



## Manual of Policies and Procedures

Title  <h3 style="text-align: center;">Protection of Minors and Mandatory Reporting of Child Abuse and Neglect</h3>	Number <b>316</b>	Page <b>1 of 6</b>
Date  <b>December 2, 2019</b>		

### PURPOSE

This Policy provides guidance to all members of the Vermont State Colleges System (“VSCS”) community on how to protect Minors from abuse, including sexual abuse, and neglect and provides information on mandatory reporting of child abuse and neglect under Vermont law.

### SCOPE

This Policy applies to all VSCS community members, including faculty, staff, full-time and part-time employees, students, volunteers, trustees, officers, contractors, third-party vendors, and visitors to VSCS’s Member Institutions. It covers the protection of all Minors present on VSCS property, as well as those participating in VSCS-sponsored programs and activities at locations not owned or controlled by the VSCS.

### STATEMENT OF POLICY

Children under the age of 18 years of age are present on VSCS campuses and use VSCS facilities as visitors and community members. They also attend summer camps (including those run by third parties), campus events and programs, and academic classes as dual-enrolled and matriculated students.

Sexual abuse of a Minor by any adult affiliated with the VSCS is prohibited as set forth in VSC Policy 311-A: *Sexual Misconduct, Domestic Violence, Dating Violence, Sexual Assault, and Stalking*.

This Policy creates an independent duty for all members of the VSCS community who interact with, supervise, chaperone, or otherwise oversee Minors in VSCS-sponsored programs, activities, and/or residential facilities to receive training on the protection of Minors.

This Policy also creates an independent duty for all members of the VSC community, regardless of whether they work directly with Minors, to report internally and immediately suspected cases of sexual abuse of a Minor by any adult affiliated with the VSCS. Failure to report or otherwise follow this Policy will result in disciplinary action being taken, up to and including termination of employment.

In addition, employees who are mandated reporters under Vermont law are legally required to report any suspected child abuse or neglect to Vermont’s Department for Children and Families within 24 hours. A copy of the state law is attached at Appendix A.

Retaliation against individuals who report concerns in good faith is a violation of VSC policy and is prohibited.

## IMPLEMENTATION

### A. Definitions

**“Abuse or neglect”** – Under Vermont law and under this Policy, an abused or neglected Minor is defined as a child whose physical health, psychological growth and development, or welfare is harmed or is at substantial risk of harm by the acts or omissions of his or her parent or other person responsible for the Minor’s welfare. An “abused or neglected child” also means a Minor who is sexually abused or at substantial risk of sexual abuse by any person or a Minor who has died as a result of abuse or neglect.

**“Independent duty”** means that an individual may not delegate the duty to anyone else.

**“Mandated reporter”** – Under Vermont law and under this Policy, a mandated reporter is any health-care provider (including nurses and psychologists) and any individual employed by a school district or an approved or recognized independent school (including teachers, guidance counselors, mental health professionals, camp administrators and camp counselors). For a complete list of mandated reporters, see Appendix A (33 V.S.A. § 4913).

**“Minor”** – An individual under the age of 18.

**“Reasonable cause to suspect abuse or neglect of a child”** – Under Vermont law and under this Policy, reasonable cause to suspect abuse or neglect of a child means that, based upon an individual’s rational observations, professional training or experience, the individual has a suspicion that a child is being abused or maltreated by a parent, guardian, or a caregiver.

**“Reasonable suspicion”** may be based upon witnessing a single incident, upon what a Minor says, upon what an adult says about a child, upon an explanation of an injury that makes no sense, or upon a combination of warning signs.

**“Sexual abuse”** – Under Vermont law and under this Policy, sexual abuse consists of any act or acts by any person involving sexual molestation or exploitation of a Minor, including: (a) incest; (b) prostitution; (c) rape; (d) sodomy; (e) lewd and lascivious conduct involving a Minor; (f) aiding, abetting, counseling, hiring, or procuring of a Minor to perform or participate in any photograph, motion picture, exhibition, show, representation, or other presentation which, in whole or in part, depicts sexual conduct, sexual excitement, or sadomasochistic abuse involving a Minor; (g) viewing, possessing, or transmitting child pornography, with the exclusion of the exchange of images between mutually consenting minors, including the minor whose image is exchanged; (h) human trafficking; (i) sexual assault; (j) voyeurism; (k) luring a Minor; and (l) obscenity.

“**Sexual assault**” and “**sexual misconduct**” are defined in VSC Policy 311-A: *Sexual Misconduct, Domestic Violence, Dating Violence, Sexual Assault, and Stalking*.

B. Reporting Suspected Abuse

**Mandated Reporters** who have reasonable cause to suspect abuse or neglect of a Minor are legally required to make a report to the Family Services Division (“FSD”) of the Department for Children and Families within 24 hours of the time the mandated reporter received or observed information regarding the suspected abuse or neglect.

