



A collective voice promoting community responsibility so that every child is protected from child abuse, including child sexual abuse.

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CHILD PROTECTION REPORT

Digging Deeper to Understand How Pennsylvania Defines Child Abuse

Pennsylvania has long been recognized as a statistical outlier for its rates of investigation and substantiation of child abuse when compared with other states. Pennsylvania initiates a child abuse investigation at a rate of 8.0 per 1,000 children versus 40.0 per 1,000 children nationally. Meanwhile, the rate of substantiated child abuse reports otherwise known as the child victim rate was 1.3 per 1,000 children in 2010 as compared to 9.2 per 1,000 children nationally.

Why does our rate of investigation and substantiation look so different?

Historically our approach to neglect cases was the cited explanation for the statistical variations. This involves Pennsylvania's unique response to reports of suspected child abuse and other concerns about the child's well-being. That is the distinction we make between Child Protective Services (CPS) and General Protective Services (GPS). GPS cases are generally considered to involve "non-serious injury or neglect" (e.g., inadequate shelter, truancy, inappropriate discipline, abandonment or other problems that threaten a child's opportunity for healthy growth and development).

The CPS and GPS distinction by itself, however, does not fully explain why PA's child abuse statistics stand out. Instead physicians, child welfare investigators, law enforcement, child advocates and other stakeholders have noted troubling gaps in the Child Protective Services Law (CPSL) definitions and in investigative practices regarding the evaluation of injuries, assessment of pain, approach to cases involving multiple (potential) perpetrators, and incidents of abuse in schools.

KEY FACTS

In 2010, PA's substantiated child abuse rate remained the lowest in the nation at 1.3 per 1,000 children. Nationally it was 9.2 per 1,000 children.

24,615 reports of suspected child abuse and student abuse were registered at ChildLine in 2010. After investigation, 3,656 of the reports (approximately 15 percent) were substantiated.

3,508 Pennsylvania children were child abuse victims in 2010.

At least 398 PA children died from child abuse between 2002 and September 2011.

TABLE 1: Rate of Child Abuse Reports Triggering Investigation

	<u>2010</u> <u>Investigation</u> <u>Rate</u>	<u>2009</u> <u>Investigation</u> <u>Rate</u>	<u>2008</u> <u>Investigation</u> <u>Rate</u>	<u>2007</u> <u>Investigation</u> <u>Rate</u>	<u>2006</u> <u>Investigation</u> <u>Rate</u>
NATIONAL	40.0	40.3	27.1	26.0	26.0
PENNSYLVANIA	8.0	8.3	9.1	8.4	8.2

TABLE 2: Substantiated Child Abuse Rate per 1,000 Children

	<u>Total Rate</u> <u>2010</u>	<u>Total Rate</u> <u>2009</u>	<u>Total Rate</u> <u>2008</u>	<u>Total Rate</u> <u>2007</u>	<u>Total Rate</u> <u>2006</u>
NATIONAL	9.2	9.3	10.3	10.6	12.1
PENNSYLVANIA	1.3	1.4	1.5	1.5	1.5

“SEVERE PAIN” USED TO DETERMINE CHILD ABUSE

Pennsylvania law defines “serious physical injury” as an injury to the child that caused them to experience “severe pain” **or** “significantly impairs a child’s physical functioning, either temporarily or permanently.” Allegations involving a “serious physical injury” require examination by a certified medical practitioner.

Determining whether the “severe pain” threshold was met, as a result of the injuries, invites its own set of nuances and complications.

The child welfare workers responsible for investigating child abuse in Pennsylvania receive their training through the Pennsylvania Child Welfare Training Program (PCWTP). In the Charting the Course training, participants are reminded that determining whether the pain was “severe” is “difficult as it requires a subjective interpretation as to what constitutes severe pain.” The training also emphasizes that “there may be as many definitions for severe pain” as there are participants in the training.

