



DCF Family Services Division

Response to Child Sexual Abuse Allegations
Involving Educators

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Vermont's Approach

33 V.S.A. § 4912

- "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.
- "Sexual abuse" consists of any act or acts by any person involving sexual molestation or exploitation of a child, including.....
- Addition of "luring" to sexual abuse definition in 2015

Because of these definitions, mandated reporters are required to report a broader universe of cases involving suspected sexual abuse to DCF than is the norm in other states

Vermont's Approach

33 V.S.A. § 4911

Changes in law in 2015:

- New language - “Any mandated reporter who reasonably suspects abuse or neglect of a child shall report in accordance with provisions of section 4914 of this title within 24 hours of the time information regarding suspected abuse or neglect was first received or observed”
- “Reasonably suspects” replaced “reasonable cause to believe”
- Removed language that would allow mandated reporter to “cause a report to be made” by telling another mandated reporter about the abuse and expect that person to report on their behalf
- These changes adjusted the threshold for reporting in a way that encouraged reporting

Vermont's Approach

- All allegations that meet the definition of sexual abuse that are perpetrated by an adult are assigned to an investigation by DCF Family Services
- All of these allegations are reported to law enforcement and jointly investigated
- Allegations involving school personnel are also routinely shared with Agency of Education so that concurrent licensing and/or regulatory response(s) can occur

Vermont's Approach

- DCF Family Services has a specialized unit that responds to allegations of abuse by teachers (as well as foster parents, residential treatment program staff and others entrusted to care for a child)
- This creates distance from local relationships that may impact the quality/consistency of investigations
- Creates opportunity for more controlled, consistent information sharing with Agency of Education

Vermont's Approach

- DCF Family Services responds to allegation of abuse specific to children under the age of 18.
- However, DCF Family Services will respond to allegations even if a youth is over 18 if there is information to suggest that other children may be at risk based on the alleged perpetrator's prior conduct.
- Example – 30 year old woman discloses sexual abuse by senior high school math teacher. DCF Family Services would accept this case if the teacher was still employed and working with children. Case would be referred to law enforcement and Agency of Education.

Vermont's Approach

- Outcome of a DCF child sexual abuse investigation may be a substantiation of the allegation
- If substantiated, following due process the perpetrator's name would be entered on the Child Protection Registry
- Employers who are hiring staff to work with vulnerable populations can, with permission from the applicant, query the registry to determine if they have prior substantiated cases of child abuse