

## MANDATORY REPORTING

- Any school teacher, librarian, principal, guidance counselor, day-care worker or mental health professional, among others by statute, who has reasonable cause to believe that a child has been abused or neglected shall report or cause a report to be made to SRS within 24 hours. Any concerned person who has reasonable cause to believe that a child has been abused or neglected may also report.
- Persons reporting by telephone or face-to-face will be asked to follow-up with a written report. SRS needs the reporter's name, address, source of information, the child's name, age, address, parent or other persons responsible for the child's care, specific information and descriptions of the nature and extent of the child's injuries, whether the child is fearful and/or afraid to go home, and any evidence of previous abuse or neglect of the child and/or his/her siblings. A reporter can include other information helpful to establish the cause of the injuries or reasons for the neglect.
- Call SRS INTAKE at 527-7741, Monday thru Friday, 7:45 a.m. to 4:30 p.m. Direct emergency reports during non-business hours to SRS Emergency Services Program at 1-800-649-5285. SRS is located at 20 Houghton Street, Room 211, St. Albans, VT 05478. FAX is 524-7925.
- A violation of the mandatory reporting law under Title 33, Vermont Statutes Annotated, Chp. 49, Subchp.2 Reporting Abuse of Children, carries a \$500 fine.

Mandated reporters don't investigate abuse or neglect. SRS does.  
An "abused or neglected child" is a child whose physical health, psychological growth and development or welfare is at substantial risk of harm by the acts or omissions of his/her parent or other person responsible for the child's welfare. An "abused or neglected child" is also a child who is sexually abused or at substantial risk of sexual abuse by any person. "Harm" can occur by physical injury or emotional maltreatment, failure to supply the child with adequate food, clothing, shelter or health care, or abandonment of the child. "Risk of harm" is a danger that a child will be by other than accidental means which harm would be likely to cause death or serious or protracted disfigurement, impairment of physical health or psychological growth and development or loss or impairment of the function of any bodily organ. "Physical injury" is death or permanent or temporary disfigurement or impairment of any bodily organ or function by other than accidental means. "Emotional maltreatment" is a pattern of malicious behavior resulting in impaired psychological growth and development

A Person, other than one suspected of child abuse, who in good faith makes a report to SRS, is immune from civil or criminal liability that might otherwise be incurred or imposed as a result of making a report. The name of the reporter or any person mentioned the report is confidential unless the reporter specifically requests disclosure or a judicial proceeding results or a court, after hearing, finds probable cause to believe the report was not made in good faith and orders SRS to disclose the name(s). SRS will investigate within 72 hours after receipt of a report. The investigation includes, among other things, a visit to the child's home or site of the alleged abuse or neglect and an interview or observation of the child. An SRS investigator may elect by law to interview the child without the approval of the child's parents, guardian or custodian if it takes place in the presence of a disinterested adult such as a teacher, a member of the clergy or a nurse. SRS maintains a registry of all written investigation records unless the reported facts are unsubstantiated, in which case, after notice to the person complained about, the records are destroyed unless the person complained about asks within 1 year that it not be destroyed. If no court action is brought within 1 year of the notice to the person complained about, the unsubstantiated report records are destroyed. Registry records are disclosed only to SRS commissioner/designee or investigators, the person reported on, or a state's attorney. When a report is made and substantiated, SRS shall promptly inform the parent or guardian of the child, but if the parent or guardian is under investigation for abuse or neglect, the information need only be provided as for the person reported on. When a report is substantiated, SRS may inform the person responsible for supervising the staff in the child's residential, educational or day care setting, and upon request, to the person who made the report who shall not disclose that information to persons who are not involved with the provision of treatment services to the abused or neglected child.

A person may at any time apply to the human services board for relief if he/she has reasonable cause to believe that the registry contents are being misused. All registry records relating to an individual child are destroyed when the child reaches the age of majority. All registry records relating to a family or siblings within a family are destroyed when the youngest sibling reaches the age of majority. All registry records are maintained according to the name of the abused or neglected child and the name of the person about whom the report was made. A person may, at any time, apply to the human services board for an order expunging from the registry a record concerning him/her on the grounds that it is unsubstantiated or not otherwise expunged. The board shall hold a fair hearing on the application at which hearing the burden shall be on SRS to establish that the record shall not be expunged.