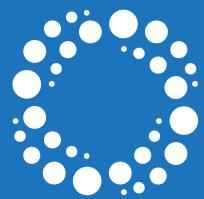


Mandatory Child Abuse Reporting in Title X-Funded Family Planning Settings

CUSTOMIZING AND DELIVERING A STATE-SPECIFIC TRAINING



INSTRUCTIONS FOR CUSTOMIZING THE SLIDES

The Office of Population Affairs expects every Title X project will comply with applicable state laws in the proposed service area and will have project-wide monitoring and state-specific policies and procedures related to reporting of child abuse, child molestation, sexual abuse, rape, incest, intimate partner violence, and human trafficking in place. This document contains instructions for preparing a state-specific training on mandatory child abuse reporting in Title X-funded family planning settings. **Read the instructions carefully to make the slides specific to your state using the listed resources.**

How to prepare a training on mandatory child abuse reporting using this template (see page 3):

The **left-hand** boxes refer to the Powerpoint [slide template](#) that makes up this training. The slides include as much content as possible while leaving space for state-specific information to be inserted by the facilitator. The slides' "facilitator notes" include talking points, discussion questions and activities, and references.

The **right-hand** boxes are instructions for facilitators to follow (or information to keep in mind), as they customize the [slide template](#). **Because child abuse reporting varies by state, the facilitator must populate the slides with state-specific information.**

1. Carefully review this document and the slide template in order to better understand how they complement each other. Facilitators must research state-specific child abuse mandatory reporting laws and enter information into the slide deck and facilitator notes before conducting this training.

Changes to the slides and notes should only be in places that direct facilitators to "**insert state-specific information.**" The materials have been written very specifically to be legally accurate, and even minor changes can lead to misinterpretation.

To customize the training for your clinic/agency, you will need to have both the slides and the following instructions open on your computer in order to toggle back and forth between the two documents.

2. Refer to the following resources to make the slides specific to your state. These resources are summary documents that attempt to interpret the statutes; however, the most accurate sources of information are the state statutes themselves.
 - a. [Child Abuse Reporting State Summaries](#): FPNTC summaries of state child abuse reporting laws regarding who is mandated to report, what must be reported, when the reporting duty is triggered, and how to make a report. Information in these summaries is taken from the [Child Welfare Information Gateway](#) and directly from state statutes.
 - b. [Child Welfare Information Gateway State Statutes Database](#): Department of Health and Human Services database of summaries of state reporting statutes. Note that other statutes and legal resources—such as state regulations, criminal codes, and case law—are not included in this database but may be necessary to consult in order to understand reporting obligations.
 - c. [Making and Screening Reports of Child Abuse and Neglect](#): A fact sheet with state laws and regulations specifying the procedures that state child protection agencies must follow when responding to reports of suspected child abuse or neglect.

4. Consider if you will need other staff (executive director, clinic manager, etc.) to help research the state-specific information to include in the slides.
5. Plan for four hours to research and customize the slides. Important: Some state information is not easy to find and/or can be difficult to interpret, so facilitators should allow for ample time to prepare.
6. **Customize the slide deck with input from legal counsel.** Mandatory child abuse reporting is determined by state law. Statutes can be very difficult to interpret, and they are regularly updated. In addition, attorney general opinion and case law, which can be difficult to find, play a role in how the statutes are implemented and understood. Therefore, it is critical that facilitators and agencies consult with legal counsel when customizing the slide deck and before delivering a training to staff.

INSTRUCTIONS FOR DELIVERING YOUR STATE-SPECIFIC TRAINING

Deliver the Training	Now that you have followed the instructions for preparing a state-specific training on mandatory child abuse reporting in Title X-funded family planning settings, schedule and deliver the training.
Learning Objectives	<p>By the end of the training, participants should be able to:</p> <ul style="list-style-type: none"> » Identify at least one risk factor or possible indicator of child abuse or neglect » Explain the mandatory child abuse reporting process » Describe at least two trauma-informed best practices that support family planning clients » Identify at least one local resource for providers
Length	At least 90 minutes , with more time for discussion as schedules allow.
Materials	<ul style="list-style-type: none"> » <u>Your customized Mandatory Reporting Slides</u>
Format	This training can be conducted virtually or in person .
Suggested Participants	Clinic and administrative staff working in Title X family planning clinics.
Do Not Forget	<ul style="list-style-type: none"> » Given the legal nature of the material, it is crucial that facilitators, where noted, read the facilitator notes as written.

