



FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

TO: All FCPA Employees, Contractors and Volunteers

FROM: Cindy Messinger, Acting Director
Fairfax County Park Authority

DATE: January 23, 2014

SUBJECT: Legislation for Public Organizations on the Reporting of Child Abuse and Neglect

Effective July 1, 2012, legislation was passed under HB1237 amending the Code of Virginia § 63.2-1509 law on reporting suspected child abuse and neglect. You are receiving this information because you are an employee, volunteer, or contractor of the Fairfax County Park Authority and are required to report suspected child abuse and neglect to the Department of Social Services or Child Protective Services within 24 hours.

HB1237 Mandatory reporting of child abuse; penalty: Adds to the list of individuals required to report suspected child abuse or neglect: individuals who are 18 years of age or older and who are associated with or employed by any public organization responsible for the care, custody, or control of children, any person employed by a public or private institution of higher education, and any other person with responsibility for the care, control, or custody of children to the list of individuals required to report suspected child abuse or neglect. The bill increases the penalty for failure of a person required to make a mandatory report of suspected child abuse or neglect from \$500 for the first failure and not less than \$100 nor more than \$1,000 for any subsequent failures to a Class 1 misdemeanor, except that in cases involving sexual abuse or that result in serious bodily injury to or death of a child, the individual is guilty of a Class 6 felony. The bill also provides that any individual who suffers a loss as a result of the failure of a person required to make a mandatory report to make the required report shall be entitled to a civil action to recover damages, attorney fees, and court costs.

What is an abused or neglected child?

The Code of Virginia § 63.2-100 defines an abused or neglected child as any child under 18 years of age whose parent or any person responsible for his or her care:

- Causes or threatens to cause a non-accidental physical or mental injury;
- Has a child present during the manufacture of a controlled substance or during the unlawful sale of such substance where such activity would constitute a felony violation;
- Neglects or refuses to provide adequate food, clothing, shelter, emotional nurturing or health care;
- Abandons the child;
- Neglects or refuses to provide adequate supervision in relation to a child's age and level of development;
- Knowingly leaves a child alone in the same dwelling with a person, not related by blood or marriage, who has been convicted of an offense against a minor for which registration is required as a violent sexual offender; or
- Commits or allows to be committed any illegal sexual act upon a child, including incest, rape, indecent exposure, prostitution, or allows a child to be used in any sexually explicit visual material.

Where should FCPA Employees, Contractors, and Volunteers report suspected child abuse and neglect?

If you suspect child abuse or neglect, you are required to report the matter as soon as possible, but no longer than 24 hours after having reason to suspect a reportable offense. The Park Authority would encourage you to inform your FCPA supervisor or liaison if you are making a report concerning a child in an FCPA program or FCPA property. Below are the contact numbers for reporting suspected abuse or neglect. If you have questions or need additional information, refer to the reporter training found on the DSS website. FCPA strongly recommends everyone take the time to review the information which also covers process after a report is made.

Hotline Services for Reporting:

Department of Social Services, Virginia 1-800-552-7096
Fairfax County Child Protective Services 703-324-7400

For additional information on the law please reference:

http://www.dss.virginia.gov/files/division/dfs/mandated_reporters/cps/resources_guidance/overview_resources.pdf

The actual Code of Virginia can be found here: <http://lis.virginia.gov/cgi-bin/leqp604.exe?000+cod+63.2-1509>.

Also provided is web reporter training provided is the July 2012 memo from the Virginia Department of Social Services.
http://www.dss.virginia.gov/files/division/dfs/mandated_reporters/cps/resources_guidance/changes_mr_letterhead.pdf