

APPROPRIATELY HANDLING DISCLOSURE: AN EDUCATOR'S GUIDE

Michigan Department of Education
in Cooperation with the Firecracker Foundation

WHAT DO I DO IF A STUDENT DISCLOSES
ABUSE, NEGLECT, HARRASSMENT, OR
SEXUAL EXPLOITATION?

Be honest about being a mandatory reporter.

Step 1: Location

Step 2: Eye Contact

Step 3: Remain neutral facial expressions and tone

Step 4: Limit questions: “who”, “what”, “when” “where”.

Step 5: “It took a lot of courage to tell me this.”

Step 6: “You didn’t do anything to deserve this.”

Step 7: “I am here to listen and help any way I can.”

Step 8: Help access resources to ensure safety.

Be honest. Disclose that you are a mandatory reporter. ALL REPORTS MUST BE DISCLOSED TO EITHER DHHS IN ACCORDANCE WITH THE CHILD PROTECTION ACT OR THE POLICE AND PARENTS. This is something that should be included in your “regular classroom procedures” talk at the beginning of the year.

It’s important for you to know that if you are under the age of 18, adults may be required by Michigan’s Mandated Reporter Law and their own school policies to report what you share with them with the police, child protective services, or a child abuse reporting hotline.

Mandated reporters are asked to share the survivor/victim’s name, address, gender, age, the name and address of their parents/guardians, details about the abuse or harm experienced, and the name of the perpetrator. This report may lead to an investigation by MDHHS or law enforcement.

Here is a list of the professionals that are required to report in the state of Michigan.

Mandated reporting is meant to protect you and keep you safe. However, we recognize that making a report can feel scary and overwhelming. One way to get your questions answered about the process is to speak in hypotheticals to a therapist or counselor. You

can also call the statewide hotline and decline to tell them your age.

Many schools also have their own mandatory reporting policies for employees, requiring teachers, counselors, or other staff to report any Title IX incidents to their Title IX coordinator or another administrator. Therefore, even if what you are telling someone does not rise to the level of being something they have to report under Michigan’s Mandated Reporter Law, they may still have to report it to someone within the school or district.

https://www.michigan.gov/mde/0,4615,7-140-37818_35057---,00.html

<http://thefirecrackerfoundation.org/programs/pediatric-medical-advocacy/title-ix-advocacy/title-ix-faq/>

Step 1:

Move to a location that ensures student privacy

Limit environmental distractions

Step 2:

Step 3: Do not act shocked or dismayed

Step 4: Do not lead the student. I.e., instead of saying, “Did your mom do that?”, ask, “How did you get that bruise?” Do not interrogate. Only gain the minimum information necessary to report. Document exact quotes if possible. You don’t need to know more information than the minimum required to report.

Step 5: **It took a lot of courage to tell me about this.** It can be extremely difficult for survivors to come forward and share their story. They may feel ashamed, concerned that they won’t be believed, or worried they’ll be blamed. Leave any “why” questions or investigations to the experts—your job is to support this person. Be careful not to interpret calmness as a sign that the event did not occur—everyone responds to traumatic events differently. The best thing you can do is to believe them.

Step 6: **You didn’t do anything to deserve this.** Survivors may blame themselves, especially if they know the perpetrator personally. Remind the survivor, maybe even more than once, that they are not to blame.

Step 7: **I am here to listen or help in any way I can.** Let the survivor know that you are there for them and willing to listen to their story if they are comfortable sharing it. Assess if there are people in their life they feel comfortable going to, and remind them that there are service providers who will be able to support them as they heal from the experience.

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HARM REDUCTION

- Financial/housing stability
- Immigration status
- Access to family members and support
- Estrangement from community
- Loss of relationship to the perpetrator
- Fear of retaliation, system involvement and/or safety planning for the survivor
- LGBTQ considerations - outing survivors and homelessness



It's important to think about the kinds of harm that could be caused by reporting disclosure. If you sense that these issues may come up for the youth that you are working with, it is important to have knowledge about connecting the student to the resources they need to access support. If you don't know what the resources are, take time to seek out community resources to mitigate damage. Simultaneously, you cannot expect to handle disclosure and reporting without harm. Harm has already been done, and the best thing you can do is try and cause as little ADDITIONAL harm as you can while ensure the child attains safety.