To make a report:

Call FSD at 1-800-649-5285 (24 hours a day, 7 days a week).

If a Minor is in immediate danger, dial 9-1-1 or call local law enforcement first.

Then call the above number for FSD to make a report. Calling law enforcement is not the same as reporting to FSD. **Mandated reporters must notify FSD directly.**

Failure to report can result in criminal prosecution and a fine up to \$500.00. Failure to report with the intent to conceal the abuse or neglect can result in imprisonment up to six months and a fine up to \$1,000.00. The VSCS takes any failure to report seriously and will impose discipline up to and including dismissal from an academic program, removal from campus facilities, and termination of employment.

**Non-mandated reporters** are also encouraged to call the hotline number listed above if they have reasonable cause to suspect abuse, sexual abuse, or neglect of a Minor.

In addition, all members of the VSCS community are required to report any knowledge or reasonable suspicion they may have about sexual abuse perpetrated against a Minor by an adult affiliated with the VSCS internally to a Title IX/Policy 311-A Coordinator, the Institution’s Office of Public Safety, or to General Counsel. The Office of Public Safety shall share any reports it receives with the Title IX/Policy 311-A Coordinator. A list of Title IX/Policy 311-A Coordinators is attached hereto at Appendix C. Failure to report can result in disciplinary action being taken, up to and including dismissal from an academic program, removal from campus facilities, and termination of employment.

Reports should include all information known to the individual making the report, such as the names and ages of those involved, contact information for those involved and any witnesses, details of the incident(s) being reported, including the date, time, location, and any other relevant details known to the reporting party.

**Exclusion:** The duty to report to a VSCS Title IX/Policy 311-A Coordinator or Public Safety does not apply to health-care providers employed by the VSCS, who are Mandated Reporters under state law in connection with providing clinical care to patients, if a report would breach a patient’s legal rights to confidentiality.

### C. Handling Internal Reports of Sexual Abuse

Title IX/Policy 311-A Coordinators are responsible for reviewing reports of sexual abuse to look for trends or patterns, including serial perpetrators.

Title IX/Policy 311-A Coordinators shall promptly report the alleged sexual abuse to the Department for Children and Families, if legally required to do so, as well as to the Minor's parents or guardians, and to General Counsel, and shall maintain records showing when such reports were made. The Office of General Counsel shall be responsible for reporting incidents of alleged sexual abuse in violation of this Policy to VSCS's insurance carriers, as necessary.

Investigations of sexual abuse of a Minor reported under this Policy shall be carried out consistent with the procedures set forth in the *Chancellor's Procedures for Implementation of Policy 311-A: Sexual Misconduct, Domestic Violence, Dating Violence, Sexual Assault and Stalking*, or any revision to such policy or procedures. If a provision of such procedures is inconsistent with the purpose of this Policy, General Counsel may waive or amend such provision, on a case by case basis, for good cause.

In addition to the above reporting requirements, all internal reports of sexual abuse by one perpetrator against multiple Minors shall be promptly reported by the Title IX/Policy 311-A Coordinator or General Counsel to the President, Chancellor and Chair of the Board of Trustees and, if the report involves an employee, to the applicable Director of Human Resources.

### D. Training

Any member of the VSCS community who interacts with, supervises, chaperones, or otherwise oversees Minors in VSCS-sponsored programs, activities, and/or residential facilities is required to receive training. The training will include information on how to recognize suspicious behavior by perpetrators, possible signs and indicators of abuse, how to interact appropriately with Minors, how best to prevent potential abuse, and how to report suspected abuse and neglect. Online trainings are available and will be assigned by the Member Institution's Director of Human Resources, upon request from the individual or the individual's supervisor. Resources and training materials are provided in Appendix B and shall be updated by the Chancellor as necessary.

Any third-party contractor whose employees have unsupervised access to Minors on VSCS property or through VSCS-sponsored programs or activities at locations not owned or controlled by the VSCS shall provide training to its employees (including volunteers and subcontractors) on the VSCS's prohibition on sexual abuse of Minors and VSCS's reporting requirements. Contractors shall provide written confirmation that training has occurred and include the names and job titles of those trained to the VSCS program director or the Member Institution's Dean of Administration. The program director or Dean of Administration shall provide the written confirmation to the Title IX/Policy 311 Coordinator for record-keeping.

#### E. Background Checks

Pursuant to VSCS Policy 208: *Criminal Background Checks*, criminal background checks are required on all new full-time employees and certain part-time employees to protect vulnerable persons and others who work for, enroll in, or attend programs through the VSCS. To the extent permitted by law, criminal background checks shall be conducted on all persons to whom an offer of full-time employment has been made. In addition, criminal background checks shall be conducted on all persons, including student employees, to whom an offer of part-time employment has been made where the terms and conditions of employment contemplate regular access to residence halls, day care centers, and other programs or facilities where Minors are known to congregate. When there is insufficient time in which to obtain a fingerprint supported background check, the Member Institutions are permitted to use an online service to perform an expedited background check, without fingerprints, at the Institution's expense, when such time-sensitive background checks need to be performed on persons, such as camp counselors and volunteers, who either work directly with Minors or who will be working in areas around Minors or in activities involving Minors. See VSC Policy 208; *Criminal Background Checks* for additional information.

