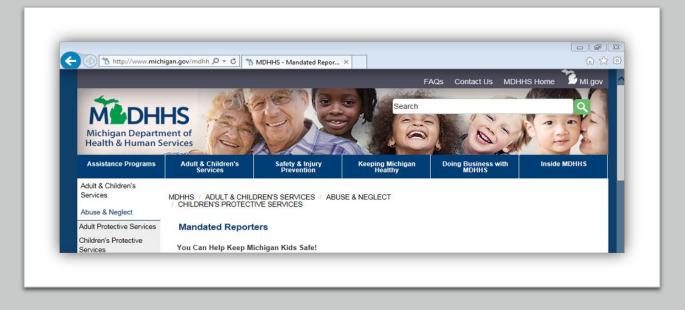
Investigating Next Steps for CPS

- CPS will interview children, adults, neighbors, family, professional staff, etc.
- CPS will coordinate with law enforcement in certain investigation.
- Approximately 75% of investigations are not confirmed.
- MDHHS will inform mandated reporters in writing as to the result of the investigation.



Outcomes of CPS Investigations





Additional Information

Mandated Reporter resources are available online at:

www.michigan.gov/mandatedreporter