

Effective: December, 31, 2014

Administrative Policy
MANDATORY REPORTING OF CHILD ABUSE

Approved: December 10, 2014, MU Council of Trustees

Purpose and Scope

The purpose of this policy is to create a supportive environment and to promote the safety and security of children who participate in programs and activities held on Millersville University property and to comply with the requirements of the Child Protective Services Law, 23 Pa.C.S. §§ *et seq.* Accordingly, this policy defines who is a mandated reporter and establishes the protocols that mandated reporters must follow with respect to reporting suspected child abuse.

Applicability

This policy applies to all individuals who are employed by or perform services for the University and to all programs and activities involving children, including graduate and undergraduate course offerings, programs operated by the university or non-university sponsored programs on campus, and programs under the direction and authority of the university at locations off campus. This policy applies to such programs and activities whether they are limited to daily activities or involve the housing of children. Examples of programs governed by this policy include, but are not limited to: summer camps, specialty camps (e.g., academic and sports camps), outreach activities, workshops, conferences, tutoring, educational programs, and affiliated entity activities.

Authorized Adults or Program Staff Code of Conduct

Authorized adults or program staff should be positive role models for children and act in a responsible manner that is consistent with the educational mission of Millersville University. Authorized adults or program staff working in programs covered by this policy must follow these expectations:

Definitions

Child Abuse: Child abuse is defined in the Child Protective Services Law, 23 Pa. C.S. § 6303. The statutory definition of the term “child abuse” includes intentionally, knowingly or recklessly doing any of the following:

1. **Physical Abuse:** causing bodily injury to a child this including but not limited to kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child;
2. **Sexual Abuse or Exploitation:** includes, but is not limited to, rape, sexual assault, molestation, incest, indecent exposure, or otherwise exploiting a child in a manner in

which the child is used for the purpose of sexual stimulation or gratification of any individual.

3. Emotional or Mental Abuse: causing or substantially contributing to serious mental injury to a child through any act or series of such acts or failures to act.
4. Neglect: a severe or persistent failure to provide for a child's physical needs.

Mandated Reporter: The Child Protective Services Law, 23 Pa.C.S. §6311 and Millersville University policy designate all Millersville University employees as mandated reporters. This includes individuals who fall within one or more of the following classifications: all administrators, faculty, academic staff, adjunct faculty, clinical faculty, support staff (including regular, temporary, and on-call), student employee, coaches, contractors, volunteers, graduate teaching assistant, graduate research assistant, and leased employee. University contractors and volunteers are also deemed mandated reporters under this policy.

Child (Minor): A person under 18 years of age. Children may be enrolled undergraduate/graduate students; students "dually enrolled" with the university and in elementary, middle, or high school; employees; or participants in program or activities.

Child Abuse and Child Neglect Reporting

1. All mandated reporters shall call 911 for an in progress child assault.
2. All mandatory reporters shall make an immediate report of suspected child abuse to the Department of Human Services (DHS) **Childline** by calling **1-800-932-0313** if the reporter suspects that a child is a victim of child abuse under any of the following circumstances:
 - a. 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.
 - b. The mandated reporter is 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.
 - c. A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.
 - d. An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.
 - e. The child is not required to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse. The mandated reporter does not need to determine the identity of the person responsible for the child abuse to make a report of suspected child abuse.
3. After an oral report is made, a written report (CY-47 form) shall also be made within 48 hours to DHS using electronic technologies when available, or to Lancaster County Children and Youth Agency.
4. Immediately following the report to DHS the mandatory reporter must notify the University Police Officer in Charge (OIC) by calling Lancaster County Dispatch 717-664-1180 and requesting the OIC respond. The University Police OIC will notify the University Police Chief or Deputy Chief who will assume the responsibility for

facilitating the cooperation of the university with the investigation of the report. More than one report of the suspected abuse is not required.

5. DHS does not require more than one report from Millersville University.

Protecting Identity of Reporters

Millersville University and PA Childline will not release data that will identify the individual who made a report of suspected child abuse or who cooperated in a subsequent investigation except to a law enforcement official investigating allegations of false reports under 18 Pa.C.S. § 4906.1 (relating to false reports of child abuse). Law enforcement officials shall treat all reporting sources as confidential informants.

Intimidation, Retaliation or Obstruction in Retaliation to Reporting

Reporters of child abuse are protected by the Child Protective Services Law, 23 Pa.C.S. §6311, against intimidation and retaliation for having filed a report of child abuse. Any person who experiences intimidation or retaliation for having reported child abuse or is obstructed in investigating a report of child abuse should immediately report the act to the Chief of the University Police and the Director of Human Resources. Millersville University will not tolerate any act which obstructs, impedes, impairs, prevents or interferes with the making of a child abuse report or the conducting of an investigation into suspected child abuse.

Violations of Policy

University mandated reporters who willfully fail to report suspected child abuse may be subject to disciplinary action, up to and including dismissal from employment. Mandated reporters may also be subject to criminal prosecution pursuant to the Child Protective Services Law, 23 Pa.C.S. §6319, for willfully failing to report suspected child abuse.

Training

All University employees and volunteers will be offered training on child abuse reporting protocols beginning December, 2014 and on an annual basis. All contracted employees will be required to acknowledge understanding and compliance to this policy prior to performing services at Millersville University.