#### F. Chancellor

The Chancellor shall update the appendices to this Policy as necessary.

#### RELEVANT LEGAL AUTHORITIES

- 20 U.S.C. § 1681 *et seq.* – Title IX of the Higher Education Amendments of 1972
- 34 C.F.R. Part 106 – Title IX Regulations
- 20 U.S.C. § 1092(f) – Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Section 485(f) of the Higher Education Act of 1965 (as amended)
- 34 C.F.R. § 668.46 – Clery Act regulations
- 33 V.S.A. § 4911 *et seq.* – Child Welfare Services - Reporting Abuse of Children (see Appendix A)

#### CROSS-REFERENCE

- VSC Policy 208: *Criminal Background Checks*
- VSC Policy 211: *Whistleblower Policy for Reporting Fraudulent, Illegal or Improper Activities*
- *Chancellor's Procedures for Implementation of Policy 211: Whistleblower Policy for Reporting Fraudulent, Illegal or Improper Activities*
- VSC Policy 311-A: *Sexual Misconduct, Domestic Violence, Dating Violence, Sexual Assault, and Stalking*
- *Chancellor's Procedures for Implementation of Policy 311-A: Sexual Misconduct, Domestic Violence, Dating Violence, Sexual Assault and Stalking*

ADDITIONAL RESOURCES

- Appendix B for a list of training resources and other educational materials.
- VSCS’s RESOLVE website at <https://resolve.vsc.edu/> for current resource information.


RESPONSIBLE OFFICES AND OFFICERS

- Appendix C for a list of Title IX/Policy 311-A Coordinators, Directors of Vermont’s Special Investigative Units, and other related hotlines and helplines.
- VSCS’s RESOLVE website at <https://resolve.vsc.edu/> for current contact information.

GUIDELINES FOR INTERACTING WITH MINORS

- See Appendix D.

Signed by:



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Jeb Spaulding, Chancellor

Date	Version	Revision	Approved By
12/2/2019	1.0	Adopted	VSCS Board of Trustees

**Appendix A to VSC Policy 316:  
Protection of Minors and Mandatory Reporting of Child Abuse and Neglect**

**Title 33: Human Services**

**Chapter 49: Child Welfare Services**

**Sub-chapter 2: Reporting Abuse of Children**

**§ 4911. Purpose**

The purpose of this subchapter is to:

- (1) protect children whose health and welfare may be adversely affected through abuse or neglect;
- (2) strengthen the family and make the home safe for children whenever possible by enhancing the parental capacity for good child care;
- (3) provide a temporary or permanent nurturing and safe environment for children when necessary; and for these purposes require the reporting of suspected child abuse and neglect, an assessment or investigation of such reports and provision of services, when needed, to such child and family;
- (4) establish a range of responses to child abuse and neglect that take into account different degrees of child abuse or neglect and which recognize that child offenders should be treated differently from adults; and
- (5) establish a tiered child protection registry that balances the need to protect children and the potential employment consequences of a registry record for persons who are substantiated for child abuse and neglect.

(Added 1981, No. 207 (Adj. Sess.), § 1, eff. April 25, 1982; amended 2007, No. 168 (Adj. Sess.), § 1.)

**§ 4912. Definitions**

As used in this subchapter:

- (1) "Abused or neglected child" means a child whose physical health, psychological growth and development, or welfare is harmed or is at substantial risk of harm by the acts or omissions of his or her parent or other person responsible for the child's welfare. An "abused or neglected child"

also means a child who is sexually abused or at substantial risk of sexual abuse by any person and a child who has died as a result of abuse or neglect.

(2) "Assessment" means a response to a report of child abuse or neglect that focuses on the identification of the strengths and support needs of the child and the family and any services they may require to improve or restore their well-being and to reduce the risk of future harm. The child and family assessment does not result in a formal determination as to whether the reported abuse or neglect has occurred.

(3) "Child" means an individual under the age of majority.

(4) "Child Protection Registry" means a record of all investigations that have resulted in a substantiated report on or after January 1, 1992.

(5) "Emotional maltreatment" means a pattern of malicious behavior which results in impaired psychological growth and development.

(6) "Harm" can occur by:

(A) Physical injury or emotional maltreatment.

(B) Failure to supply the child with adequate food, clothing, shelter, or health care. As used in this subchapter, "adequate health care" includes any medical or nonmedical remedial health care permitted or authorized under State law. Notwithstanding that a child might be found to be without proper parental care under chapters 51 and 53 of this title, a parent or other person responsible for a child's care legitimately practicing his or her religious beliefs who thereby does not provide specified medical treatment for a child shall not be considered neglectful for that reason alone.

