




Objectives 

- Describe what constitutes child abuse and neglect under Michigan Law—what all responsible persons should know
- Recognize common indicators of child abuse and neglect—what all responsible persons should know even if you won't see these things at work
- Name the specific requirements and procedures set forth in the Child Protection Law regarding FOC mandated reporters
- Discuss the unique situation of FOC staff as mandated reporters

We're just wondering...



How many children die every day in the United States as a result of child abuse?

- a. one
- b. two
- c. three
- d. four

How often is a report of child abuse made?

- a. 5 seconds
- b. 10 seconds
- c. 1 minute
- d. 2 minutes



What percentage of women in prison were abused as children?

- a. 16.7%
- b. 26.7%
- c. 36.7%
- d. 46.7%

Prevalence



- Child abuse occurs at every socio-economic level and crosses racial, religious, and gender lines
- One third of abused and neglected children will abuse their own children continuing the cycle of abuse and neglect

<http://www.childhelp.org/resources/learning-center/statistics>

What is Child Abuse?



The Michigan Child Protection Law (MCL.621-722.638) covers protects children under the age of 18. The Act broadly defines the various forms that child abuse or neglect can take as non-accidental:

- Physical abuse
- Emotional abuse
- Sexual abuse and sexual exploitation
- Neglect
- Maltreatment

However, the challenge lies in determining what specific factual circumstances constitute reasonable cause that these broad definitions are met. Always err on the side of caution.

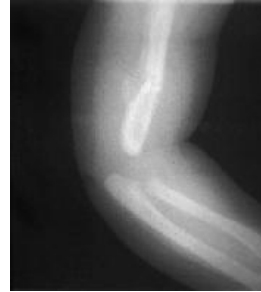
Physical Abuse



Common Indicators include:

- questionable, recurring bruises and/or welts
- bruises or welts in the shape of any object
- bite marks
- bald spots, missing clumps of hair
- cigarette or cigar burns
- burns in the shape of any object
- immersion burns
- questionable, multiple, recurring fractures
- shaken baby syndrome
- any injury that is not consistent with the explanation

Questionable Fractures



Pictures from <http://emedicine.com/emerg/topic368.htm>

Questionable Bruises



Burn Marks



<http://www.violence.de/prescott/hustler/article.html>

Emotional Abuse



- Any attitude or behavior that interferes with a child's mental health or social development.
- Types of emotional abuse may include:
 - negative comparisons/ridiculing/belittling
 - lack of love
 - ignoring the child
 - lack of any physical or emotional affection.
 - intimidation
 - holding impossible expectations without regard to developmental capability

Examples



- Swearing at a child
- “You’re stupid!”
- “Nobody else would ever want you.”
- “You’ll never be good enough.”
- “Why can’t you be like your brother?”
- “If you do that again, I’ll kill you.”

Sexual abuse or exploitation



- Sexual abuse: Engaging in sexual contact or sexual penetration with a child (as defined in the criminal code)
- Sexual exploitation: Allowing, permitting, encouraging a child to engage in prostitution or to be depicted in a sexual act (as defined in the penal code)



- Age-inappropriate knowledge of sexual behavior
- Sexually explicit drawings and behavior
- Unexplained fear of a person or place
- Unexplained itching, pain, bruising or bleeding in the genital area
- Age-inappropriate seductive behavior
- Pregnancy 12 years or under
- Venereal disease, frequent urinary or yeast infections
- Regression in toilet training
- Suicide/cutting

Neglect



- Harm or threatened harm to a child's health or welfare due to failure to provide adequate food, shelter, clothing, education, or medical care.
- The failure to protect a child from a known or potential risk of harm.

Signs



- Persistent hunger
- Stealing or hoarding food
- Abrupt, dramatic weight change
- Persistent poor hygiene
- Recurring medical issues untreated
- Ongoing lack of supervision

Maltreatment



- Treatment that involves cruelty or suffering that a reasonable person would recognize as cruel or excessive.

Examples



- Forcing a child to eat dog food as punishment
- Locking a child in a closet
- Teaching a child to assist in criminal activities

Special Issues



- Children with disabilities may be at increased risk for maltreatment.
- Cultural issues
 - religious beliefs that justify non-treatment
 - folk/alternative medicine

Cultural Examples



<http://hericz.net/2005/07/>



<http://cellar.org/iotd.php?threadid=1804>



<http://en.wikipedia.org/wiki/Cupping>

Who Are The Abusers?



Perpetrators are, by definition, persons responsible for the child's health or welfare

- Parents/legal guardian
 - Teachers, Teachers aides, clergy
- Person over 18 who resides in child's home
 - Certain "non-parent adults"
- Licensed child care organization personnel

Mandated Reporting



- Certain professionals are **required** to report suspected child abuse or neglect to Child Protective Services
- These include:
 - Physician
 - Dentist
 - Physician's assistant
 - FOC professional staff
 - Medical examiner
 - Nurse
 - Licensed emergency medical care provider
 - Law enforcement officer
 - Audiologist
 - Psychologist
 - Marriage and family therapist
 - Licensed professional counselor
 - Member of the clergy
 - Regulated child care provider
 - Social worker
 - Licensed master's social worker
 - Licensed bachelor's social worker
 - Registered social service technician
 - Social service technician
 - School administrator
 - School counselor
 - Teacher

Who Reports?



