



## Snyder County Children and Youth Services

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### **Child Protective Services**

Specific allegations of child abuse and neglect are investigated by an agency caseworker. All investigations are handled within the guidelines of Pennsylvania's Child Protective Services Law and in a timely and professional manner with regard to the best interests of the child and the family. Investigations should be completed within 30 days, but may be extended to 60 days in certain circumstances. Snyder County Children and Youth Services is required to refer some abuse reports to local law enforcement officials for criminal investigation. In such cases, the Agency and that law enforcement office will coordinate their investigations and share information with one another.

At the completion of the abuse investigation, the Agency may assist the family in locating the appropriate resources and services to meet their needs. The Agency may also remain involved to provide ongoing General Protective Services if deemed appropriate.

### **What is Child Abuse and Neglect?**

#### **PHYSICAL ABUSE:**

Any recent act or failure to act by a perpetrator, which causes non-accidental serious physical injury to a child under 18 years of age.

Serious physical injury is an injury that:

- causes a child severe pain; or
- significantly impairs a child's physical functioning, either temporarily or permanently.

**EMOTIONAL ABUSE:**

An act or failure to act by a perpetrator, which causes non-accidental serious mental injury to a child under 18 years of age.

Serious mental injury is a psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that:

- renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic, or in reasonable fear that the child's life or safety is threatened; or
- seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

**SEXUAL ABUSE or EXPLOITATION:**

An act or failure to act by a perpetrator, which causes sexual abuse or exploitation of a child under 18 years of age.

Sexual abuse or exploitation is the employment, use, persuasion, inducement, enticement, or coercion of a child to engage in or assist any other person to engage in any sexually explicit conduct or any simulation of any sexually explicit conduct for the purpose of producing any visual depiction, including photographing, videotaping, computer depicting or filming, of any sexually explicit conduct or the rape, sexual assault, involuntary deviate sexual intercourse, aggravated indecent assault, molestation, incest, indecent exposure, prostitution, statutory sexual assault, or other form of sexual exploitation of children.

**SERIOUS PHYSICAL NEGLECT:**

Serious physical neglect by a perpetrator constituting prolonged or repeated lack of supervision or the failure to provide the essentials of life, including adequate medical care, which endangers a child's life or development or impairs the child's functioning.

**IMMINENT RISK:**

Any recent act, failure to act, or series of such acts or failures to act by a perpetrator, which creates an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a child under 18 years of age.

To substantiate imminent risk of serious physical injury or sexual abuse or exploitation:

a specific act or failure to act must be documented; the act or failure to act must result in risk of abuse (i.e., be supported by substantial evidence that serious physical injury or sexual abuse or exploitation would have occurred).

## What Are My Rights In An Investigation? CLIENT RIGHTS:

### CHILD ABUSE INVESTIGATIONS

#### NOTIFICATIONS

The Child Protective Services Law (CPSL) and Department of Public Welfare regulations require the County Children and Youth Agency to notify all subjects in a report of suspected child abuse about the following:

- The existence of the report
- The nature of the allegations
- Their right to receive a copy of the report
- Their legal rights
- The possible impact of a confirmed report on future employment
- The social services available to protect children.

Upon the conclusion of the investigation, the Agency must notify all subjects of the report of the Agency's decision as to whether abuse or neglect has occurred. This notification must be made in writing.

#### MAINTENANCE OF INFORMATION RELATED TO ABUSE INVESTIGATIONS

There are three potential outcomes to an investigation of child abuse or neglect: unfounded, indicated, or founded. An **unfounded** report is a report in which the County Agency determines that the child was not abused, although significant concern for the child's safety may remain. All identifying information in an unfounded report must be destroyed within 1 year and 120 days of the decision to unfound the report. However, this information may be retained if the family is accepted for services with the Agency. An **indicated** report is a report in which the county agency determines that the child was abused. A **founded** report is a report in which a court determines that the child was abused. Information in indicated and founded reports will remain on file until the abused child reaches 23 years of age. Identifying information on perpetrators in indicated and founded reports will be kept on file indefinitely.

#### RIGHT TO APPEAL

The alleged perpetrator in an indicated report may appeal the Agency's decision to indicate the report by contacting the Secretary of the Department of Public Welfare.

#### RIGHT TO RECEIVE COPY OF REPORTS

Subjects of a child abuse investigation may receive a copy of ChildLine reports relating to the investigation by writing to the County Agency or ChildLine Abuse and Registry. However, identifying information regarding the individual who made the report and any individuals who may have cooperated with the investigation will not be released.

#### RIGHT TO AN ATTORNEY

Subjects of a child abuse investigation have the right to consult with an attorney at any time during the investigation.

## **EFFECTS OF AN ABUSE INVESTIGATION ON EMPLOYMENT**

An indicated or founded report of child abuse may affect the future employment of the perpetrator in a childcare service. A person responsible for the abuse in a founded report may not be employed in any childcare service, public or private school, or be a foster or adoptive parent within 5 years of when the abuse was committed. Further, persons convicted of certain crimes related to child abuse may never be employed in any childcare service, public or private school, or be a foster or adoptive parent.

### **Mandated Reporter**

**Mandated reporters are required by law to report suspected child abuse immediately to Pennsylvania's ChildLine based on their medical or professional training or other experience.** They also must make a written follow-up report to the investigating County Children and Youth Agency within 48 hours. Mandated reporters who make a report in good faith have immunity from civil and criminal liability that might otherwise result from their actions.

#### **MANDATED REPORTERS INCLUDE:**

- Health Care Professionals – physicians, medical examiners, dentists, optometrists, chiropractors, podiatrists, psychiatrists, psychologists, interns, nurses, public health department personnel, funeral directors, and hospital personnel.
- Law Enforcement Officials – police officers, sheriffs, county detectives, coroners, and court officials.
- Social Services Professionals – social services workers, childcare workers, and clergy.
- Education Professionals – teachers, principals, school nurses, school administrators, and counselors.
- Anyone who as part of his or her job has contact with children.

#### **HOW TO REPORT:**

- ChildLine Abuse Registry (for abuse that occurs in Pennsylvania) 1-800-932-0313. ChildLine is available 24 hours a day, 7 days a week.
- If it is an emergency or if the abuse is occurring right now, call 911.

After reporting suspected child abuse, mandated reporters are entitled to limited information about the resulting investigation. Mandated reporters are entitled to know the findings of the investigation and services provided to protect the child.