(C) Abandonment of the child.

(7) "Investigation" means a response to a report of child abuse or neglect that begins with the systematic gathering of information to determine whether the abuse or neglect has occurred and, if so, the appropriate response. An investigation shall result in a formal determination as to whether the reported abuse or neglect has occurred.

(8) "Member of the clergy" means a priest, rabbi, clergy member, ordained or licensed minister, leader of any church or religious body, accredited Christian Science practitioner, or person performing official duties on behalf of a church or religious body that are recognized as the



duties of a priest, rabbi, clergy, nun, brother, ordained or licensed minister, leader of any church or religious body, or accredited Christian Science practitioner.

(9) "Multidisciplinary team" means a group of professionals, paraprofessionals, and other appropriate individuals impaneled by the Commissioner under this chapter for the purpose of assisting in the identification and review of cases of child abuse and neglect, coordinating treatment services for abused and neglected children and their families, and promoting child abuse prevention.

(10) "Person responsible for a child's welfare" includes the child's parent, guardian, foster parent, any other adult residing in the child's home who serves in a parental role, an employee of a public or private residential home, institution, or agency, or other person responsible for the child's welfare while in a residential, educational, or child care setting, including any staff person.

(11) "Physical injury" means death or permanent or temporary disfigurement or impairment of any bodily organ or function by other than accidental means.

(12) "Redacted investigation file" means the intake report, the investigation activities summary, and case determination report that are amended in accordance with confidentiality requirements set forth in section 4913 of this title.

(13) "Registry record" means an entry in the Child Protection Registry that consists of the name of an individual substantiated for child abuse or neglect, the date of the finding, the nature of the finding, and at least one other personal identifier, other than a name, listed in order to avoid the possibility of misidentification.

(14) "Risk of harm" means a significant danger that a child will suffer serious harm by other than accidental means, which harm would be likely to cause physical injury, or sexual abuse, including as the result of:

(A) a single, egregious act that has caused the child to be at significant risk of serious physical injury;

(B) the production or preproduction of methamphetamines when a child is actually present;

(C) failing to provide supervision or care appropriate for the child's age or development and, as a result, the child is at significant risk of serious physical injury;

(D) failing to provide supervision or care appropriate for the child's age or development due to use of illegal substances, or misuse of prescription drugs or alcohol;

(E) failing to supervise appropriately a child in a situation in which drugs, alcohol, or drug paraphernalia are accessible to the child; and

(F) a registered sex offender or person substantiated for sexually abusing a child residing with or spending unsupervised time with a child.

(15) "Sexual abuse" consists of any act or acts by any person involving sexual molestation or exploitation of a child, including:

(A) incest;

(B) prostitution;

(C) rape;

(D) sodomy;

(E) lewd and lascivious conduct involving a child;

(F) aiding, abetting, counseling, hiring, or procuring of a child to perform or participate in any photograph, motion picture, exhibition, show, representation, or other presentation which, in whole or in part, depicts sexual conduct, sexual excitement, or sadomasochistic abuse involving a child;

(G) viewing, possessing, or transmitting child pornography, with the exclusion of the exchange of images between mutually consenting minors, including the minor whose image is exchanged;

(H) human trafficking;

(I) sexual assault;

(J) voyeurism;

(K) luring a child; or

(L) obscenity.

(16) "Substantiated report" means that the Commissioner or the Commissioner's designee has determined after investigation that a report is based upon accurate and reliable information that would lead a reasonable person to believe that the child has been abused or neglected.

(17) "Serious physical injury" means, by other than accidental means:

(A) physical injury that creates any of the following:

(i) a substantial risk of death;

(ii) a substantial loss or impairment of the function of any bodily member or organ;

(iii) a substantial impairment of health; or

(iv) substantial disfigurement; or

(B) strangulation by intentionally impeding normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person.

(Added 1981, No. 207 (Adj. Sess.), § 1, eff. April 25, 1982; amended 1985, No. 211 (Adj. Sess.), §§ 1, 2; 1989, No. 295 (Adj. Sess.), §§ 1, 2; 1991, No. 141 (Adj. Sess.), § 1; 1995, No. 145 (Adj. Sess.), § 5; 2001, No. 135 (Adj. Sess.), § 15, eff. June 13, 2002; 2003, No. 43, § 2, eff. May 27, 2003; 2003, No. 66, § 136a; 2007, No. 77, § 1, eff. June 7, 2007; 2007, No. 168 (Adj. Sess.), § 2; 2007, No. 172 (Adj. Sess.), § 18; 2013, No. 131 (Adj. Sess.), § 76, eff. May 20, 2014; 2015, No. 60, § 3.)