Other states do not include a subjective assessment of the pain a child did or did not experience in order to determine child abuse. Instead a number of states enumerate the types of injuries that constitute child abuse. For example, in Hawaii the following injuries when they are “not justifiably explained” or as a result of an accidental occurrence would constitute child abuse: substantial or multiple skin bruising or other internal bleeding; injury to skin causing substantial bleeding; malnutrition or failure to thrive; burns or poisoning; fracture of any bone; subdural hematoma or soft tissue swelling, etc.

Wisconsin also defines physical injury, in part, through an enumeration of types of injuries that occur through an “accidental means” including lacerations, fractured bones, and severe or frequent bruising. And Montana talks about acts, omissions or gross negligence which results in injuries inclusive of burns and bone fractures.

UNDETERMINED PERPETRATOR CASES SHORTCHANGE CHILDREN AND STATISTICS

Under Pennsylvania law a parent, a paramour of a parent, an individual (over the age of 14) living in the same home as the child, or a person responsible for the welfare of a child can be considered a perpetrator.

Beyond who can be a perpetrator, substantiating child abuse requires that a child welfare investigation determine the specific person(s) responsible for the abuse. So if one alleged perpetrator points the finger at another potential perpetrator and answering the *who did this* is not determined, then abuse is often not substantiated. This is an adult-driven versus child-centered approach to protecting children.

Pennsylvania children who have suffered broken bones, been sexually abused or diagnosed with abusive head trauma are among the cases where abuse was not substantiated because the perpetrator was undetermined. These victims and the injuries they experienced are therefore not represented in official statistics by the Commonwealth.

There are also fundamental questions related to whether a child is assured a pathway to treatment and services. Labeling a case as unfounded – not child abuse – requires that the record be destroyed “no later than 120 days after the one-year period following the date the report was received.” Retaining no information about the child undercuts the ability to fully assess risk and safety for the child into the future.

There appears to be no accurate data about how often such cases occur in the Commonwealth. Safety data from counties reveals that between March 2008 and March 2010, approximately 2 percent (1,068) of the unfounded child abuse reports in Pennsylvania were labeled as a perpetrator “unknown or other.” Testifying before a Pennsylvania Senate Committee in October 2011, a representative of the Department of Public Welfare (DPW) said “It is difficult to determine how many cases were unfounded because a perpetrator could not be identified.” The DPW official did express some optimism that children are being connected to services. DPW cited that in “nearly 72 percent” of the cases where the perpetrator was unknown and the report was unfounded the county agency was planning to or provided services to the child. Although DPW also noted they have no way of knowing “what services were received” or the outcome of any provided services.

“If a child has been seriously injured or even dies, it makes no sense for the case not to be indicated just because any of several people could have caused the injuries.” – Social work professor and member of a county fatality/near fatality review team.

“I think a child with significant injuries that is medically documented as abuse should be counted as an abuse case even if we do not know who abused the child.” – Children’s Advocacy Center employee

“Unknown perpetrator should be added to the law. In some cases the child’s injuries rise to the level of serious injury and could be determined as indicated but there is not enough evidence at the time of determination to identify the perpetrator.” – Public child welfare caseworker

A 2011 Commonwealth Court decision (B.B v. DPW) invites further dialogue and analysis in the days ahead. The court reversed a decision by the Bureau of Hearings and Appeals to keep a grandmother on the child abuse registry. This case involved two siblings who were unequivocally victims of child physical abuse – one who suffered three fractured ribs and the other had a subdural hemorrhage of the brain but where there were multiple caregivers.

KEY FACTS

39,791 referrals for General Protective Services were received at ChildLine in 2010 – an increase from 2009 of more than 3,400. In 1996, just 8,706 GPS referrals were made to ChildLine.

Response times to GPS referrals vary from county to county, some counties respond immediately and others within 14 days. The variation in response times was identified as a challenge in the state's Federal Child and Family Services Review (CFSR).

