

CASE Collaborative Mandated Legal Training 2020-2021

Mandated Reporter
Filing a 51-A



The Law

- M.G.L. - Chapter 119: Section 51A
- <http://www.mass.gov/legis/laws/mgl/119-51a.htm>

You are a Mandated Reporter

- “Any person paid to care for or work with a child in any public or private facility are mandated reporters”
 - Public and private school teachers
 - Public and private school administrators
 - Guidance or family counselor
 - Social workers
 - Day care workers
 - Etc...

Mandated Reporter

- If you have reasonable cause to believe “that a child is suffering physical or emotional injury resulting from: (i) abuse inflicted upon him which causes harm or substantial risk of harm to the child's health or welfare, including sexual abuse; (ii) neglect, including malnutrition; or (iii) physical dependence upon an addictive drug at birth”
- You must contact your respective Program Administrator who will “become responsible for notifying the department in the manner required by this section..”
- The Program Administrator will “immediately communicate with the department orally and, within 48 hours, shall file a written report with the department detailing the suspected abuse or neglect.”

Definitions

- Abuse:
 - Abuse includes the non-accidental commission of any act which causes or creates substantial risk of physical or emotional injury, or the commission of a sex offense against a child as defined by the criminal laws of the Commonwealth, including: sexual contact with a child, child enticement, taking sexually explicit photographs of a child, disseminating harmful matter to a child, and engaging a child in prostitution.

Definitions

- Neglect:
 - Neglect includes failure, either deliberately through negligence or inability, to take actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability or growth, or other essential care. This definition is not dependent upon location (i.e.. neglect can occur when a child is in an out-of-home or an in-home setting).

51-A Filing Process

- If you suspect abuse or neglect:
 - Contact Program Administrator and/or counselor
- If you witness abuse or neglect:
 - Contact Program Administrator and/or counselor
- Program Administrator/Counselor will
 - Contact the Department of Children and Families
 - File necessary paperwork
 - Call the parent(s)/guardian(s)
 - If needed, convene the Team

Next Steps

- The next step in the completion of this mandated training is to participate in an online training developed by the Middlesex Children's Advocacy Center ("MCAC") in collaboration with the Middlesex District Attorney's Office.

Website:

- 51a.middlesexcac.org
- Plan for 30 minutes for completion of the online training.
- Print the "Certificate of Completion" that you will receive at the end of the training and submit it along with your Mandated Training Affidavit. If you are using Google Chrome, you may have difficulty printing the form.