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	Slide	Facilitator Instructions
1	Mandatory Child Abuse Reporting in Title X-Funded Family Planning Setting	Insert state name on the slide and update notes accordingly.
2	Objectives	
3	Mandatory child abuse reporting	Be clear about what this training will and will not address. The focus is on mandated child abuse reporting laws. Information about other related issues will be discussed, as they relate to child abuse. The training will also address what to do if a sexual or abusive act does NOT fall under the state's definition of child abuse. However, other state reporting laws will not be covered.
4	Mandatory reporting: a Title X legislative mandate	
5	Our agency's mandatory child abuse reporting policy	Insert key components of agency's mandatory reporting policy on the slide and update notes.
6	Setting the stage with clients: consent and confidentiality	
7	Title X consent rule	Title X minor consent rule supersedes state consent laws for Title X services. This means that if you are providing a Title X service, the adolescent client consents for it on her/his own. In the event that an adolescent needs a non-Title X service (e.g., treatment for strep throat), it is important to be familiar with the state consent law and to understand when parental consent may be required. Additional resources: <ul style="list-style-type: none">• Overview of Minor Consent Laws by State (Guttmacher Institute)
8	Title X confidentiality rule	
9	Communicating consent, confidentiality, and its limitations	
10	Sample confidentiality statement	Additional resource: <ul style="list-style-type: none">• Society for Adolescent Health and Medicine
11	Sample consent statement	

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	Slide	Facilitator Instructions
12	Recognizing risk factors for sexual coercion, child abuse, and relationship abuse	
13	Risk factors associated with sexual abuse and coercion	
14	Risk factors associated with relationship abuse/dating violence	
15	Family planning-related indicators for relationship abuse/dating violence	
16	Responding to risk factors/indicators	
17	[INSERT STATE] Child abuse reporting laws and process	Insert state on slide.
18	Who must report	
19	Who must report (cont.)	Insert state-specific information on slide and update notes. Refer to Mandatory Reporters of Child Abuse and Neglect, "Professionals Required to Report" . Refer to the state statute to determine if there are any circumstances where specific mandated reporters are exempt from making a report. If nothing is stated, you can delete this from the slide.
20	Who must report (cont.)	If everyone in your agency is a mandated reporter, delete this slide. Some state statutes indicate that staff who are not mandated reporters MAY report a case if there is reason to believe that abuse has occurred. However, if not REQUIRED, making a report violates Title X confidentiality laws. (Statute language could state "must" or "shall" to mean "required.") If a non-mandated staff person has a concern, it can be shared with a supervisor or someone who is a mandated reporter. Be sure to address this in your clinic's policy. Insert state-specific information on slide and update notes. Refer to Mandatory Reporters of Child Abuse and Neglect, "Reporting by Other Persons" then scroll to state.

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Slide	Facilitator Instructions
21	Who must report (cont.)
	<p>If a centralized system is preferred, it is critical to consult with legal counsel to ensure procedures comply with state law. In some states, the law explicitly authorizes agencies to establish an internal procedure that allows staff to share child abuse suspicions with a centralized person who makes mandated reports on behalf of the agency. In other states, child abuse reporting is an individual's duty, whereby a centralized system may not be considered sufficient to meet the reporting duty.</p> <p>Insert state-specific information on slide and update notes. Refer to Mandatory Reporters of Child Abuse and Neglect, "Institutional Responsibility to Report" then scroll to state. Clarify if reports are centralized or individual duty.</p>
22	What must be reported
23	What must be reported: state definition of abuse
24	What must be reported: who committed the abuse
	<p>Determine if staff must report abuse and neglect only if perpetrated (or allowed) by a parent, guardian, or other caregiver role, or if reporting is only dependent on the actual act.</p> <p>Insert state-specific information on slide and update notes. Refer to Mandatory Child Abuse Reporting State Summaries.</p> <p>Note: Definitions of Child Abuse and Neglect does not clearly state if a report is required based on the perpetrator. Even if there is information in the section, "Persons Responsible for Child," staff may be required to report abuse perpetrated by someone who is not listed. It is important to refer to state statute or other state government resources, such as the Mandatory Child Abuse Reporting State Summaries, and to consult legal counsel.</p>