- The three most common sources or reports of child abuse in 2005 in the United States were from professionals.
 - teachers 16.3%
 - law enforcement 15.8%
 - social services staff 10.0%

Special FOC Considerations



- Who is covered?
- SCAO recommendation
- Safest route is to require everyone
- Referees unique
- Nature of the “information” obtained is different from other mandated reporters: second hand, third hand etc

Steps To Take



1. If you suspect child abuse, make an immediate verbal report to CPS
2. Within 72 hours of this report, you must then file a written report with the DHS office in the county where the child is found or resides
3. Notify head of agency

Reporting Requirements



- When calling, be prepared to give information on the following:
 - ❖ The child's primary caretaker, including name and address.
 - ❖ Names and birth dates for all household members.
 - ❖ Birth dates and race of all members of the household.
 - ❖ Whether the alleged perpetrator lives with the child.
 - ❖ Address where the alleged abuse or neglect occurred.
 - ❖ What makes the person suspect the child is being abused or neglected.

After You File a Report



1. Intake worker receives report
2. CPS will determine whether to open case for investigation
3. CPS will begin investigation
4. CPS will assess the risk of harm or threat of harm to child and, based on the assessment, will take certain actions
5. CPS will talk to parents, family members, and perhaps teachers to gather information

Continued...



6. CPS will make a decision regarding what action to take
- ❖ May not be able to take any action if report is anonymous or cannot find perpetrator
 - ❖ Recommend community services like counseling or parent education classes
 - ❖ If significant risk may put the child in safe place's
 - ❖ In most serious situations, the child may be placed in foster care and eventually moved to another permanent home.

All CPS Reports Will Fall Under One of the Following Categories



- ❖ **Category V:** No services recommended.
- ❖ **Category IV:** Community services recommended.
- ❖ **Category III:** Community services are needed to alleviate further risk of harm to the child.
- ❖ **Category II:** Services are required to maintain child safety in the caretaker's home. Community services are needed. Preponderance of evidence supports that child abuse or neglect occurred. High or intensive risk of future harm to the child. Child protective services are needed.
- ❖ **Category I:** Court petition is filed.

Important Points



- ✧ You are required to file a report of suspected abuse
- ✧ There are **NO** excuses for failing to report
- ✧ You cannot be punished for filing a report
- ✧ Your identity must be kept confidential

Reporting Information



To report suspected child abuse, CALL:

- Your local county DHS office anytime day or night
- DHS Statewide number: (800) 942-4357

Other important numbers:

- Mandated Reporter Hotline: (877) 277-2585
- Children's Ombudsman's Office: (800)642-4326
- DHS Office of Family Advocate: (517) 373-2101

Conclusions



1. You must report suspected child abuse and neglect
2. Seek guidance from other workers and supervisors
3. Legal standards are subjective—err on the side of caution
4. You cannot be held liable for making a report that proves unfounded
5. You can be held liable for failing to make a report when a reasonable person would have done so



- For more information, contact Chance at Childhood at 517-432-8406 or look at our website: www.chanceatchildhood.msu.edu



References

Child Protection Law, MCL §722.621(1975)

Loewenberg, F. M.; Dolgoff, R. & Harrington, D. (2000). *Ethical decisions for social work practice* (6th ed.). Itasca, IL: F. E. Peacock.

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National Association of Social Workers (1999). *NASW Code of Ethics*. Washington, DC: Author.

Reamer, F. G. (1998). *Ethical standards in social work: A review of the NASW Code of Ethics*. Washington, DC: NASW.



Please feel free to submit questions.

Thank You

Mandated Reporters' Training

Friend of the Court Staff Reporting of
Suspected Child Abuse and Neglect
and
Information Sharing by Child Protective
Services and Friends of the Court

FOC Office Professional Employees are Mandated Reporters 2008 PA 300

MCL 722.623 now requires any person employed in a "professional capacity" in any friend of the court office who has reasonable cause to suspect child abuse or neglect to report the abuse and neglect to Child Protective Services (CPS).

A Person Employed in a Professional Capacity in any office of the Friend of the Court.

- » Domestic Relations Referees
- » FOC Mediators

CPS Must Notify FOCs of Investigations and Dispositions

CPS must determine if there is an open FOC case regarding a child who is suspected of being abused or neglected.

FOC Compliance with Mandated Reporting

2008 PA 405

If the FOC receives notice from CPS, the FOC office must notify CPS of procedural developments in the FOC case until a final order is entered regarding the pending custody or parenting time dispute.

FOC Providing Information to the Court and Attorneys of Record

Redirecting Child Support

Maintaining a Copy of the Written
Report; Reporter Confidentiality

CPS Reporting Investigation
Results to Mandated Reporters

FOC Offices Maintaining Statutory
Enforcement Responsibilities

Coordinating FOC and
CPS Services

**Please feel free to submit
questions at this time.**

Thank You