GENERAL PROTECTIVE SERVICES CENTRAL TO PA'S CHILD PROTECTION STRATEGIES

Pennsylvania law and regulation require that county children and youth agencies provide for Child Protective Services (CPS) and General Protective Services (GPS).

GPS services, which were authorized by Act 151 of 1994, are generally considered to involve "non-serious injury or neglect" (e.g., inadequate shelter, truancy, inappropriate discipline, abandonment or other problems that threaten a child's opportunity for healthy growth and development). GPS are also enlisted when a report is received about "suspected child abuse occurring in another state" but the child victim is a resident of the Commonwealth and the other state child protective service agency

"cannot investigate the report because of statutory or policy limitations."

GPS referrals do not trigger a child abuse investigation, but rather receive an assessment by the children and youth services agency (CYA). It is through the assessment that the agency seeks "to determine if the child or children are safe and whether or not the family is in need of services." If the safety of the child has not been assured at the time of referral, the county agency is expected to see the child immediately; otherwise "the agency prioritizes the response time based on the risk of the children." After the assessment, the family will either be accepted for services, referred to another community-based agency for services or the case will be closed. In their training, child welfare workers are cautioned to understand that "families receiving GPS should be taken very seriously as the outcomes stemming from child neglect can prove to be more serious than an injury sustained in a child abuse report and may lead to life threatening situations."

While generally perceived as "neglect" cases, GPS also involve incidents where a child has been physically harmed but the resulting injury did not meet the state definition of "child abuse". The [2010 Report on Progress from the City of Philadelphia Community Oversight Board for the Department of Human Services](#), noted that across the Commonwealth, GPS cases can "frequently involve significant risk to the safety and well-being of the children involved." Also the Department of Public Welfare's (DPW) data collection form (the CY 28) defines GPS as "Activities and services to protect rights, health and safety of children who are without proper parental supervision or who have been neglected, exploited, or injured by the parents to an extent not sufficient to be covered by the Child Protective Services Law."

According to [PA's 2010 Annual Child Abuse Report](#), 39,791 GPS referrals were made to ChildLine in 2010 – a one-year increase of 3,418. Inclusion of statistical data about GPS referrals to ChildLine within the annual child abuse report has been inconsistent. According to the annual reports, ChildLine received 8,706 GPS referrals in 1996 and by 1999 the referrals exceeded 10,400. GPS have been provided by county children and youth agencies for 15 years but still PA struggles to provide even the most basic data about these services, including the total number of GPS referrals. More significantly there is no statewide data about how often a child is the subject of multiple GPS referrals or the degree to which a GPS referral also results in placement of the child outside the home.

Pennsylvania counties are inconsistent in initiating a response time for GPS referrals, which was cited by federal authorities in the state's 2008 Federal Child and Family Services Review (CFSR). A subsequent survey of counties showed variation from immediate to upwards of 14 days and DPW responded with a draft bulletin late in 2011.

A final note about how extensive GPS are within PA's child welfare system. In 2010, Allegheny County undertook a CPS response for 1,506 reports – 7.2 percent or 108 were determined to be child abuse. Now consider that Allegheny County's Department of Human Services Office of Children, Youth and Families (CYF) reports that it received 9,196 calls in 2010 and after initial screening, 4,781 (52 percent) of the reports were "assessed for child welfare services." Approximately 2,486 of these reports or about 27 percent led to the family being accepted for services.

REPEAT REFERRALS FAIRLY COMMON FOR PA'S VULNERABLE CHILDREN

Pennsylvania children can and do have multiple contacts with a children and youth agency, including for injuries that require medical treatment, but under PA law they may not be determined to be a victim of child abuse. Many children

become the subject of a substantiated report only after multiple prior contacts and now a lethal or near-lethal event has occurred.