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Slide	Facilitator Instructions
25 What must be reported: IPV between adolescents	<p>Consider the state legal definitions of both child abuse and neglect. If the state law defines reportable abuse as acts at the hands of any perpetrator, determine if the state's definition of child abuse includes intimate partner violence perpetrated by or against a teen partner, and if the specific behavior meets the state's definition of abuse. Normally, if a state law limits reporting abuse at the hands of a caregiver, intimate partner violence will not be reportable under the state's child abuse reporting laws. If intimate partner violence is not reportable in your state under child abuse and neglect reporting or any other reporting law, staff must obtain client consent in order to report to law enforcement. Review the state definition carefully with legal counsel.</p> <p>Even if not reportable as abuse, neglect is also a possibility when a minor client reports intimate partner violence. Depending on the state's definition of neglect and on the case history (including the parent or the responsible person's knowledge, actions, or failures to act to protect the minor), it may be appropriate to file a neglect report against a parent or responsible person when a minor reports intimate partner violence.</p> <p>In some states, violence between two dating partners, even two teen partners, may be reportable as child abuse.</p> <p>Insert state-specific information on slide and update notes. Refer to Mandatory Child Abuse Reporting State Summaries. Specify if the state's definitions of child abuse and neglect incorporate intimate partner violence by or against a teen partner.</p>
26 What must be reported: mandatory reporting and rape	<p>Non-consensual sexual activity is illegal. This is sometimes referred to as rape or sexual assault though the statutes may include different terms based on the specific act. Determine if child abuse is defined as something perpetrated by a particular individual or anyone. If it is child abuse when perpetrated by a specific individual, rape will only be reportable as child abuse if perpetrated by that individual. It may also be appropriate to file a child neglect report. In addition to the type of perpetrator, be aware of what type of activity is reportable under the definition of rape.</p> <p>Insert state-specific information on slide and update notes. Refer to Mandatory Child Abuse Reporting State Summaries.</p>

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Slide	Facilitator Instructions
27 What must be reported: mandatory reporting and statutory rape	<p>The fact that a sexual act is criminalized under state law does not make it reportable as child abuse. Consider the state definition of child abuse and neglect and consult legal counsel.</p> <p>If state law defines abuse as acts at the hands of any perpetrator, determine if the state definition of child abuse incorporates aspects of statutory rape. For example, in some states, sexual activity with a minor is criminalized and is defined as reportable child abuse in a subset of cases—such as when there is an extreme age difference between the two partners. In other states, statutory rape is only considered child abuse for reporting purposes when the statutory rape was “perpetrated or allowed by a person responsible for the care of the child.” In addition to the age of one or both individuals, and type of perpetrator, be aware of what type of activity is reportable under the definition of statutory rape.</p> <p>Even if not reportable as abuse, neglect is also a possibility when working with a minor who is engaging in coercive, dangerous, or illegal sexual activity. Depending on the state’s definition of neglect and the case history (including the danger to the minor, the parent or responsible person’s knowledge of the activity, and the parents’ actions and failures to act) it may be appropriate in some cases to file a neglect report against a parent or caregiver when a minor is involved in dangerous behavior.</p> <p>Insert state-specific information on slide and update notes. Refer to Mandatory Child Abuse Reporting State Summaries. Clarify if and how statutory rape is included in state definitions of child abuse and neglect. Refer to Statutory Rape: A Guide to State Laws and Reporting Requirements. Note: This resource was created in 2004, and laws may have since changed. It is still the best resource available, but should be reviewed by legal counsel to ensure it is current.</p> <p>Agencies in California should refer to National Center for Youth Law, When Sexual Intercourse with a Minor Must be Reported as Child Abuse by Mandated Reporters: California Law.</p> <p>Note about cultural considerations: The law still requires that mandated reports make a report regardless of the client’s culture or community context. However, it can be helpful to talk to the child welfare agency in your county about how it handles these situations.</p>