### **§ 4913. Reporting child abuse and neglect; remedial action**

(a) A mandated reporter is any:

(1) health care provider, including any:

(A) physician, surgeon, osteopath, chiropractor, or physician assistant licensed, certified, or registered under the provisions of Title 26;

(B) resident physician;

(C) intern;

(D) hospital administrator in any hospital in this State;

(E) registered nurse;

(F) licensed practical nurse;

(G) medical examiner;

(H) emergency medical personnel as defined in 24 V.S.A. § 2651(6);

(I) dentist;

(J) psychologist; and

(K) pharmacist;

(2) individual who is employed by a school district or an approved or recognized independent school, or who is contracted and paid by a school district or an approved or recognized independent school to provide student services, including any:

(A) school superintendent;

(B) headmaster of an approved or recognized independent school as defined in 16 V.S.A. § 11;

(C) school teacher;

(D) student teacher;

(E) school librarian;

(F) school principal; and

(G) school guidance counselor;

(3) child care worker;

(4) mental health professional;

- (5) social worker;
- (6) probation officer;
- (7) employee, contractor, and grantee of the Agency of Human Services who have contact with clients;
- (8) police officer;
- (9) camp owner;
- (10) camp administrator;
- (11) camp counselor; or
- (12) member of the clergy.

(b) As used in subsection (a) of this section, "camp" includes any residential or nonresidential recreational program.

(c) Any mandated reporter who reasonably suspects abuse or neglect of a child shall report in accordance with the provisions of section 4914 of this title within 24 hours of the time information regarding the suspected abuse or neglect was first received or observed.

(d)

(1) The Commissioner shall inform the person who made the report under subsection (a) of this section:

(A) whether the report was accepted as a valid allegation of abuse or neglect;

(B) whether an assessment was conducted and, if so, whether a need for services was found; and

(C) whether an investigation was conducted and, if so, whether it resulted in a substantiation.

(2) Upon request, the Commissioner shall provide relevant information contained in the case records concerning a person's report to a person who:

(A) made the report under subsection (a) of this section; and

(B) is engaged in an ongoing working relationship with the child or family who is the subject of the report.

(3) Any information disclosed under subdivision (2) of this subsection shall not be disseminated by the mandated reporter requesting the information. A person who intentionally violates the confidentiality provisions of this section shall be fined not more than \$2,000.00.

(4) In providing information under subdivision (2) of this subsection, the Department may withhold:

(A) information that could compromise the safety of the reporter or the child or family who is the subject of the report; or

(B) specific details that could cause the child to experience significant mental or emotional stress.

(e) Any other concerned person not listed in subsection (a) of this section who has reasonable cause to believe that any child has been abused or neglected may report or cause a report to be made in accordance with the provisions of section 4914 of this title.

(f)

(1) Any person other than a person suspected of child abuse, who in good faith makes a report to the Department shall be immune from any civil or criminal liability which might otherwise be incurred or imposed as a result of making a report.

(2) An employer or supervisor shall not discharge; demote; transfer; reduce pay, benefits, or work privileges; prepare a negative work performance evaluation; or take any other action detrimental to any employee because that employee filed a good faith report in accordance with the provisions of this subchapter. Any person making a report under this subchapter shall have a civil cause of action for appropriate compensatory and punitive damages against any person who causes detrimental changes in the employment status of the reporting party by reason of his or her making a report.

(g) The name of and any identifying information about either the person making the report or any person mentioned in the report shall be confidential unless:

(1) the person making the report specifically allows disclosure;

- (2) a Human Services Board proceeding or a judicial proceeding results therefrom;
- (3) a court, after a hearing, finds probable cause to believe that the report was not made in good faith and orders the Department to make the name of the reporter available; or
- (4) a review has been requested pursuant to section 4916a of this title, and the Department has determined that identifying information can be provided without compromising the safety of the reporter or the persons mentioned in the report.

(h)

- (1) A person who violates subsection (c) of this section shall be fined not more than \$500.00.
- (2) A person who violates subsection (c) of this section with the intent to conceal abuse or neglect of a child shall be imprisoned not more than six months or fined not more than \$1,000.00, or both.
- (3) This section shall not be construed to prohibit a prosecution under any other provision of law.

(i) Except as provided in subsection (j) of this section, a person may not refuse to make a report required by this section on the grounds that making the report would violate a privilege or disclose a confidential communication.

(j) A member of the clergy shall not be required to make a report under this section if the report would be based upon information received in a communication which is:

- (1) made to a member of the clergy acting in his or her capacity as spiritual advisor;
- (2) intended by the parties to be confidential at the time the communication is made;
- (3) intended by the communicant to be an act of contrition or a matter of conscience; and
- (4) required to be confidential by religious law, doctrine, or tenet.

(k) When a member of the clergy receives information about abuse or neglect of a child in a manner other than as described in subsection (j) of this section, he or she is required to report on the basis of that information even though he or she may have also received a report of abuse or neglect about the same person or incident in the manner described in subsection (j) of this section.