KEY FACT

54 percent of Pennsylvania children in 2008 and 60 percent in 2009 who died from child abuse had prior involvement with a children and youth agency or lived in a family known to the agency.

In part due to the absence of reliable GPS data, it is difficult to fully document how many children are and for what reasons intersecting with a children and youth agency multiple times. It is also hard to determine whether services are routinely provided and, if so, what types and what outcomes are achieved for those children.

Some limited insight can be gained by reviewing what the state includes in its annual report specific to near fatalities and fatalities. Inappropriate discipline, parental drug use, housing conditions, and supervision issues are frequently at the heart of repeated referrals. Examples of children

who died or nearly died since 2007 who were the subject of at least one previous referral to a CYA include:

- 2 children died after being shot by their father, there were three prior referrals;
- A two-month old male child died due to serious physical neglect an initial referral followed the child's birth when the mother said she was unaware she was pregnant and a later referral related to "deplorable housing conditions;"
- A 4-year-old died from smoke inhalation after being left home alone with his 3-year-old sibling who nearly died
- A 3-year-old nearly died from intra-cranial bleeding after 3 prior referrals;
- A 16-year-old with developmental disabilities related to autism died from a gunshot wound inflicted by his father following two prior referrals A 6-year-old nearly died from a gunshot wound and "multiple referrals" had been made on the family; and
- A 1-year-old child suffered "multiple traumatic injuries to her entire body including contusions, bite marks and abrasions, as well as asphyxiation" there had been a prior referral due to "unexplained injuries."

INTENTION VERSUS ACCIDENT – "DISCIPLINE" IN PENNSYLVANIA

In 2002, the Pennsylvania Supreme Court decided *P.R. v. the Commonwealth of PA.*

Before the court was a case involving a serious injury to a 6-year-old child's eye after the mother was striking her with a belt "as a form of corporal punishment" for writing on the wall. The child attempted to avoid being hit by the belt which led to the belt buckle striking the child's eye and causing an injury requiring surgery. The child's mother was named as a perpetrator of child abuse. She pursued expungement of the indicated report of child abuse stipulating that the injury was a result of an accident not abuse. The PA Supreme Court reversed the decision that this was child abuse and required that the mother's name be removed from the state registry for perpetrators of child abuse.

The court stipulated, "One can question the wisdom of a parent's decision to use a belt with a buckle attached to administer a spanking. However, in most circumstances the decision to use a belt that bears a buckle cannot be viewed, as a gross deviation from the standard of care a reasonable parent would observe in the same situation."

"As a former child abuse investigator of 10 years, the present CPSL definitions leave too much of a gray area for injuries from 'punishment'. I understand that there is no law against physical discipline, and I agree with that piece. There are times when a soft slap on the hand to deter dangerous touching of a hot stove or heater may be appropriate, for example. There is no need, however, to allow the use of any implement as a form of punishment. The consequences also need to be re-defined." -Public child welfare caseworker

"It is extremely challenging for a caseworker to justify why they believed the parent intended to inflict pain regardless of the risk when the parent states that they did not intend to harm the child."

Cathy Utz, Acting Deputy Secretary
Office of Children, Youth and Families for
the Department of Public Welfare
(10/2011)

The General Assembly followed the *P.R.* decision by amending the CPSL in 2006 to include a definition of non-accidental. It is defined as "an injury that is the result of an intentional act that is committed with disregard of a substantial and unjustifiable risk." Then in September 2010, Commonwealth Court in *F.R. v. Department of Public Welfare* decided that criminal negligence remains the "proper standard in corporal punishment cases." They found that by the General Assembly including "substantial and unjustifiable risk" in the amendment of the CPSL, they intended "to codify" the Supreme Court *P.R.* decision "not circumvent it." They did acknowledge that "permissible acts of corporal punishment can cross the line into the impermissible" and in the context of the CPSL knowing when that line has been crossed relates to the definition of "serious physical injury."

