



# Vermont — Recognizing, Reporting and Preventing Child Abuse and Neglect (Mandatory Reporter Version)

## WHERE TO REPORT SUSPECTED ABUSE

Call your local Department for Children and Families (DCF) District Office or call DCF's emergency number during off-hours:

1-800-649-5285.

**Child in Immediate Risk/Danger:** Call your local police or sheriff: **911**

## IF YOU ARE A VICTIM

Get free and anonymous help 365 days a year, 24 hours a day.



**Childhelp® National Child Abuse**  
Hotline: 800-4-A-Child (800-422-4453)  
[www.childhelp.org/get\\_help](http://www.childhelp.org/get_help)

# Quick Reference Guide



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of the Safe Environment for  
Children Program*

## HOW CAN I HELP PREVENT ABUSE?

### What To Teach Children

- ▶ how to say "no" to abuse
- ▶ how to run away from abusers
- ▶ how to recognize potential abusers
- ▶ how to report suspicious people
- ▶ how to seek help from safe adults
- ▶ not to accept gifts without their parents' knowledge



### What to Warn Them About Online Usage

- ▶ clarify permitted and forbidden websites
- ▶ be aware of the dangers of online predators
- ▶ do not reveal personal information online
- ▶ do not engage in "private chats" online
- ▶ do not meet online friends in person without parent's permission
- ▶ alert parent if they're contacted online by a stranger
- ▶ people on the Internet can lie about themselves

### What to Watch Out For

- ▶ adults more interested in youth activities than adult activities
- ▶ adults giving gifts to unrelated children
- ▶ changes in the child's behavior

### What You Should Do

- ▶ participate in their lives daily
- ▶ know where they are at all times and with whom
- ▶ enhance their confidence
- ▶ listen to what they say
- ▶ discourage them from being alone with unrelated adults
- ▶ consult the sex offender registry
- ▶ ensure multiple adult supervisors at youth events
- ▶ keep computer in family room



- ▶ monitor the websites they visit
- ▶ join them online
- ▶ learn about or meet their online friends
- ▶ be the "administrator" on the computer
- ▶ insist on having their account passwords
- ▶ install software to limit website access

## WHAT IS CHILD ABUSE

### Physical Abuse

Is an intentional act by a parent or other person legally responsible for a child's care that causes or threatens to cause physical harm to the child.

It does **not** include:

- Parents disciplining their child using reasonable, age appropriate, physical force that does not expose the child to physical harm.
- A "mutual fight" between minors. If both agree to the battle before they fight, there is no aggressor or victim.
- Accidental injuries.

### Sexual Abuse

- **Sexual Molestation:** sex acts and attempts, incest, touching a child – even over clothing - for purposes of sexual gratification, or having a child sexually touch another person.
- **Sexual Exploitation:** preparing, selling or distributing child pornography, using a child for the sexual gratification of others, or child prostitution.

### Emotional abuse

Occurs when a parent or other person legally responsible for a child's care withholds affection and instead inflicts intentional and unjustifiable mental harm.

### Neglect

Refers to a parent or other person legally responsible person for a child not meeting the child's basic physical or medical needs.

## How Can I Recognize Child Abuse?

**Any** of the following physical, behavioral, parental, or environmental clues, alone or in combination, may give you cause to suspect that a child is being abused or neglected. **Suspicion is enough** to make a report!

