

## Glossary and Acronyms for *Look Out for Child Abuse*

This list is intended to provide you with some guidance about frequently cited words on the *Look Out for Child Abuse* website. You can see the legal definitions in Title 23 § 6303 by clicking on this link (<http://www.legis.state.pa.us/WU01/LI/LI/CT/PDF/23/23.PDF>)

**Bodily injury** - Impairment of physical condition or substantial pain

**Child** - An individual under 18 years of age

**Child-care services** includes any of the following:

- Child day-care centers
- Group day-care homes
- Family child-care homes
- Foster homes
- Adoptive parents
- Boarding homes for children
- Juvenile detention center services or programs for delinquent or dependent children
- Mental health services for children
- Services for children with intellectual disabilities
- Early intervention services for children
- Drug and alcohol services for children
- Day-care services or programs that are offered by a school
- Other child-care services that are provided by or subject to approval, licensure, registration or certification by the department or a county social services agency or that are provided pursuant to a contract with the department or a county social services agency (Note that independent contractors are captured by this designation)

The term does not apply to services provided by administrative or other support personnel unless the administrative or other support personnel has direct contact with children.

**County agency or CYS agency** – a county children and youth social service agency (sometimes also known as the CYS agency)

**Department or DHS** – The Pennsylvania Department of Human Services referred to also as DHS (Note that until 2014, the department was known as the Pennsylvania Department of Public Welfare, so older documents may cite the source as DPW versus DHS – still they are one and the same)

**Direct contact with children** - The care, supervision, guidance or control of children or routine interaction with children

**Direct volunteer contact** – The care, supervision, guidance or control of children and routine interaction with children.

**Education enterprise** – An educational activity in this Commonwealth:

For which college credits or continuing education units are awarded, continuing professional education is offered for tuition or fees are charged or collected; and

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That it is sponsored by a corporation, entity or institution that is incorporated or authorized by other means in a state other than this Commonwealth and is approved and authorized to operate in this Commonwealth under 15 PA.C.S. PT. II Subpt B (relating to business corporations) or c (relating to nonprofit corporations) and 24 PA.C.S. 65 (relating to private colleges, universities and seminaries).

**Founded report** – After a report is investigated by the county children and youth agency and/or officials from the Department of Human Services (DHS), it may be substantiated as a founded report of child abuse. A founded report is one that involved as perpetrator as defined by the Child Protective Services Law (see below) and where any of the following apply:

- (1) There has been a judicial adjudication based on a finding that a child who is a subject of the report has been abused and the adjudication involves the same factual circumstances involved in the allegation of child abuse. The judicial adjudication may include any of the following:
  - (i) The entry of a plea of guilty or nolo contendere.
  - (ii) A finding of guilt to a criminal charge.
  - (iii) A finding of dependency under 42 Pa.C.S. §6341 (relating to adjudication) if the court has entered a finding that a child who is the subject of the report has been abused.
  - (iv) A finding of delinquency under 42 Pa.C.S. §6341 if the court has entered a finding that the child who is the subject of the report has been abused by the child who was found to be delinquent.
- (2) There has been an acceptance into an accelerated rehabilitative disposition program and the reason for the acceptance involves the same factual circumstances involved in the allegation of child abuse.
- (3) There has been a consent decree entered in a juvenile proceeding under 42 Pa.C.S. Ch. 63 (relating to juvenile matters), the decree involves the same factual circumstances involved in the allegation of child abuse and the terms and conditions of the consent decree include an acknowledgment, admission or finding that a child who is the subject of the report has been abused by the child who is alleged to be delinquent.
- (4) A final protection from abuse order has been granted under section 6108 (relating to relief), when the child who is a subject of the report is one of the individuals protected under the protection from abuse order and:
  - (i) only one individual is charged with the abuse in the protection from abuse action;
  - (ii) only that individual defends against the charge;
  - (iii) the adjudication involves the same factual circumstances involved in the allegation of child abuse; and
  - (iv) the protection from abuse adjudication finds that the child abuse occurred.

**General protective services or GPS** - Some reports of suspected child abuse and neglect called into ChildLine or filed online do not necessarily meet the criteria to be investigated by the county children and youth agency. If the report doesn't meet the definition of child abuse but do suggest a child/family is in need of services or supports to prevent child abuse and neglect, it becomes known as a referral for General Protective Services (GPS). Specially trained staff from the county CYS agency will meet with and assess the child and family instead of conducting a formal child abuse investigation.

