Mandated Reporters
Center for Early Education and Care teachers and administrators are mandated reporters under Massachusetts General Law Chapter 119, Section 51A. Below is a summary of this law and the departmental procedures for reporting suspected child abuse or neglect.

General Law Chapter 119, Section 51A
Massachusetts General Law Part I, Title XVII, Chapter 119, Section 51A states that “a mandated reporter who, in his professional capacity, has reasonable cause to believe that a child is suffering physical or emotional injury resulting from: (i) abuse inflicted upon him which causes harm or substantial risk of harm to the child's health or welfare, including sexual abuse; (ii) neglect, including malnutrition; (iii) physical dependence upon an addictive drug at birth, shall immediately communicate with the department orally and, within 48 hours, shall file a written report with the department detailing the suspected abuse or neglect; or (iv) being a sexually exploited child; or (v) being a human trafficking victim as defined by section 20M of chapter 233."

“If a mandated reporter is a member of the staff of a medical or other public or private institution, school or facility, the mandated reporter may instead notify the person or designated agent in charge of such institution, school or facility who shall become responsible for notifying the department in the manner required by this section.”

“... whoever violates this section shall be punished by a fine of not more than $1,000. Whoever knowingly and willfully files a frivolous report of child abuse or neglect under this section shall be punished ...”

For the full text of this law visit: http://www.mass.gov/legis/laws/mgl/119-51a.htm

Recognizing Signs of Abuse or Neglect
As children are brought to the classroom by their parents, teachers note the physical and emotional condition of each child. The staff member discuss with the parents any newly observed bruises, injuries, lack of appropriate clothing, etc. and solicits information from the parent. Staff make note of any injuries, and/or parent explanation in the child’s file.

Conditions that cause suspicion of abuse or neglect are brought to a supervisor's attention immediately. Refer to the Department of Children and Families website for information on indicators of abuse and neglect: http://www.mass.gov/eohhs/gov/departments/dcf/child-abuse-neglect

Documentation of Observations
A staff member who suspects abuse or neglect of a child must document her/his observations. This documented information includes the child’s name, date, time, and description of the child’s injuries, behaviors, verbalizations, interactions, or any other pertinent information. Documentation is made using observable behavioral terms. This documentation is brought to the attention of the Director/Assistant Director.
Procedure for Filing Reports of Suspected Abuse or Neglect
Teachers bring their concerns and documentation to the attention of the Director/Assistant Director. The teacher, with the assistance of the Director/Assistant Director, makes a verbal report to the Department of Children and Families (DCF), followed by the required written 51A report within 48 hours. The teacher is responsible for recording concerns, conversations, or conferences with parents or others related to the incident.

The reporting teacher and Director/Assistant Director consult with DCF to determine if the child’s parent(s) will be notified of the need to make a report of suspicion of abuse or neglect to DCF. If a teacher believes that an incident should be reported to DCF and the Director/Assistant Director disagrees, the staff member may independently make a report to DCF. Staff who report suspicion of child abuse or neglect at the Center are immune from discharge, retaliation, or other disciplinary action for this reason alone unless it is proven that the report is malicious.

Identifying and Reporting Child Abuse or Neglect of a Child in the Care of the Center
It is the Center’s commitment to protect all children in care from abuse and neglect. If an incident of abuse or neglect of a child is alleged to have occurred while a child is in care of the program or during a program related activity the Director is notified immediately. The Director attempts to ascertain information about the incident from the individual making the allegation and maintains documentation of the alleged incident and any investigatory proceedings.

Any staff member alleged to have perpetrated abuse or neglect is immediately removed from duties involving direct contact with children. A meeting is held with the staff member in question to inform her/him that there has been an allegation and of the procedures to be used to investigate the allegation by the Department of Children and Families and the Department of Early Education and Care.

An incident of suspected abuse or neglect alleged to have occurred while a child is in care of the program or during a program related activity is immediately reported by telephone by the Director to the Department of Children and Families and the Department of Early Education and Care. In addition, the Director notifies the Dean of Students/Associate Vice Chancellor of Student Affairs and Campus Life to apprise her/him of the allegation and proceedings.

The staff member in question remains removed from duties involving direct contact with children until the Department of Children and Families investigation is complete. If alternative duties and/or a location are not available for the staff member to work without direct contact with children, the employee is suspended with pay pending the outcome of the DCF and EEC investigations.

If the report of suspected abuse or neglect is screened out by the Department of Children and Families, the Director has the option of having the staff member remain on suspension with pay pending the EEC investigation or allowing the staff member to return to classroom duties. This decision is made by the Director based on the seriousness of the allegation and the facts available.

When the investigations are completed, the Director in consultation with University Human Resources, makes a determination as to appropriate personnel action. Any legal costs incurred by the individual staff member are their own responsibility.

Department of Children and Families (DCF)
Greenfield Office: (413) 775 – 5000
After Hours Hotline: (800) 792 - 5200