### PHYSICAL CLUES

- facial injuries (black eyes or swollen lips)
- multiple injuries in different stages of healing
- unattended medical problems or infections
- bite marks (animal or human)
- bruises or trauma on back, buttocks, or thighs
- repeated series of bruises or broken bones
- burns from objects, rope, or liquid
- pain or injury around genital area
- urinary tract infection
- sexually transmitted disease
- significant increase in physical complaints
- painful urination or defecation
- self-inflicted injuries (cuts or burns)
- signs of malnutrition (thin, fainting, hunger)
- extremely offensive body odor



### BEHAVIORAL CLUES

- extreme anxiety, guilt, or shame
- unexplained crying
- difficulty sleeping or recurrent nightmares
- regressive behavior (acting much younger)
- clinginess or acting excessively responsible
- fear of certain adults
- extreme dependency on other adults
- increasing isolation and withdrawal
- running away from home
- depression or passivity
- increasing aggressiveness
- extreme anger and verbal abuse
- inappropriate sexual behavior
- dramatic change in school performance
- suicidal ideas
- substance abuse
- failure to bathe regularly
- excessive bathing
- inappropriate clothes for the weather
- filthy or unkempt clothes
- bedwetting

### PARENTAL CLUES

- unwilling to provide for child's needs
- indifferent to child's condition or safety
- unable to explain child's injury
- gives improbable explanation for child's injury
- cannot describe anything positive about child
- constantly and angrily criticizes child
- states destructive thoughts about hurting child
- uses belt, or other object to discipline child
- discipline of child is impulsive or out-of-control
- expects child to serve or fulfill adult's needs
- describes child as "evil"
- has unrealistic expectations about child's development

### ENVIRONMENTAL CLUES

- broken windows
- lack of utilities (heat, water, electricity)
- faulty electrical fixtures
- insects, mice, or rats
- spoiled food
- unsanitary kitchen
- garbage or hazards in the yard
- yelling or crying heard from outside





## Who are Mandatory Reporters?

Mandatory reporters work in occupations where they are likely to identify child abuse and neglect during the course of their work.

They:

- ▶ are required to report child abuse regardless of whether they learn about the abuse during their professional duties.
- ▶ must report to DCF when they have – or should have – a “reasonable suspicion” that a child is being abused.



## Why Make a Report?

In 2005, an estimated 899,000 children in the United States were found to be victims of child abuse or neglect. And by most estimates, this is a small percentage of the actual child abuse/neglect cases.

Although everyone has a responsibility to prevent this maltreatment and protect children, certain professionals are mandatory reporters and are legally required to report child abuse and neglect.

## LEGAL DUTY TO REPORT

### Mandatory Reporters:

#### Liability ...

A reporter who **fails to report** suspected abuse/neglect:

- **may be criminally liable** and face up to six months in jail and a \$1000 fine.
- **can be sued civilly** for damages if the failure to report results in continued abuse or neglect.

#### Immunity ...

A reporter who **makes a report** of suspected abuse/neglect:

- **cannot be held liable** for making a report, even if it's wrong. The reporter has complete immunity for reports made in good faith .
- **cannot be prevented** from, or penalized for, reporting by an employer.

## HOW DO I MAKE A REPORT?

- ▶ Do **not** “investigate” suspected child abuse/neglect in an attempt to prove it. Leave the investigation to the experts. All you need is **reasonable suspicion** to make a report, which can be based on a single incident or multiple factors.
- ▶ Once you suspect abuse, you must **call DCF within 24 hours** or your local police or sheriff.
  - \*\***Don't worry** about calling the wrong agency. Each agency is required to transfer the report to the correct agency if you got it wrong. So, **make the call**. For the child's sake, it's always better to err on the side of reporting than not reporting.
- ▶ You may be asked to provide the following information when reporting: your name, address, and telephone number; the name, address, and location of the child; and information about the abuse or neglect, the child's parents, and the suspected abuser (if known). Your name will not be released to anyone, except government officials.
- ▶ After receiving your initial report, DCF may ask you to submit a written report (Form FS-305) and any other evidence you may have.

## WHAT WILL DCF DO?

After receiving a report of suspected abuse or neglect, DCF typically **performs an investigation within 72 hours**.

DCF's response time will depend on its assessment of the danger to the child. Its goal is to **ensure the safety of the child** and to begin providing services and resources to the family.

However, if a child is in danger at home, the child will be removed to safety.

If your report is accepted for investigation, you can contact DCF to find out whether your report was substantiated.