Consider including statistics about LGBTQ violence and homelessness.

DURING DISCLOSURE, YOU SHOULD NEVER

- Start any sentence with “You shouldn’t have...”
- Question the survivor’s choices leading into the incident.
- Question why it wasn’t reported earlier.
- Encourage confrontation between involved parties.
- Dismiss a student without action (DHHS, Parent, Police).
- Refer them away from you without reporting and follow-up.



“You shouldn’t have sent a nude picture if you didn’t want it distributed” or “You shouldn’t have been drinking alcohol.”

“Were you drinking?”

“If this really happened, why didn’t you tell anyone at the time?”

“I’m going to call Jimmy down to the office and hear his side of events.”

“Go tell your parents.”

ADDITIONAL INFORMATION

Mandated Reporter resources are available online at:

www.Michigan.gov/mandatedreporter



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MANDATORY REPORTING

MCL 722.623 – the Child Protection Law

https://www.michigan.gov/mdhhs/-/media/Project/Websites/mdhhs/Adult-and-Childrens-Services/Abuse-and-Neglect/Forms-and-Publications/DHS-PUB-0003_167609_7.pdf

Teachers, school counselors, social workers, psychologists and school administrators are **required** to report suspected child abuse and/or neglect as mandated reporters



HOW DO I APPROPRIATELY FILE A REPORT?

Michigan Department of Health and Human Services (MDHHS) Mandated Reporters

<https://www.michigan.gov/mdhhs/adult-child-serv/abuse-neglect/childrens/mandated-reporters>

1. Immediate oral report to the MDHHS Centralized Intake (855 444 3911)
2. Written report within 72 hours

OR

Michigan Online Reporting System

https://newmibridges.michigan.gov/s/isd-landing-page?language=en_US

The reporter is not expected to investigate the matter, know the legal definitions of child abuse and neglect, or even know the name of the perpetrator.



Are there situations when I must call in a complaint instead of using the Mandated Reporter Online System?

Yes, if a child is at imminent risk of injury, death or serious harm this is an emergency. In these situations:

- First, call 911.
- Second, contact the phone hotline at 855-444-3911. If there is not sufficient information to complete the required sections in the Mandated Reporter Online System, Mandated Reporters should contact the phone hotline at 855-444-3911.

HOW DO I KNOW WHEN TO REPORT?

- The alleged victim is under 18 years of age.
- The alleged perpetrator is a parent, legal guardian or other person responsible for the child's health and welfare.
- The allegations minimally meet the child abuse and neglect definitions in the Child Protection Law.

REPORTING CONCERNS

- “I don’t want to interfere in someone’s family.”
 - *You may be the only person to intervene and ensure a child’s safety.*
- “They will know it was me who called.”
 - *Children’s Protective Services cannot provide this information without your permission or a court order.*
- “What I have to say won’t make a difference.”
 - *You may never know the difference you will make. Do the right thing anyway.*

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Instructor Notes:

Other question and response may include:

- Question: “What if I break up someone’s home?”
- Response: “What if a child continues to get hurt?”

STATE LAW PROTECTIONS FOR REPORTERS

Immunity Protection

- Good faith

Confidentiality Protection

- Disclosure with consent
- Judicial order



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Instructor Notes: “Good faith” refers to the honest belief that a child is being abused or neglected. If there is a malicious intent for reporting, immunity doesn’t apply.

Optional if asked or discussed: About parents knowing who reported but CPS doesn’t tell. Discussion can include possible response options. These are just two examples:

- Have a teacher tell a parent to speak with the Principal.
- Note to a parent that there are multiple mandated reporters in the building, so it could be any one of them.

Section 5 of CPL is where the language is found. Clarification on Confidential Protection maybe needed an example is this are exceptions.

