



# **Why Training Educators on Youth Suicide Awareness and Prevention Is Important**

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**Responsibilities of a “First Responder”**

**Under**

**Federal Child Abuse and Neglect Laws**

**And**

**Wyoming Child Abuse and Neglect Laws**



# ***How is Child Abuse and Neglect Defined in Federal Law? <sup>1</sup>***

Federal legislation lays the groundwork for State laws on child maltreatment by identifying a minimum set of acts or behaviors that define child abuse and neglect. The Federal Child Abuse Prevention and Treatment Act (CAPTA), (42 U.S.C.A 5106g), as amended and reauthorized by the CAPTA Reauthorization Act of 2010, defines child abuse and neglect as, at minimum:

*“Any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation; or an act or failure to act which presents an imminent risk of serious harm.”*

As relating to issues surrounding suicidal ideation, suicide attempts or suicides we need to explore specifically the area of “Neglect.”

**Neglect** is the failure of a parent, guardian, or other caregiver to provide for a child’s basic needs. Neglect may be: <sup>2</sup>

Physical (e.g., failure to provide necessary food or shelter, or lack of appropriate supervision)

Medical (e.g., failure to provide necessary medical or mental health treatment)<sup>2</sup>

Educational (e.g., failure to educate a child or attend to special education needs)

**Emotional** (e.g., inattention to a child’s emotional needs, failure to provide psychological care, or permitting the child to use alcohol or other drugs)

And under law, who is responsible to report Child Abuse or Neglect (First Responder): <sup>3</sup>

## **Professionals Required to Report**

Approximately 48 States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands designate professions whose members are mandated by law to report child maltreatment.<sup>1</sup> Individuals designated as mandatory reporters typically have frequent contact with children. Such individuals may include:

- Social workers
- Teachers, principals, and other school personnel
- Physicians, nurses, and other health-care workers
- Counselors, therapists, and other mental health professionals
- Child care providers
- Medical examiners or coroners
- Law enforcement officers

What about my state -Wyoming?

## **Child Abuse and Neglect**

### **Definitions of Child Abuse and Neglect**

To better understand this issue and to view it across States, see the *Definitions of Child Abuse and Neglect: Summary of State Laws* ([PDF](#) - 442 KB) publication.

#### **Physical Abuse**

**Citation: Ann. Stat. § 14-3-202**

*Abuse* means inflicting or causing physical injury, harm, or imminent danger to the physical health or welfare of a child other than by accidental means, including excessive or unreasonable corporal punishment.

*Physical injury* means any harm to a child, including but not limited to disfigurement, impairment of any bodily organ, skin bruising if greater in magnitude than minor bruising associated with reasonable corporal punishment, bleeding, burns, fracture of any bone, subdural hematoma, or substantial malnutrition.

#### **Neglect**

**Citation: Ann. Stat. § 14-3-202**

*Abuse* means malnutrition or substantial risk of harm by reason of intentional or unintentional neglect.

*Neglect* means a failure or refusal by those responsible for the child's welfare to provide adequate care, maintenance, supervision, education, or medical, surgical, or any other care necessary for the child's well-being.

#### **Sexual Abuse**

**Citation: Ann. Stat. § 14-3-202**

*Abuse* means the commission or allowing the commission of a sexual offense against a child, as defined by law.

#### **Emotional Abuse**

**Citation: Ann. Stat. § 14-3-202**

*Abuse* means inflicting or causing mental injury or harm to the mental health or welfare of the child.

*Mental injury* means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in his or her ability to function within a normal range of performance and behavior with due regard to his or her culture.

#### **Abandonment**

**Citation: Ann. Stat. § 14-3-202**

*Abuse* includes abandonment, unless the abandonment is a relinquishment substantially in accordance with §§ 14-11-101 through 14-11-109.

### **Standards for Reporting**

**Citation: Ann. Stat. § 14-3-202**

A report is required when a child has been subjected to harm or imminent danger to his or her health or welfare.

### **Persons Responsible for the Child**

**Citation: Ann. Stat. § 14-3-202**

*A person responsible for a child's welfare* includes:

The child's parent, noncustodial parent, guardian, custodian, stepparent, or foster parent  
Any other person, institution, or agency having the physical custody or control of the child

### **Exceptions**

**Citation: Ann. Stat. § 14-3-202**

Treatment given in good faith by spiritual means alone through prayer by a duly accredited practitioner, in accordance with the tenets and practices of a recognized church or religious denomination, is not child neglect for that reason alone.

## **Mandatory Reporters of Child Abuse and Neglect**

To better understand this issue and to view it across States, see the *Mandatory Reporters of Child Abuse and Neglect: Summary of State Laws* ([PDF - 633 KB](#)) publication.

### **Professionals Required to Report**

Not addressed in statutes reviewed.

### **Reporting by Other Persons**

**Citation: Ann. Stat. § 14-3-205**

All persons must report.

### **Standards for Making a Report**

**Citation: Ann. Stat. § 14-3-205**

A report is required when:

A person knows or has reasonable cause to believe or suspect that a child has been abused or neglected.  
A person observes any child being subjected to conditions or circumstances that would reasonably result in abuse or neglect.

**Privileged Communications****Citation: Ann. Stat. § 14-3-210**

Only the clergy-penitent and attorney-client privileges are permitted.

**Inclusion of Reporter's Name in Report****Citation: Ann. Stat. § 14-3-206**

The report must include any available photographs, videos, and x-rays with the identification of the person who created the evidence and the date the evidence was created.

**Disclosure of Reporter Identity**

Not addressed in statutes reviewed.

**Penalties for Failure to Report and False Reporting of Child Abuse and Neglect**

To better understand this issue and to view it across States, see the *Penalties for Failure to Report and False Reporting of Child Abuse and Neglect: Summary of State Laws* ([PDF - 166 KB](#)) publication.

**Failure to Report**

This issue is not addressed in the statutes reviewed.

**False Reporting****Ann. Stat. § 14-3-205(d)**

Any person who knowingly and intentionally makes a false report of child abuse or neglect, or who encourages or coerces another person to make a false report, is guilty of a misdemeanor that is punishable by one of both of the following:

- Imprisonment for not more than 6 months
- A fine of not more than \$750

## **What does this have to do with providing training for educators in youth suicide awareness and prevention?**

Teachers, under definition of “First Responders” and from the 48 states that name professionals required to report Child Abuse and Neglect, are required to report Child Abuse and Neglect. States usually do an adequate job training educators on how to recognize / identify children who might be victims of physical abuse. However, when it comes to training on identifying and recognizing children who are neglected...especially under the “emotional neglect” definition states many times fall far short in providing this training even though it named with the same intensity that physical abuse is discussed. The “failure to act” when a young person is demonstrating “warning signs” (that four out of five do) that they may be struggling depression and with thoughts of suicide is a failure to “Report.” Ignorance to how-to recognize “warning signs” of suicidal ideation is no longer a valid defense with now over 18 states requiring such training and with suicide named as the 2<sup>nd</sup> leading cause of death for our youth ages 10-24.

**The Jason Foundation, Inc.** is the nation’s premiere provider of In-Service / Professional Development training for educators nationwide. From 2015 through 2016, The Jason Foundation’s National Network of Affiliate Offices providing training for almost 300,000 educators in the U.S.. We are unique in that not only do we provide more trainings for educators in youth suicide awareness and prevention that anyone else in the nation, we never charge for our services.