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S.239

An act relating to the Child Abuse and Neglect Reporting Working Group

The House proposes to the Senate to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. CHILD ABUSE AND NEGLECT REPORTING WORKING
GROUP; REPORT

(a) The General Assembly finds:

(1) According to Child Trends, a research organization focused on improving the lives of children, youth, and families, data shows that from 2022 through 2024 Vermont had a rate of referrals to child welfare services that was over three times higher than the national level, with a rate of referral of 166 per 1,000 children in Vermont compared to 50 per 1,000 children nationally. Additionally, only 17 percent of such referrals in Vermont met the criteria for further action via an assessment or investigation compared to 54 percent nationally.

(2) While the General Assembly recently reviewed and revised child abuse and neglect substantiation procedures that occur after a referral has been accepted by the Department for Children and Families, there has not been a similar review of the training and requirements for mandatory reporting of suspected child abuse or neglect to ensure they employ best practices and provide sufficient guidance and resources for mandatory reporters.

1 (3) Data from Child Trends further shows that post-response services
2 such as mental health services, substance misuse treatment, family therapy,
3 child care, parenting education, and resources to assist families living in
4 poverty were provided to only 28 percent of victims in Vermont compared
5 with the national average of 57 percent.

6 (4) The provision of services to children and families prior to, during,
7 and after a report of suspected child abuse or neglect is an essential element in
8 a comprehensive child protection system.

9 (b) There is created the Child Abuse and Neglect Reporting Working
10 Group for the purpose of examining the existing statutes and the Department
11 for Children and Families' rules and policies regarding mandatory reporting of
12 abuse and neglect of a child and recommending changes to modernize them
13 and reflect current best practices. During its examination of mandatory
14 reporting, the Working Group shall consider what services and strategies may
15 be employed prior to any report of suspected abuse or neglect for the purpose
16 of providing assistance to families before a situation rises to the level of
17 requiring a report.

18 (c) The Working Group shall be composed of the following members:

19 (1) a member with lived experience as an abused or neglected child,
20 appointed by the Vermont Child, Youth, and Family Advisory Council;

- 1 (2) a member with lived experience as an individual who was reported
2 for suspected child abuse or neglect and an investigation found the report to be
3 unsubstantiated, appointed by the Vermont Parent Representation Center;
- 4 (3) the Vermont Child, Youth, and Family Advocate or Deputy
5 Advocate;
- 6 (4) the Executive Director of the Vermont Center for Crime Victim
7 Services or designee;
- 8 (5) a co-executive director of the Vermont Network Against Domestic
9 and Sexual Violence or designee;
- 10 (6) a member from the Department for Children and Families' Family
11 Services Division, appointed by the Deputy Commissioner of the Division;
- 12 (7) the Executive Director of Prevent Child Abuse Vermont or designee;
- 13 (8) the Director of the Vermont Parent Child Center Network or
14 designee;
- 15 (9) a certified law enforcement officer who has served on a special
16 investigative unit, appointed by the Vermont Law Enforcement Advisory
17 Board;
- 18 (10) a physician co-chair of the Vermont Citizen's Advisory Board;
- 19 (11) a principal, appointed by the Vermont Principals' Association;
- 20 (12) a representative of a designated agency that works in children's
21 mental health, appointed by Vermont Care Partners; and

1 (13) the Vermont Office of Racial Equity.

2 (d) In conducting its work, the Working Group shall consult with
3 stakeholders, including:

4 (1) the Vermont Children’s Alliance and representation from Child
5 Advocacy Centers;

6 (2) the Department of State’s Attorneys and Sheriffs;

7 (3) the Juvenile Division of the Office of the Defender General;

8 (4) KidSafe Collaborative;

9 (5) Voices for Vermont’s Children;

10 (6) the Vermont Parent Representation Center;

11 (7) Disability Rights Vermont;

12 (8) medical partners, such as the University of Vermont’s Child Safe
13 Program;

14 (9) the Office of the Attorney General;

15 (10) the Vermont School Counselor’s Association; and

16 (11) the Agency of Education.

17 (e) On or before April 1, 2027, the Working Group shall provide an interim
18 presentation to the House Committee on Human Services, the Senate
19 Committee on Health and Welfare, and the House and Senate Committees on
20 Judiciary on its work to date. On or before October 1, 2027, the Working
21 Group shall provide a final report detailing its findings and any recommended

1 legislative proposals to the House Committee on Human Services, the Senate
2 Committee on Health and Welfare, and the House and Senate Committees on
3 Judiciary.

4 (f)(1) In developing its recommendations, the Working Group shall
5 prioritize issues related to:

6 (A) providing clarity regarding statutory definitions applicable to
7 mandatory reporters;

8 (B) establishing consistency between statutory requirements and
9 Department for Children and Families rules, guidance, and training materials;

10 (C) identifying practical implementation challenges faced by
11 mandatory reporters in complying with existing law;

12 (D) assessing the appropriateness and efficacy of provisions in
13 33 V.S.A. §§ 4912 and 4913 regarding the definitions applicable to mandatory
14 reporters, who should be a mandatory reporter, the process for mandatory
15 reporting, the penalties for failure to report, and any exemptions from the
16 reporting requirement; and

17 (E) identifying alternatives to reporting suspected child abuse or
18 neglect when such alternatives are in the best interests of the child.

19 (2) The Working Group shall avoid expanding its review into matters
20 unrelated to mandatory reporting obligations, thresholds, or processes unless
21 necessary to resolve an identified reporting issue.

1 (3) Any recommendations shall remain consistent with federal
2 requirements under the Child Abuse Prevention and Treatment Act (CAPTA),
3 which establishes minimum standards related to state definitions of abuse and
4 neglect, including physical abuse, neglect, sexual abuse or exploitation, and
5 emotional maltreatment.

6 (4) To promote efficiency and avoid duplicative work, the Working
7 Group shall leverage the work of the Children’s Justice Act Task Force and the
8 Vermont Citizen’s Advisory Board (VCAB), which serves as Vermont’s
9 CAPTA citizen review panel.

10 (5) The Working Group shall consider best practices from other states in
11 the development of its recommendations.

12 (g) The Working Group shall have the administrative, technical, and legal
13 assistance of the Department for Children and Families.

14 (1) The Working Group shall convene its first meeting on or before
15 August 15, 2026.

16 (2) The Working Group shall elect a chair at its first meeting.

17 (3) Members of the Working Group who are not otherwise compensated
18 for their attendance at meetings shall be entitled to per diem compensation and
19 reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more
20 than 12 meetings. These payments shall be made from monies appropriated to
21 the Department for Children and Families.

1 (4) The Department for Children and Families shall post information
2 about the Working Group's efforts on its website, including meeting notices,
3 agendas, procedures for public comment, and minutes of meetings.

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on passage.