Barre District Office 255 N. Main Street, Suite 7 Barre, VT 05641-4189 (802) 479-4260 fax 476-1660	Burlington District Office 1193 North Avenue Burlington, VT 05401 (802) 863-7370 fax 863-7516	Morrisville District Office 63 Professional Drive, Suite 3 Morrisville, VT 05661-9724 (802) 888-4576 fax 888-1343	St. Albans District Office 20 Houghton Street, Suite 211 St. Albans, VT 05478-2216 (802) 527-7741 fax 527-5404
Bennington District Office 200 Veterans Mem. Dr., Suite 14 Bennington, VT 05201 (802) 442-8138 fax 447-2808	Hartford District Office 226 Holiday Drive, Suite 32 White River Junction, VT 05001 (802) 295-8840 fax 295-4101	Newport District Office 100 Main Street, Suite 230 Newport, VT 05855 (802) 334-6723 fax 334-3371	St. Johnsbury District 67 Eastern Avenue, Suite 4 St. Johnsbury, VT 05819 (802) 748-8374 fax 751-3203
Brattleboro District Office 232 Main Street, 2 <sup>nd</sup> Floor Brattleboro, VT 05301-2879 (802) 257-2888 fax 254-6341	Middlebury District Office 700 Exchange Street, Suite 105 Middlebury, VT 05753-1105 (802) 388-4660 fax 388-4665	Rutland District Office 220 Bloomer Building 88 Merchants Row Rutland, VT 05701-9401 (802) 786-5817 fax 786-8827	Springfield District Office 100 Mineral Street, Suite 101 Springfield, VT 05156 (802) 885-8900 fax 885-8921

This form is provided for the convenience of the individual making the written report and is to be forwarded to the nearest local office of the Family Services Division, VT Department for Children and Families (DCF). Excerpts from Vermont Statutes 33 VSA, Chapter 49 (§ 4912, 4913, 4914)

**§ 4912 DEFINITIONS As used in this subchapter:**

- (1) "Child" means an individual under the age of majority.
- (2) An "abused or neglected child" means a child whose physical health, psychological growth and development or welfare is harmed or is at substantial risk of harm by the acts or omissions of his or her parent or other person responsible for the child's welfare. An "abused or neglected child" also means a child who is sexually abused or at substantial risk of sexual abuse by any person.
- (3) "Harm" can occur by:
  - a. Physical injury or emotional maltreatment;
  - b. Failure to supply the child with adequate food, clothing, shelter or health care. For the purposes of this subchapter, "adequate health care" includes any medical or nonmedical remedial health care permitted or authorized under state law. Notwithstanding that a child might be found to be without proper parental care under chapter 55 of Title 33, a parent or other person responsible for a child's care legitimately practicing his or her religious beliefs who thereby does not provide specified medical treatment for a child shall not be considered neglectful for that reason alone; or
  - c. Abandonment of the child.
- (4) "Risk of harm" means a significant danger that a child will suffer serious harm other than by accidental means, which harm would be likely to cause physical injury, neglect, emotional maltreatment or sexual abuse.
- (5) "A person responsible for a child's welfare" includes the child's parent; guardian; foster parent; any other adult residing in the home who serves in a parental role; an employee of a public or private residential home, institution or agency; or other person responsible for the child's welfare while in a residential, educational or day care setting, including any staff person.
- (6) "Physical injury" means death, or permanent or temporary disfigurement or impairment of any bodily organ or function by other than accidental means.
- (7) "Emotional maltreatment" means a pattern of malicious behavior which results in impaired psychological growth and development.
- (8) "Sexual abuse" consists of any act or acts by any person involving sexual molestation or exploitation of a child including but not limited to incest, prostitution, rape, sodomy, or any lewd and lascivious conduct involving a child. Sexual abuse also includes the aiding, abetting, counseling, hiring, or procuring of a child to perform or participate in any photograph, motion picture, exhibition, show, representation, or other presentation which, in whole or in part, depicts a sexual conduct, sexual excitement or sadomasochistic abuse involving a child.
- (9) "Multi-disciplinary team" means a group of professionals, paraprofessionals and other appropriate individuals, empaneled by the commissioner of social and rehabilitation services under this chapter, for the purpose of assisting in the identification and investigation of cases of child abuse and neglect, coordinating treatment services for abused and neglected children and their families and promoting child abuse prevention.
- (10) "Substantiated report" means that the commissioner or the commissioner's designee has determined after investigation that a report is based upon accurate and reliable information that would lead a reasonable person to believe that the child has been abused or neglected. (Added 1981, No. 207 (Adj. Sess.), § 1, eff. April 25, 1982; amended 1985, No. 211 (Adj. Sess.), §§ 1, 2; 1989, No. 295 (Adj. Sess.), §§ 1, 2; 1991, No. 141 (Adj. Sess.), § 1; 1995, No. 145 (Adj. Sess.), § 5.)

