



# PERMISSIVE REPORTER

## F R E Q U E N T L Y   A S K E D   Q U E S T I O N S

### **What is the Child Protective Services Law (CPSL)?**

The PA Child Protective Services Law (CPSL) was signed into law in 1975. It was enacted to protect children from abuse, allow the opportunity for healthy growth and development and, whenever possible, preserve and stabilize the family.

### **What is child abuse?**

Child abuse, according to the CPSL, means intentionally, knowingly, or recklessly doing any of the following:

- Causing bodily injury to a child through any recent act or failure to act.
- Fabricating, feigning, or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.
- Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.
- Causing sexual abuse or

exploitation of a child through any act or failure to act.

- Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.
- Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.
- Causing serious physical neglect of a child.
- Causing the death of the child through any act or failure to act.
- Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (114 Stat. 1466, 22 U.S.C. § 7102 ).

Child abuse also includes certain acts in which the act itself constitutes abuse without any resulting injury or condition. These recent acts include any of the following:

- Kicking, biting, throwing, burning, stabbing, or cutting a child in a manner that endangers the child.
- Unreasonably restraining or confining a child, based on

consideration of the method, location or the duration of the restraint or confinement.

- Forcefully shaking a child under one year of age.
- Forcefully slapping or otherwise striking a child under one year of age.
- Interfering with the breathing of a child.
- Causing a child to be present during the operation of a methamphetamine laboratory, provided that the violation is being investigated by law enforcement.
- Leaving a child unsupervised with an individual, other than the child's parent, who the parent knows or reasonably should have known was required to register as a Tier II or III sexual offender or has been determined to be a sexually violent predator or sexually violent delinquent.

“Recent” is defined as an abusive act within two years from the date the report is made to ChildLine. Sexual abuse, serious mental injury, serious physical neglect, and deaths have no time limit.



## PERMISSIVE REPORTER | FREQUENTLY ASKED QUESTIONS

### Who can be a perpetrator?

A perpetrator of child abuse can be a:

- child’s parent;
- spouse or former spouse of the parent;
- paramour or former paramour of the parent;
- person 14 years of age or older responsible for the welfare of a child or having direct contact with children as an employee of child care services, a school, or through a program, activity or service, such as a baby sitter or day care staff person;
- individual residing in the same home as the child who is at least 14 years of age;
- relative who is 18 years of age or older who does not reside in the same home as the child, but is related within the third degree of consanguinity or affinity by birth or adoption to the child; or
- an individual 18 years of age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (114 Stat. 1466, 22 U.S.C. § 7102).

A perpetrator of child abuse for failure to act can be a:

- child’s parent;
- spouse or former spouse of the parent;

- paramour or former paramour of the parent; or
- person 18 years of age or older who is responsible for the child’s welfare or who resides in the same home as the child.

Permissive reporters do not have to determine whether or not the person meets the definition of perpetrator in order to make the report.

### Who is a permissive reporter?

Permissive reporters are individuals who are encouraged to report suspected child abuse, although not required by law.

### When can permissive reporters make a report?

Permissive reporters can make a report at any time they suspect a child is the victim of child abuse.

### How do permissive reporters make a report of suspected child abuse?

Permissive reporters can make a report to ChildLine by calling 1-800-932-0313.

### What if a permissive reporter has general concerns about a child, but doesn’t suspect abuse?

Concerns related to the safety of children including, but not limited to inadequate housing, clothing, and supervision, can be referred to ChildLine or the county children

and youth agency for assessment as general protective services cases.

### Must a permissive reporter do anything else after making a report to ChildLine?

No, there is nothing more for the reporter to do after making a report to ChildLine.

### Does a permissive reporter have to know for sure that the child was abused?

A permissive reporter does not have to know for sure that the child was abused. They are able to make a report when they suspect a child is a victim of abuse.

### Must a permissive reporter give their name?

Permissive reporters are not required to give their name, however providing this information is helpful so if clarification on the situation or additional information is needed, the children and youth caseworker can contact the reporter.

### Will the name of the permissive reporter be released?

The identity of the person making the report is kept confidential with the exception of being released to law enforcement officials or the district attorney’s office.