(Added 1981, No. 207 (Adj. Sess.), § 1, eff. April 25, 1982; amended 1983, No. 169 (Adj. Sess.), § 1; 1985, No. 208 (Adj. Sess.), § 19, eff. June 30, 1986; 1989, No. 295 (Adj. Sess.), § 3; 1993, No. 156 (Adj. Sess.), § 1; 2003, No. 43, § 3, eff. May 27, 2003; 2005, No. 101 (Adj. Sess.), § 2; 2007, No. 77, § 1, eff. June 7, 2007; 2007, No. 168 (Adj. Sess.), § 3, eff. Jan. 1, 2009; 2007, No. 172 (Adj. Sess.), § 19; 2009, No. 1, § 45; 2011, No. 156 (Adj. Sess.), § 28, eff. May 16, 2012; 2011, No. 159 (Adj. Sess.), § 7; 2015, No. 60, § 4.)

**§ 4914. Nature and content of report; to whom made**

A report shall be made orally or in writing to the Commissioner or designee. The Commissioner or designee shall request the reporter to follow the oral report with a written report, unless the reporter is anonymous. Reports shall contain the name and address or other contact information of the reporter as well as the names and addresses of the child and the parents or other persons responsible for the child's care, if known; the age of the child; the nature and extent of the child's injuries together with any evidence of previous abuse and neglect of the child or the child's siblings; and any other information that might be helpful in establishing the cause of the injuries or reasons for the neglect as well as in protecting the child and assisting the family. If a report of child abuse or neglect involves the acts or omissions of the Commissioner or employees of the Department, then the report shall be directed to the Secretary of Human Services who shall cause the report to be investigated by other appropriate Agency staff. If the report is substantiated, services shall be offered to the child and to his or her family or caretaker according to the requirements of section 4915b of this title.

(Added 1981, No. 207 (Adj. Sess.), § 1, eff. April 25, 1982; amended 1989, No. 187 (Adj. Sess.), § 5; 1989, No. 295 (Adj. Sess.), § 4; 1995, No. 174 (Adj. Sess.), § 3; 2005, No. 174 (Adj. Sess.), § 120; 2007, No. 77, § 1, eff. June 1, 2007; 2007, No. 168 (Adj. Sess.), § 4; 2015, No. 60, § 4a.)



## **Appendix B to VSC Policy 316: Protection of Minors and Mandatory Reporting of Child Abuse and Neglect**

### **Training Materials**

Contact your Director of Human Resources to request assignments of the following available course modules to oneself or to employees under your supervision:

**1. United Educators:**

Two online courses on protecting children

1. Identifying and Reporting Sexual Misconduct
2. Hiring Staff who Work with Minors (30 mins)

**2. EverFi**

Online course module Protecting Youth: Abuse and Neglect Prevention; recognizing the signs of child abuse and neglect and understanding reporting requirements

### **Available Resources**

1. **Shine a Light** – video designed to educate higher education employees who do not usually work with children and teens (9:28 mins)

<https://players.brightcove.net/pages/v1/index.html?accountId=167703361001&playerId=default&videoId=4286060740001&autoplay=true>

2. **Vermont Department of Children and Families (DCF)**

- Online training for mandated reporters: <https://dcf.vermont.gov/dcf-blog/online-training-mandated-reporters-now-available>
- DCF Educate Yourself website: <https://dcf.vermont.gov/prevention/stepup/educate>
- Guide for parents, care-takers, friends and relatives on how to protect children from sexual abuse: <https://dcf.vermont.gov/sites/dcf/files/Prevention/docs/STEPUP-Parent-Guide.pdf>
- Reporting Child Abuse in Vermont - <https://dcf.vermont.gov/protection/reporting>
- Mandated Reporters - <https://dcf.vermont.gov/protection/reporting/mandated/reporters>

**Appendix C to VSC Policy 316:  
Protection of Minors and Mandatory Reporting of Child Abuse and Neglect**

**CONTACTS**

**VSCS TITLE IX/POLICY 311-A COORDINATORS**

<b>Office of the Chancellor:</b>	Sarah Potter, Chief Human Resources Officer <a href="mailto:Sarah.Potter@vsc.edu">Sarah.Potter@vsc.edu</a> (802) 279-9622
<b>Community College of Vermont:</b>	Angie Albeck, Associate Dean of Students (Policy 311/Title IX Coordinator) <a href="mailto:Angela.Albeck@ccv.edu">Angela.Albeck@ccv.edu</a> (802) 654-0690
	Additional designated contacts by region at <a href="#">Contacts – Title IX – Vermont State Colleges (vsc.edu)</a>
<b>Vermont State University:</b>	Amy Daviarz, Title IX and Protected Rights Coordinator (University wide) <a href="mailto:Amy.Daviarz@vermontstate.edu">Amy.Daviarz@vermontstate.edu</a> 802-279-2808
<b>Castleton:</b>	Amy Daviarz, Title IX and Protected Rights Coordinator <a href="mailto:Amy.Daviarz@vermontstate.edu">Amy.Daviarz@vermontstate.edu</a> 802-279-2808
	Jen Jones, AVP, Academic Support & Educational Opportunity (Deputy Policy 311/Title IX Coordinator) <a href="mailto:Jen.Jones@vermontstate.edu">Jen.Jones@vermontstate.edu</a> 802-468-6404
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**CONTACT INFORMATION FOR VERMONT’S SPECIAL INVESTIGATION UNITS**