STATE LAW PENALTIES FOR NOT REPORTING

Criminal penalties

- 93 days in jail, or
- Not more than \$500 fine, or
- Both

Civil penalty

- Liable for injuries
- Liable for future loss/damages



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Instructor Notes: Depending upon the audience, there may need to include a conversation re: emotional and other life-changing consequences of not reporting (e.g. possible loss of a job). Acknowledge the emotional difficulty of reporting.

- Failing to report can result in future consequences. If found to have failed to report abuse or neglect, a mandated reporter can be held responsible for any future loss or damages due to any abuse suffered after the incident in which a report should have been made.

WHAT IS THE CHILD ABUSE DEFINITION IN THE CHILD PROTECTION LAW?

"Child abuse" means harm or threatened harm to a child's health or welfare that occurs through nonaccidental physical or mental injury, sexual abuse, sexual exploitation, or maltreatment, by a parent, a legal guardian, or any other person responsible for the child's health or welfare or by a teacher, a teacher's aide, or a member of the clergy.



WHAT IS THE CHILD NEGLECT DEFINITION IN THE CHILD PROTECTION LAW?

"Child neglect" means harm or threatened harm to a child's health or welfare by a parent, legal guardian, or any other person responsible for the child's health or welfare that occurs through either of the following:

- (i) Negligent treatment, including the failure to provide adequate food, clothing, shelter, or medical care.
- (ii) Placing a child at an unreasonable risk to the child's health or welfare by failure of the parent, legal guardian, or other person responsible for the child's health or welfare to intervene to eliminate that risk when that person is able to do so and has, or should have, knowledge of the risk.



MICHIGAN DEPARTMENT OF HEALTH AND
HUMAN SERVICES VIDEO – FEATURING WLNS
SHARI JONES

• <https://youtu.be/qFrtr6ybHH8>



LET'S PRACTICE

- Find vignettes on the MDE website:
<https://www.michigan.gov/mde/Services/ed-serv/Educator-Conduct/michigan-code-of-educational-ethics>.
- How do you respond to the student sharing the information with you?
- What is your next step? Do you need to report? If so, what information will you provide.



SOMETIMES STUDENTS DON'T
DISCLOSE ABUSE AND NEGLECT.
WHAT SIGNS DO I LOOK FOR?

PHYSICAL NEGLECT - PHYSICAL INDICATORS

- Unattended medical needs
- Lack of supervision
- Regular signs of hunger, inappropriate dress, poor hygiene
- Distended stomach, emaciated
- Significant weight change

PHYSICAL NEGLECT - BEHAVIORAL INDICATORS

- Regularly displays fatigue or listlessness, falls asleep in class
- Steals/hoards food, begs from classmates
- Reports that no caretaker is at home

PHYSICAL ABUSE - PHYSICAL INDICATORS

- Unexplained bruises (in various stages of healing), welts, loop marks
- Adult/human bite marks
- Bald spots or missing clumps of hair
- Unexplained burns/scalds
- Unexplained fractures, skin lacerations/punctures or abrasions
- Swollen lips/chipped teeth
- Linear/parallel marks on cheeks and temple area
- Crescent shaped bruising
- Puncture wounds
- Bruising behind the ears

PHYSICAL ABUSE - BEHAVIORAL INDICATORS

- Self destructive/self mutilation
- Withdrawn and/or aggressive behavior extremes
- Uncomfortable/skittish with physical contact
- Arrives at school late or stays late as if afraid to be at home
- Chronic runaway (adolescents)
- Complains of soreness or moves uncomfortably
- Wears clothing inappropriate to weather, to cover body
- Lack of impulse control (e.g. inappropriate outbursts)



SEXUAL ABUSE - PHYSICAL INDICATORS

- Pain or itching in genital area
- Bruises or bleeding in genital area
- Sexually transmitted disease
- Frequent urinary or yeast infections
- Extreme or sudden weight change
- Pregnancy under 12 years of age

SEXUAL ABUSE - BEHAVIORAL INDICATORS

- Withdrawal, chronic depression
- Sexual behaviors or references that are unusual for the child's age
- Seductive or promiscuous behavior
- Poor self-esteem, self-devaluation, lack of confidence
- Suicide attempts (especially adolescents)
- Hysteria, lack of emotional control

CREDITS

- Firecracker Foundation
- RAIN