At an October 2011 Pennsylvania Senate hearing an official from the Department of Public Welfare (DPW) testified of the “subjective” nature of a child welfare caseworker trying to determine “intent or gross deviation from a standard of care.” The testimony continued, “It is extremely challenging for a caseworker to justify why they believed the parent intended to inflict pain regardless of the risk when the parent states that they did not intend to harm the child.”

It is worth recognizing that between 2000 and 2010 there was a nearly 8 percent increase in the number of reports of suspected child abuse made in Pennsylvania with the most notable increase (7.7 percent) occurring between 2005 and 2010. While reports increased between 2000 and 2010, reports substantiated as child abuse declined by 7 percent. Again the most notable change occurred after 2005. Outside of Act 179 of 2006, which brought about “non-accidental,” the CPSL definitions have not been amended.

Year	Reports	Substantiated Reports	% Substantiated
2000	22,809	5,002	21.9
2005	22,854	4,390	19.2
2010	24,615	3,656	14.9

Sixteen states include “physical discipline” as an exception to the definition of child abuse “so long as it is reasonable and causes no bodily injury to the child.” Florida stipulates that corporal discipline by a parent is not abuse when “it does not result in harm to the child.” Georgia excludes physical discipline from their child abuse definition as long as “there is no physical injury to the child.” Minnesota also sets the standard at the absence of an injury to the child. The District of Columbia provides for an exception for discipline so “long as it is reasonable in manner and moderate in degree.” However, this exception **does not** extend to striking a child with a closed fist, threatening a child with a dangerous weapon, burning, biting or cutting a child as well as physical abuse of a child under 18 months.

ABUSE BY A SCHOOL EMPLOYEE

The CPSL includes a separate subsection addressing students in public and private schools enacted through Act 151 of 1994. Suspected abuse by a school employee is reported and investigated only when the allegation involves sexual abuse, sexual exploitation or “serious bodily injury.” Serious bodily injury is defined as an injury “which creates a substantial risk of death or which causes serious permanent disfigurement or protracted loss or impairment of function of any bodily member or organ”.

KEY FACTS

Suspected student abuse is not reported to ChildLine. Instead it is reported to local law enforcement and the district attorney. The penalty to report abuse by a school employee varies from failure to report “child abuse.”

Only 23 reports of student abuse were registered at ChildLine in 2010.

In these cases, the school employee fulfills the reporting mandate when they notify the school administrator. The administrator must then notify law enforcement **and** the district attorney, not ChildLine. If the administrator is suspected of abusing the student, then the school employee directly makes the report to law enforcement **and** the district attorney. If law enforcement officials “have reasonable cause to suspect on the basis of initial review that there is evidence of serious bodily injury, sexual abuse or sexual exploitation” they then notify the children and youth agency. Such notification is rare with only 23 reports of suspected abuse by a school employee registered at ChildLine in 2010

Failure to report the suspected abuse is also different than failure to report “child abuse.” A school employee who fails to make a report about another school employee commits a summary offense, while a school

administrator who fails to make such a report or failure to make a report of “child abuse” is a misdemeanor of the 3rd degree.