<p><b><u>Addison County</u></b>                  Addison County Unit for Special Investigations                  Carolyn Mellish                  Executive Director                  35 Court Street                  Middlebury, VT 05753                  (802) 274-5724  <a href="mailto:Carolyn.mellish@vermont.gov">Carolyn.mellish@vermont.gov</a></p>	<p><b><u>Bennington County</u></b>                  Bennington County Child Advocacy Center/ SIU                  Jenna Caslin                  Executive Director                  P.O. Box 163                  129 Elm Street                  Bennington VT 05201                  (802) 442-5107  <a href="mailto:Jenna.Caslin@partner.vermont.gov">Jenna.Caslin@partner.vermont.gov</a></p>	<p><b><u>Caledonia and Southern Essex Counties</u></b>                  Caledonia Children’s Advocacy Center/SIU                  Christopher St. Cyr                  Executive Director                  PO Box 272                  Saint Johnsbury, VT 05819                  (802) 424-1227  <a href="mailto:Christopher.StCyr@partner.vermont.gov">Christopher.StCyr@partner.vermont.gov</a></p>
<p><b><u>Chittenden County</u></b>                  Chittenden Children’s Advocacy Center/CUSI                  Tara Gonthier                  Executive Director                  50 Cherry Street, Suite 102                  Burlington, VT 05401                  (802) 652-0991  <a href="mailto:tgonthier@bpdvt.org">tgonthier@bpdvt.org</a></p>	<p><b><u>Franklin &amp; Grand Isle Counties</u></b>                  Northwest Unit for Special Investigations NUSI/CAC                  Betty Lavoie                  Executive Director                  5 Lemnah Drive                  St. Albans, VT 05478                  (802) 524-7961  <a href="mailto:Betty.Lavoie@partner.vermont.gov">Betty.Lavoie@partner.vermont.gov</a></p>	<p><b><u>Lamoille County</u></b>                  Lamoille County Special Investigation Unit/CAC                  Tracy Patnoe                  Executive Director                  P.O. Box 16                  Hyde Park, VT 05655                  (802)-851-8116  <a href="mailto:tpatnoe@lamoillesiu.org">tpatnoe@lamoillesiu.org</a></p>
<p><b><u>Orange County</u></b>                  Orange County SIU/CAC                  Wendy Loomis                  Interim Executive Director                  354 VT Route 110                  PO Box 254                  Chelsea, VT 05038                  (802) 685-4712  <a href="mailto:Wendy.Loomis@partner.vermont.gov">Wendy.Loomis@partner.vermont.gov</a></p>	<p><b><u>Orleans &amp; Northern Essex Co.</u></b>                  The Orleans County Child Advocacy Center/SIU                  Ryan Bjerke, Executive Director                  55 Seymour Lane, Suite 2                  PO Box 1133                  Newport, VT 05855                  (802) 334-6002  <a href="mailto:Ryan.Bjerke@partner.vermont.gov">Ryan.Bjerke@partner.vermont.gov</a></p>	<p><b><u>Rutland County</u></b>                  Child First Advocacy Center/ Rutland Unit for Special Inv. Wendy Loomis, Exec. Dir.                  80 West Street                  P.O. Box 6822                  Rutland, VT 05702                  (802) 747-0200  <a href="mailto:Wendy.Loomis@partner.vermont.gov">Wendy.Loomis@partner.vermont.gov</a></p>
<p><b><u>Washington County</u></b>                  OUR House of Central Vermont, Inc. CAC/SIU                  Rebecca Duranleau                  Executive Director                  38 Summer Street                  Barre, Vermont 05641                  (802) 476-8825  <a href="mailto:ourhousebarredirector@gmail.com">ourhousebarredirector@gmail.com</a></p>	<p><b><u>Windham County</u></b>                  Windham County Safe Place CAC/ SUSI                  Samantha Prince                  Executive Director                  112 Hardwood Way                  Brattleboro, VT 05301                  (802) 579-1358  <a href="mailto:Samantha.Prince@partner.vermont.gov">Samantha.Prince@partner.vermont.gov</a></p>	<p><b><u>Windsor County</u></b>                  The CACs of the Family Place/ Windsor County SIU                  Julie Gaudette, Director                  319 US Route 5, South                  Norwich, VT 05055                  (802) 295-3882  <a href="mailto:julie@the-family-place.org">julie@the-family-place.org</a>  <a href="mailto:Julie.Gaudette@partner.vermont.gov">Julie.Gaudette@partner.vermont.gov</a></p>

## **HELPLINES AND HOTLINES**

**Mandated Reporters are legally required to make a report to the Family Services Division of the Department of Children and Families within 24 hours of the time you first receive or observe information that causes you to reasonably suspect child abuse or neglect.**

Call 1-800-649-5285 (24 hours a day, 7 days a week).