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Slide	Facilitator Instructions
28 What must be reported: mandatory reporting and prostitution, commercial sexual exploitation of children, and sex trafficking	<p>Consider the state's legal definitions of child abuse and exploitation to determine whether it incorporates aspects of prostitution, commercial exploitation, or trafficking. Normally, if state law limits reporting of abuse at the hands of parents or other caregivers, prostitution, trafficking and commercial sexual exploitation will not be reportable under child abuse reporting laws, unless a parent or caregiver was involved in prostituting or trafficking the minor.</p> <p>Even if not reportable as abuse, neglect is also a possibility when a minor client is a victim of trafficking or commercial exploitation. Depending on the state's definition of neglect and the case history (including the parent or caregiver's involvement, knowledge, actions, and failures to act), it may be appropriate in some cases to file a neglect report against a parent or caregiver.</p> <p>Insert state-specific information on slide and update notes. Refer to Mandatory Child Abuse Reporting State Summaries. Clarify if and how prostitution, commercial exploitation, and/or sex trafficking are included in state definition of child abuse and neglect.</p> <p>Additional resource:</p> <ul style="list-style-type: none">• National Trafficking Hotline
29 What must be reported: pregnancy and STIs	In most states, an abuse report is not indicated solely based on a suspicion of or diagnosis of a pregnancy or STD, however in some states, an abuse report MAY be indicated if the youth is younger than a particular age (as defined in state law). Refer to Mandatory Child Abuse Reporting State Summaries .
30 When to report	
31 When to report (cont.)	<p>Insert state-specific information on slide and update notes. Refer to Mandatory Reporters of Child Abuse and Neglect, "Standards for Making a Report". Look for law and guidance using terms like "know" or "reason to believe." Note that state laws may vary:</p> <ul style="list-style-type: none">• The standard for reporting: reasonable cause to believe, know, or suspect• Requirements regarding reporting of anything seen at any time or limited to observations while performing professional official duties

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Slide	Facilitator Instructions
32 When to report (cont.)	<p>In some states, the reporting duty is triggered when an individual reports past abuse to a mandated reporter, regardless of how long ago the abuse occurred. In other states, the reporting obligation has time limitations. In many cases, the answer is not found directly in the statutes. If the state does not have clear language regarding time limitations in its statutes, it is advisable to consult legal counsel.</p> <p>Insert state-specific information on slide and update notes. Refer to Making and Screening Reports of Child Abuse and Neglect, "Summaries of State Laws." Include any time limitations on the reporting obligation (e.g., past abuse).</p>
33 How to report	<p>Some states require detailed information on forms, and the duty to report is not fulfilled until the paperwork is complete. In other states, a phone call suffices. Ensure that the agency's policy clearly articulates state requirements to satisfy mandated reporter duties.</p>
34 How to report (cont.)	<p>Typically, child abuse cases are reported to Child Protective Services or law enforcement. In some states, cases can be reported to either; in other states, it depends on the type of abuse and perpetrator.</p> <p>In some states, abuse by persons responsible for a child is exclusively reported to Child Protective Services, while abuse by others is reported to law enforcement.</p> <p>Insert state-specific information on slide and update notes. Refer to Making and Screening Reports of Child Abuse and Neglect, "Summaries of State Laws" and scroll to "Individual Responsibility to Report" and "Agency Receiving the Reports" under the state. Clarify if reports are made orally, orally followed by a written report, submitted electronically, etc.</p>
35 How to report (cont.)	<p>Reporting laws often indicate what should be included in a report. If reporting entities request additional client information, client authorization may be necessary. Consult legal counsel to ensure HIPAA or confidentiality laws are not violated. Encourage staff to report even without all of the needed information. It can be valuable to get legal advice, as in many states there can be penalties for failing to report.</p> <p>Insert state-specific information on slide and update notes. For information on what is required, refer to Making and Screening Reports of Child Abuse and Neglect, "Summaries of State Laws" and scroll to "Content of Reports" under the state.</p>