**§ 4913 SUSPECTED CHILD ABUSE/NEGLECT: REMEDIAL ACTION**

(a) Any physician, surgeon, osteopath, chiropractor or physician's assistant licensed, certified or registered under the provisions of Title 26, any resident physician, intern, or any hospital administrator in any hospital in this state, whether or not so registered, and any registered nurse, licensed practical nurse, medical examiner, dentist, psychologist, any other health care provider, school superintendent, school teacher, school librarian, day care worker, school principal, school guidance counselor, mental health professional, social worker, probation officer, police officer, camp owner, camp administrator or camp counselor who has reasonable cause to believe that any child has been abused or neglected shall report or cause a report to be made in accordance with the provisions of section 4914 of this title within 24 hours. As used in this subsection, "camp" includes any residential or nonresidential recreational program. (b) Any other concerned person not listed in subsection (a) of this section who has reasonable cause to believe that any child has been abused or neglected may report or cause a report to be made in accordance with the provisions of section 4914.

(c) Any person enumerated in subsections (a) or (b) of this section, other than a person suspected of child abuse, who in good faith makes a report to the department of social and rehabilitation services shall be immune from any civil or criminal liability which might otherwise be incurred or imposed as a result of making a report

(d) The name of the person making the report, or any person mentioned in the report shall be confidential unless the person making the report specifically requests disclosure or unless a judicial proceeding results therefrom or unless a court, after a hearing, finds probable cause to believe that the report was not made in good faith and orders the department to make the name available.

(e) Any person who violates subsection (a) shall be fined not more than \$500.00. (Added 1981, No. 207 (Adj. Sess.), § 1, eff. April 25, 1982; amended 1983, No. 169 (Adj. Sess.), § 1; 1985, No. 208 (Adj. Sess.), § 19, eff. June 30, 1986; 1989, No. 295 (Adj. Sess.), § 3; 1993, No. 156 (Adj. Sess.), § 1.)

**§ 4914. Nature and content of report; to whom made**

A report shall be made orally or in writing to the commissioner of social and rehabilitation services or designee. The commissioner or designee shall request the reporter to follow the oral report with a written report. Reports shall contain the name and address of the reporter as well as the names and addresses of the child and the parents or other persons responsible for the child's care, if known; the age of the child; the nature and extent of the child's injuries together with any evidence of previous abuse and neglect of the child or the child's siblings; and any other information that the reporter believes might be helpful in establishing the cause of the injuries or reasons for the neglect as well as in protecting the child and assisting the family. If a report of child abuse or neglect involves the acts or omissions of the commissioner of social and rehabilitation services or employees of that department, then such reports shall be directed to the secretary of the agency of human services who shall cause the report to be investigated by staff of the departments of mental health and mental retardation, corrections or other appropriate staff other than staff of the department of social and rehabilitation services. If the report is substantiated, services shall be offered according to the requirements of section 4915 of this title.