



**TO:** Chairwoman Kate Harper  
Democratic Chair Louise Bishop  
Members of the House Children and Youth Committee

**cc:** Senator Pat Vance

**FROM:** Cathleen Palm, Co-Founder

**DATE:** June 5, 2012

**RE:** Senate Bill 449 – Child abuse training for school affiliated mandated reporters

Reporting suspected child abuse is critical if a child's safety is to be assured, trauma lessened and effective investigations initiated.

Wednesday, you can translate a long held goal of child advocates into a tangible step forward to better protect Pennsylvania's children.

Senate Bill 449 is intended to finally provide - in statute - a requirement that certain mandated reporters be trained. **This legislation is a strong signal and affirmation that the Commonwealth realizes training is needed and critical to ensure effective mandatory reporting and, more to the point, improved child protection.**

Senate Bill 449 starts with those working in or with our schools under contract and provides incentive for the Commonwealth to move toward ensuring that eventually every mandated reporter is trained.

Last year, the Protect Our Children Committee (POCC) released the findings of a survey on mandatory reporting completed by more than 1,200 persons required to report child abuse in Pennsylvania. The survey revealed a troubling lack of understanding about who is legally obligated to report suspected child abuse. Nearly 40 percent of those responding indicated they had never been trained about recognizing child abuse and mandatory reporting requirements or received training before statutory mandatory reporting changes took effect in 2007. POCC's survey was cited in *Lessons from Penn State: A Call to Implement a New Pattern of Training for Mandated Reporters and Child Protection Professionals* published by the National Child Protection and Training Center. I've attached it for your review.

It is important to also emphasize that since the mid 1990s the Pennsylvania General Assembly has convened a number of public hearings about mandatory reporting. If one retraces the record it reveals that while the hearings happened in varied years and related to different pieces of legislation there has

consistently been shared advocacy from diverse stakeholders (e.g., law enforcement, child advocates, physicians, teachers, school nurses, and child welfare professionals) around the need for:

- Effective and on-going training for mandated reporters in the recognition and reporting of suspected child abuse;
- A unified reporting system, whereby all reports – regardless the type of abuse or alleged perpetrator - are filed and tracked in a coordinated and consistent manner even as the type of investigation may differ (e.g., law enforcement, children and youth or joint);
- Public awareness – an invitation and a reminder to the public that they too have a role in recognizing and reporting child abuse; and
- Protections for those who make a good faith report to authorities.

**Senate Bill 449 represents an important step forward to improved child protection strategies.**

Beyond Senate Bill 449, Pennsylvania children will still require the leadership and urgency of your Committee and the legislatively created Task Force on Child Protection to:

- Clarify and reinforce who is a mandated reporter in Pennsylvania, and work to lessen or eliminate ambiguity about reporting.
- Ensure requirements for reporting child abuse are as straightforward as possible and emphasize that the role is to report, not investigate.
- Match mandatory reporting requirements with an expectation of training for all reporters, and ensure that this training is connected to education/licensing requirements for individuals and institutions.
- Eliminate any shortcomings that exist as a result of internal reporting procedures, that is, the ability of an employee to fulfill his/her reporting duties by an internal *chain of command* process versus filing a report with authorities outside of the school/institution.
- Identify ways to standardize defining and reporting of suspected abuse by school employees to achieve student protection through consistent reporting, response, investigation and intervention, 23 Pa.C.S.A. §6351 et seq.
- Examine Section 6311 and the language specific to “under the care, supervision, guidance, or training” and its impact on when and what is being reported so that mandated reporters understand the need to report.
- Determine what contributes to missed calls at ChildLine, e.g., staffing and technology, and identify continuous quality improvement practices needed to encourage fuller reporting and fewer missed calls.
- Establish a benchmark for missed calls at ChildLine and development of a trigger for a plan of action upon a pre-determined rate of missed calls.
- Enhance the immunity provisions and protections provided to the person who makes a good faith report, including when the report is made outside of the designated protocol within a school and/or institution.
- Equalize and strengthen the penalties for failure to report by mandated reporters – achieve consistency in these penalties regardless of the type of abuse being reported, e.g., Sections 6311, 6352 and 6353.

Thank you for your work on Senate Bill 449 and commitment to training mandated reporters.

We look forward to working with you in the months ahead and appreciate your continued leadership on behalf of Pennsylvania’s children.