**Health care provider** – A licensed hospital or health care facility or person who is licensed, certified or otherwise regulated to provide health care services under the laws of this Commonwealth, including a physician, podiatrist, optometrist, psychologist, physical therapist, certified nurse practitioner, registered nurse, nurse midwife, physician's assistant, chiropractor, dentist, pharmacist or an individual accredited or certified to provide behavioral health services.

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**Immediate vicinity** – An area in which an individual is physically present with a child and can see, hear, direct and assess the activities of the child.

**Independent contractor** - An individual who provides a program, activity or service to an agency, institution, organization or other entity, including a school or regularly established religious organization, that is responsible for the care, supervision, guidance or control of children. The term does not apply to administrative or other support personnel unless the administrative or other support personnel has direct contact with children.

**Indicated report** - After a report is investigated by the county children and youth agency and/or officials from the Department of Human Services (DHS), it may be substantiated as an indicated report of child abuse. This determination requires that substantial evidence exist based on any of the following:

- (i) Available medical evidence
- (ii) The child protective service investigation
- (iii) An admission of the acts of abuse by the perpetrator.

A report can be indicated for any child who is a victim of child abuse regardless the number of perpetrators involved or if a specific perpetrator(s) could not be determined.

**Institution of higher education** – Any of the following:

1. A community college which is an institution now or hereafter created pursuant to Article XIX-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, or the act of August 24, 1963 (P.L.1132, No.484), known as the Community College Act of 1963
2. An independent institution of higher education that is an institution of higher education located in and incorporated or chartered by the Commonwealth, entitled to confer degrees as set forth in 24 Pa.C.S. § 6505 (relating to power to confer degrees), and entitled to apply to itself the designation "college," "university" or "seminary" as provided for by standards and qualifications prescribed by the State Board of Education pursuant to 24 Pa.C.S. Ch. 65.
3. A State-owned institution.
4. A State-related institution.
5. An education enterprise.

**Perpetrator** - A person who has committed child abuse and is one of the following:

1. A parent of the child.
2. A spouse or former spouse of the child's parent.
3. A paramour or former paramour of the child's parent.
4. A person 14 years of age or older and responsible for the child's welfare or having direct contact with children as an employee or child-care services, a school or through a program, activity or service.
5. An individual 14 years of age or older who resides in the same home as the child.
6. An individual 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.

Only the following can be determined to be a perpetrator for failing to act:

1. A parent of the child.
2. A spouse or former spouse of the child's parent

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3. A paramour or former paramour of the child's parent
4. A person 18 years of age or older and responsible for the child's welfare
5. A person 18 years of age or older who resides in the same home as the child

Remember that a mandated reporter must make a report when they have reasonable cause to suspect child abuse and neglect regardless who the perpetrator is. In other words, the mandated reporter is not responsible for knowing if a person is or is not a perpetrator under the Child Protective Services Law (CPSL) before making a report of suspected child abuse.

**Person affiliated with** - A person that directly or indirectly, through one or more intermediaries, controls, is controlled by or is under common control with a specified person.

**Person responsible for the child's welfare** - A person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care, supervision and control.

**Program, activity or service** – Any of the following in which children participate and which is sponsored by a school or a public or private organization:

1. A youth camp or program
2. A recreational camp or program
3. A sports or athletic program
4. A community or social outreach program
5. An enrichment or educational program
6. A troop, club or similar organization

**Recent act or failure to act** - Any act or failure to act committed within two years of the date of the report to the department or county agency.

**Routine interaction** – Regular and repeated contact that is integral to a person's employment or volunteer responsibilities.

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**School** - A facility providing elementary, secondary or postsecondary educational services. The term includes the following:

1. Any school of a school district
2. An area vocational-technical school
3. A joint school
4. An intermediate unit
5. A charter school or regional charter school
6. A cyber charter school
7. A private school licensed under the act of January 28, 1988 (P.L.24, No.11), known as the Private Academic Schools Act
8. A private school accredited by an accrediting association approved by the State Board of Education
9. A nonpublic school
10. An institution of higher education
11. A private school licensed under the act of December 15, 1986 (P.L.1585, No.174), known as the Private Licensed Schools Act
12. The Hiram G. Andrews Center
13. A private residential rehabilitative institution as defined in Section 914.1-A(c) of the Public School code of 1949.

**School employee** – An individual who is employed by a school or who provides a program, activity or service sponsored by a school. The term does not apply to administrative or other support personnel unless the administrative or other support personnel has direct contact with children.