If a child is in immediate danger, dial 911 or call your local police first.

Then call the above number to make a report. Calling law enforcement is not the same as reporting to Family Services Division. Mandated reporters must notify FSD directly.

**Domestic Violence Hotline – 1-800-228-7395**

**Sexual Violence Hotline – 1-800-489-7273**

**Vermont Center for Crime Victim Services – 1-800-750-1213 or (802) 241-1250 or [www.ccvv.state.vt.us](http://www.ccvv.state.vt.us)**

## **WHISTLEBLOWER HOTLINE**

Go to [EthicsPoint](https://www.vsc.edu/ethicspoint) to report illegal and unethical conduct online

OR

Dial toll-free, within the United States, and Canada: 866-215-4016

See also <https://www.vsc.edu/board-of-trustees/policies-procedures/personnel-policies/> for the following:

- VSC Policy 211: *Whistleblower Policy for Reporting Fraudulent, Illegal or Improper Activities*
- *Chancellor's Procedures for Implementation of Policy 211: Whistleblower Policy for Reporting Fraudulent, Illegal or Improper Activities*
- *Questions and Answers on EthicsPoint*

**Appendix D to VSC Policy 316:  
Protection of Minors and Mandatory Reporting of Child Abuse and Neglect**

**GUIDELINES FOR INTERACTING WITH MINORS**

**Be Mindful of Boundaries:** Children can be vulnerable. When interacting with Minors, be particularly aware of the importance of maintaining appropriate physical and emotional boundaries. Members of the VSCS community must not engage in any behavior, including speech, gestures, depictions, or physical contact that exploits, abuses, or harasses Minors.

**Physical Contact:** A Minor or bystander may misinterpret an individual's intentions when physical contact occurs between a member of the VSCS community and a Minor. Therefore, physical contact should be limited in nature and should occur only when necessary or appropriate. Be aware of how physical touch with Minors can be perceived or received and show prudent discretion in determining whether physical contact would be an appropriate expression of greeting, care, concern, instruction, or celebration.

Acceptable forms of physical contact with a Minor include high fives, handshakes, fist bumps, and pats on the back or shoulder.

Types of physical contact to be avoided include tickling, rough-housing, wrestling, piggyback rides, any type of massage, and any form of unwanted affection.

**Discipline:** Although at times limit-setting with Minors may be necessary for safety reasons, physical discipline is not acceptable behavior in the VSCS community. Similarly, speech, gestures or other behaviors that are bullying, demeaning, belittling, hurtful, meant to embarrass or make gratuitous reference to the Minor's physical development or appearance are not appropriate.

**One-on-one Interactions:** One-on-one meetings with a Minor should be avoided, but if necessary, should be held in a public area, in a room where the interaction can be (or is being) observed, or in a room with the door left open. Practically speaking, VSCS community members should make a reasonable effort to have another adult colleague present when meeting with a Minor. If a private, one-on-one meeting with a Minor cannot otherwise be avoided, a supervisor or another staff member should be notified about the meeting at the same time as the interaction or as soon as is reasonably practicable thereafter.

**Drug and Alcohol Use; Other Prohibited Items:** Consistent with VSCS policies, the possession and/or use of illegal drugs (including marijuana) and the use of tobacco products or alcohol is prohibited when interacting with Minors. Members of the VSCS community, including vendors, are prohibited from providing a Minor with alcohol, drugs, tobacco products, inappropriate materials (including materials accessed digitally or virtually) or other such items.

**Gifts:** Members of the VSCS community should not give gifts to Minors or their parent/guardian independent of gifts provided through a VSCS program but are permitted to accept gifts of nominal value (under \$25) from Minors with the permission of their parent/guardian.

**Communicating with Minors:** Communication with Minors is only allowed for the purpose of conducting VSCS programs or otherwise furthering summer camp or vendor program-related objectives. Do not call, text or engage with Minors using personal devices, email or social media, and do not engage with Minors about any personal subjects unless otherwise consistent with VSCS program missions and objectives.

For the protection of all concerned, the key safety concept that will be applied to such communications is “transparency” – use limited means of electronic communication (normally, VSCS phones and emails), limit your in-person communication with Minors outside of your role with the VSCS (private, one-on-one meetings should be avoided if at all possible, as described above), and keep your communications related to VSCS-related programs and activities.