Mandatory Child Abuse Reporting in Title X-Funded Family Planning Settings

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	Slide	Facilitator Instructions
36	How to report (cont.)	<p>While state law defines what to document on the child abuse reporting form and how to make a report, agency policies must indicate how to maintain documentation for agency files. Clear agency policies help staff document that they have satisfied their reporting duty and facilitate appropriate communication among care team members.</p> <p>Consult legal counsel about where information should be stored.</p>
37	Trauma-informed reporting	
38	Trauma-informed reporting (cont.)	
39	Trauma-informed reporting: best practice 1	
40	Trauma-informed reporting: best practice 2	
41	Trauma-informed reporting: best practice 3	<p>Although there are no research data that confirm the therapeutic value of disclosure, child maltreatment is associated with a broad range of adverse outcomes such as mental health problems, suicide attempts, substance abuse, STIs, and risky sexual behaviors. If disclosure is linked to appropriate support services and counseling, ongoing abuse patterns can be interrupted and the youth can begin to process their experience, build coping mechanisms, and begin to heal from this adverse life experience.</p>
42	Trauma-informed reporting: best practice 4	<p>Insert state-specific information on slide and update notes regarding which agency receives the report. See slide 34.</p>
43	Video: Trauma-informed Child Abuse Reporting in a Family Planning Setting	<p>Distribute the Trauma-Informed Reporting Best Practices Handout. Show the video.</p>
44	Activity	
45	Trauma-informed reporting: best practice 5	

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	Slide	Facilitator Instructions
46	Trauma-informed reporting: best practice 6	
47	Trauma-informed reporting: best practice 7	
48	Trauma-informed reporting: Healthy Relationship Wheel	<p>Introduce The Healthy Relationship Wheel and Questions. Clinicians and counselors are encouraged to laminate and use it in their counseling sessions with all youth (universal healthy relationship education).</p> <p>Other helpful free resources include:</p> <ul style="list-style-type: none">• Hanging Out or Hooking Up Safety Card from Futures Without Violence.
49	Trauma-informed reporting: Relationship Spectrum	<p>Introduce The Relationship Spectrum. Clinicians and counselors are encouraged to laminate and use it in their counseling sessions with all youth (universal healthy relationship education).</p>
50	Trauma-informed reporting: best practice 8	
51	Trauma-informed reporting: best practices summary	
52	Key messages that convey support	
53	Activity	
54	Other reporting considerations	
55	Parent/guardian notification	<p>It is important to understand who can and cannot disclose information to parents and guardians and when client permission is required.</p>
56	Learn about the reporting system	<p>Become familiar with the county reporting authorities' process. Knowing how they prioritize cases can help you prepare youth for what to expect.</p>
57	When the state's definition of abuse and neglect differs from ours	

Mandatory Child Abuse Reporting in Title X-Funded Family Planning Settings

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	Slide	Facilitator Instructions
58	When the state's definition of abuse and neglect differs from ours (cont.)	
59	Local resources	<p>Partner with resources/youth advocates in your local law enforcement, Child Protective Services, domestic violence, and sexual assault advocacy programs and build relationships before they are needed.</p> <p>Insert agency-specific list of local resources on slide and update notes.</p>
60	Additional resources	

1. Always address the reason the youth was seeking care FIRST.
2. Respect what the youth wants to disclose and how (while considering your legal obligations). Provide options for follow-up, such as requesting that Child Protective Services (CPS) or law enforcement interview the client at the clinic, school, or another location of the youth's choice.
3. Empower the youth by acknowledging the strength and courage it takes to disclose information about abuse.
4. Inform the youth of the need to report, in order to get them the help they need.
5. Acknowledge that disclosing information and making a report may be a frightening process and provide messages of support.
6. Engage the youth in the reporting process, showing them the paperwork that you are filling out and allowing them to be present when you call the report in, if this is feasible.
7. Educate the youth about his/her rights, safety, and unhealthy relationship patterns.
8. Always assess for safety before the end of the visit. If the youth is afraid of their partner or parent, get assistance with safety planning from CPS or a domestic violence or sexual assault advocacy program.