TABLE 3: PA Counties Child Abuse Reporting, Substantiation and Victim Rates

COUNTY	2000 Reports	2000 % Sub	2000 Victim Rate	2005 Reports	2005 % Sub	2005 Victim Rate	2010 Reports	2010 % Sub	2010 Victim Rate
Adams	184	17.4	1.4	136	24.3	1.4	277	22.4	2.8
Allegheny	1,602	16.9	1.0	1,434	13.1	0.7	1,506	7.2	0.4
Armstrong	144	25.7	2.1	120	26.7	2.0	140	17.9	1.9
Beaver	206	32.0	1.6	166	20.5	0.9	201	19.9	1.2
Bedford	75	21.3	1.3	64	10.9	0.6	95	8.4	0.8
Berks	951	14.9	1.7	749	18.3	1.5	773	14.6	1.2
Blair	339	16.8	1.8	301	17.3	1.9	344	14.0	1.8
Bradford	174	28.7	3.0	183	31.7	3.8	157	29.3	3.4
Bucks	712	10.5	0.5	838	8.6	0.5	816	10.0	0.6
Butler	195	20.5	0.9	216	20.8	1.0	221	11.8	0.6
Cambria	218	26.1	1.6	212	13.2	0.9	266	8.6	0.8
Cameron	10	40.0	2.9	19	10.5	1.5	17	5.9	1.0
Carbon	137	32.1	3.3	101	23.8	1.8	128	16.4	1.6
Centre	213	25.4	2.2	210	17.1	1.5	185	10.8	0.9
Chester	716	10.9	0.7	816	10.0	0.7	763	9.0	0.6
Clarion	75	18.7	1.4	76	42.1	3.7	61	14.8	1.2
Clearfield	133	27.8	1.9	134	28.4	2.1	179	17.3	2.0
Clinton	53	18.9	1.2	58	32.8	2.4	58	20.7	1.6
Columbia	124	27.4	2.5	112	15.2	1.3	119	26.9	2.7
Crawford	247	24.7	2.7	264	17.4	2.2	309	16.8	2.7
Cumberland	206	22.8	1.0	301	25.6	1.6	306	16.0	1.1
Dauphin	500	24.8	2.1	535	16.6	1.5	563	15.5	1.5
Delaware	870	15.5	1.1	924	11.1	0.8	940	7.9	0.6
Elk	35	45.7	1.8	38	28.9	1.4	53	9.4	0.8
Erie	569	23.4	1.8	623	20.7	1.9	934	12.8	1.9
Fayette	326	24.2	2.3	382	23.3	2.8	380	10.5	1.4
Forest	15	33.3	4.1	10	50.0	4.4	14	21.4	2.9
Franklin	147	34.0	1.6	154	20.8	1.0	194	24.2	1.4
Fulton	30	30.0	2.3	33	18.2	1.7	52	13.5	2.2
Greene	66	27.3	1.7	101	14.9	1.8	73	8.2	0.8
Huntingdon	40	30.0	1.2	42	26.2	1.1	59	16.9	1.2
Indiana	155	19.4	1.4	170	17.6	1.7	152	15.1	1.5
Jefferson	62	17.7	0.9	106	30.2	3.1	64	18.8	1.3
Juniata	33	24.2	1.4	51	29.4	2.7	44	36.4	3.1
Lackawanna	319	24.8	1.7	377	19.1	1.6	459	15.9	1.7
Lancaster	705	25.4	1.5	614	19.1	0.9	870	15.6	1.1
Lawrence	124	32.3	1.8	148	20.3	1.4	151	23.8	1.9
Lebanon	156	26.3	1.4	202	24.8	1.7	292	13.4	1.3
Lehigh	840	18.7	2.3	871	17.9	2.0	826	10.3	1.1
Luzerne	496	23.6	1.7	475	21.3	1.6	506	19.0	1.6
Lycoming	223	27.4	2.1	206	25.7	2.0	157	21.0	1.4
McKean	181	29.3	4.6	207	18.8	3.8	183	15.8	3.3
Mercer	190	19.5	1.3	178	24.7	1.6	243	17.3	1.7
Mifflin	73	21.9	1.4	71	18.3	1.2	98	19.4	1.8
Monroe	376	16.2	1.7	281	18.1	1.3	388	16.2	1.6
Montgomery	640	12.8	0.5	743	11.8	0.5	781	11.9	0.5
Montour	73	13.7	2.3	58	17.2	2.3	51	7.8	1.0
Northampton	586	15.4	1.5	612	17.3	1.7	718	18.2	2.0
Northumberland	298	35.2	5.0	183	13.7	1.3	198	21.2	2.4
Perry	120	23.3	2.4	94	27.7	2.4	120	18.3	2.2
Philadelphia	4,806	28.4	3.8	4,772	24.5	3.1	4,765	18.6	2.5
Pike	65	13.8	0.9	101	12.9	1.0	109	2.8	0.2
Potter	51	23.5	2.6	63	33.3	4.7	70	18.6	3.5
Schuylkill	300	21.3	2.0	315	22.5	2.4	362	15.7	2.0
Snyder	34	17.6	0.6	44	36.4	1.8	42	42.9	2.2
Somerset	146	32.9	2.5	117	27.4	1.9	141	17.7	1.8
Sullivan	24	12.5	2.1	9	33.3	2.3	8	12.5	0.9
Susquehanna	96	39.6	3.4	90	47.8	4.3	91	31.9	3.4
Tioga	100	40.0	3.8	93	31.2	3.1	69	26.1	2.2
Union	55	34.5	2.2	45	44.4	2.5	56	19.6	1.5
Venango	221	15.8	2.4	190	28.4	4.1	156	17.3	2.4
Warren	71	25.4	1.7	103	26.2	2.7	115	22.6	3.3
Washington	339	20.9	1.5	348	16.4	1.3	330	14.5	1.2
Wayne	120	30.0	3.2	79	38.0	2.6	74	29.7	2.1
Westmoreland	516	15.3	1.0	499	13.2	0.8	574	11.7	1.0
Wyoming	62	38.7	3.0	83	8.4	1.0	56	16.1	1.5
York	841	15.0	1.4	904	13.9	1.3	1,113	11.5	1.3
TOTAL	22,809	21.9	1.8	22,854	19.2	1.5	24,615	14.9	1.3

