

Mandatory Reporting

Protecting Children from Abuse

- M.G.L. c. 119, § 51A
 - Requires that all “mandated reporters” report suspected cases of abuse and/or neglect to the office of the Department of Children and Families of the town in which the child resides.
 - Mandated Reporters includes public school teachers, counselors and administrators



51A Abuse Reports: Triggers

- If you have reason to believe that a child has suffered, or is suffering, physical or emotional injury as a result of abuse or neglect which causes harm or substantial risk of harm...Report it!





Types of Abuse

- **Physical** – Physical abuse refers to the use of physical force against someone in a way that injures or causes pain to that person.
- **Sexual** – Sexual abuse occurs when someone is forced to engage in unwanted, unsafe, or degrading sexual activity or exploitation without their express permission or knowledge.
- **Financial** – Financial abuse is the illegal or improper use of another person's funds, property or assets without their express permission or knowledge, by a person in a position of trust.
- **Neglect/Omission** – Neglect or omission occurs when someone responsible for the care and well-being of another fails to provide for the basic daily living needs of that person resulting in, or placing them at risk of, serious physical or emotional injury.
- **Emotional** – Emotional abuse may be verbal or non-verbal, and occurs when someone is attempting to control another person through threatening, humiliating, or intimidating actions.
- **Mistreatment** – Mistreatment refers to the use of medications/treatments, isolation, physical restraints, or chemical restraints which cause physical or emotional harm or creates a substantial likelihood of harm.

Reporting Suspected Abuse

- If you suspect abuse, contact the building Principal, the Director of Student Services or the Guidance Director immediately.
- The appropriate administrator will then make an oral report of suspected abuse to the Department of Children and Families and, within 48 hours, will file a written report.



Can you be prosecuted for filing a report that is not substantiated?

- Mandated reporters are immune from liability so long as there is some reasonable basis for the report.



Can you be prosecuted if you fail to report suspected abuse or neglect?

- Yes!
- If you fail to report suspected abuse or neglect you are subject to civil penalties of up to \$5000.



Protecting Disabled Adults from Abuse

- The Disabled Persons Protection Commission (DPPC)
 - An independent state agency responsible for investigating complaints of abuse of adults (including adult students) with disabilities (18-59)
 - Suspected abuse of any student with a disability who has reached 18 years of age must be reported
 - Instances of suspected abuse or neglect must be reported immediately to the DPPC 24-hour Hotline at 1-800-426-9009.

