

**STATEMENT OF PURPOSE: Mandatory Reporting**

School personnel are required by Vermont law to report suspected abuse or neglect to the Department for Children and Families (DCF). Suspected child abuse/neglect shall be reported within 24 hours.

**AUTHORIZATION/LEGAL REFERENCE:***State:*

33 V.S.A. Chapter 49, Child welfare services

<http://legislature.vermont.gov/statutes/chapter/33/049>

*Educator Reporting Requirements:*

Memo -From: Cindy Walcott, Deputy Commissioner, Family Services Division Date: July 22, 2015:

<http://education.vermont.gov/documents/edu-memo-dcf-memo-regarding-mandatory-reporting.pdf>

*Federal:*

42 U.S. Code Chapter 67 – Child Abuse Prevention and Treatment and Adoption Reform

<https://www.law.cornell.edu/uscode/text/42/chapter-67>

42 U.S. Code § 5101 - Office on Child Abuse and Neglect

<https://www.law.cornell.edu/uscode/text/42/5101>

**REQUIRED SCHOOL NURSE/ASSOCIATE SCHOOL NURSE ROLES:**

- Follow Vermont law about reporting and documenting suspected abuse or neglect.
  - *Any mandated reporter who reasonably suspects abuse or neglect of a child shall report in accordance with the provisions of section 4914 of this title within 24 hours of the time information regarding the suspected abuse or neglect was first received or observed (33 VSA § 4913(c)).*
  - *The previous standard (“have reasonable cause to believe” a child has been abused or neglected) is no longer in effect. A report now must be made when a mandated reporter “reasonably suspects” abuse and neglect.*
  - *The individual who suspects abuse or neglect must make a report directly; it is no longer sufficient to “cause a report to be made”.*
  - *A report must be made within 24 hours of the time information about suspected abuse or neglect was first received or observed. Calling law enforcement is not the same as reporting suspected abuse or neglect to FSD [Family Services Division]. You must notify FSD directly.*
  - *While organizations may have their own policies related to notifying supervisors or management about suspected child abuse or neglect, individual mandated reporters are legally required to report suspected child abuse and neglect to FSD within 24 hours. Each mandated reporter is responsible for making a report on time and is liable if one is not made. No one, including supervisors and managers, may prevent a mandated reporter from making a report within the required timeframe. (See Memo: above)*
- Document findings according to best nursing practice (see documentation section).
  - Nurses are required to document their interventions in the health record.
- Become familiar with Vermont Child Abuse Reporting Law and school policy and procedure.

**SUGGESTED SCHOOL NURSE/ASSOCIATE SCHOOL NURSE ROLES:**

- Assist the administration in the development, clarification, and implementation of the school abuse/neglect policies.
- Become a member of the school or community Child Protection Team.
- Advocate and act as a resource for school faculty and staff.
- Collaborate with school staff regarding obligation to report and remind yearly.
- [DCF] “strongly recommend[s] that you report as a group — by phone or in writing. The same 24-hour time limit applies” ([Mandated Reporter](#)).
- The school nurse can facilitate group reports when more than one professional within the school needs to report on the same information or incident.

**RESOURCES:**

National Association of School Nurses. (2014). *Care of Victims of Child Maltreatment: The School Nurse’s Role* (Position Statement). Retrieved, August 6, 2015, from <http://www.nasn.org/PolicyAdvocacy/PositionPapersandReports/NASNPositionStatementsFullView/tabid/462/smId/824/ArticleID/639/Default.aspx>

Vermont Department for Children and Families - <http://dcf.vermont.gov/>

- **See FSD Policy 50 for child abuse and neglect definitions:** <http://dcf.staging.vermont.gov/sites/dcf/files/FSD/Policies/50.pdf>
  - **Abused or Neglected Child:** 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. Also, a child who is sexually abused or at substantial risk of sexual abuse by any person and a child who has died as a result of abuse or neglect (33 VSA § 4912(1)).

Vermont Child Protection Line; to report child abuse or neglect 24 hours a day, 7 days a week call: 1-800-649-5285

- **If a child is in immediate danger, dial 911 or call your local police first. Then, call Family Services Division to make a report.** *Calling law enforcement is not the same as reporting to FSD. You must notify FSD directly.*

Vermont Agency of Education – LICENSING OF EDUCATORS AND THE PREPARATION OF EDUCATIONAL PROFESSIONALS (5000) 5440-65 School Nurse Revised (3/20/13)

[http://education.vermont.gov/documents/EDU-Rule-5440\\_Supplement\\_A\\_Licensing\\_Endorsements.pdf#page=118](http://education.vermont.gov/documents/EDU-Rule-5440_Supplement_A_Licensing_Endorsements.pdf#page=118)

**SAMPLE POLICES, PROCEDURES, AND FORMS**

Vermont DCF Child Abuse Reporting Form

<http://dcf.vermont.gov/sites/dcf/files/Protection/docs/305-Written-Report.pdf>

Vermont Department of Family Services online resources

<http://dcf.vermont.gov/resources>

**FREQUENTLY ASKED QUESTIONS- Answers to these and more here:**

<http://dcf.vermont.gov/protection/reporting/mandated>

- *“What if my employer has a policy about notifying supervisors or managers about suspected child abuse or neglect?”*
  - Remember that it is the individual mandated reporter who is legally required to make a report on time and will be liable if one is not made.”

“Reasonably suspects abuse or neglect of a child” means that you need only suspect that abuse or neglect might have taken place to make a report. When in doubt, report!”

- Should I verify the student’s story? Does it meet the definition of abuse or neglect?
  - The school nurse should be sure to verify with the student that the nurse correctly understands or restates the student’s story in the words of the student