Recommendations to the PA General Assembly and Task Force on Child Protection:

Determine the reason for and implications of PA's current rate of investigating child abuse being 8.0 per 1,000 children, as compared to the national rate of 40.0 per 1,000 children; and the state's rate of victimization (substantiated child abuse cases) recorded at 1.3 per 1,000 children, with the national rate at 9.2 per 1,000 children. Review specific elements of the state definitions to determine if changes may be warranted; include:

- ❖ **Non-accidental**
 - ✓ Consequences of the 2002 PA Supreme Court decision (*P.R. v. DPW*, 801 A.2d 478) and resulting statutory definition of non-accidental.
- ❖ **Perpetrator Undetermined**
 - ✓ Degree to which child abuse has been determined by a joint investigation and/or medical diagnosis to have occurred, but is not substantiated as child abuse (including because the perpetrator was undetermined).
 - ✓ Degree to which such unsubstantiated child abuse cases are referred and monitored for service delivery, as well as recorded in some official way for statistical purposes when a perpetrator has not been determined.
 - ✓ Impact (benefits and challenges) of including these children on a statewide registry that would be known during the course of a subsequent report, though not available to the public.
- ❖ **“Severe” Threshold for Injury/Substantiation**
 - ✓ How is severe pain measured and defined, and does it take into consideration the individualized response of the child to the pain?
 - ✓ Should specific injuries, medical diagnoses, or vulnerability of the child – including age – require greater consideration/articulation within the definition of “child abuse?”
- ❖ **School Abuse**
 - ✓ Address that current law does not recognize “serious physical injury” by a school employee as a form of child abuse and does not require reporting to authorities.
 - ✓ Identify any limitations on a school's ability to more fully evaluate the background of a person, including any prior abuse or misconduct investigations, prior to hiring the person to work within a public or private school setting.
- ❖ **Who Can Be a Perpetrator**
 - ✓ Determine whether the statutory definitions of “perpetrator” (current CPSL definition: a parent, a paramour of a parent, an individual over the age of 14 living in the same home as the child, or a person responsible for the welfare of a child) should be expanded or clarified (i.e., to include community volunteers, family members not in a care giving role, and/or other unrelated persons who may have substantiated reports).