

**Policy Clarification Number: 3490-25-04**  
**POLICY CLARIFICATION REQUEST FORM**

**REGIONAL OR DIVISION USE ONLY**

**Regulation Title/Chapter:**

55 Pa. Chapter 3490

23 Pa. C.S. 6383 Pennsylvania Child Protective  
Services Law (c) (3-4) (i)

**Date:** 02/13/2025

**Request Prepared By:** Jackie Peters

**Issue:**

The Western Region Office (WRO) is requesting policy clarification regarding 23 Pa. C.S. 6383 (c) (3-4) (i): Training of persons subject to department regulation (3) states that employees who have direct contact with children and foster parents shall receive three hours of training within six months of the issuance of a license or approval certificate and three hours of training every five years thereafter. New employees and new foster parents shall receive three hours of training within 90 days of hire or approval as a foster parent and three hours of training every five years thereafter (4) Training curriculum shall be approved by the department and shall address, but not be limited to, the following: (i) Recognition of the signs of abuse and reporting requirements for suspected abuse in this Commonwealth.

WRO indicates that 23 Pa.C.S. defines direct contact with children as the care, supervision, guidance, or control of children or routine interaction with children.

WRO indicates that 6303 (a) of Title 23, added by Act 15 of 2015, defines routine interaction with children as "Regular or repeated contact that is integral to a person's employment or volunteer responsibilities."

WRO is requesting policy clarification regarding whether administrative staff (clerk/typist, program specialists, fiscal, etc.) and other support staff fall under the scope of 23 Pa. C.S. 6383 as it relates to the mandatory recognition and reporting requirements for suspected abuse. WRO is also requesting further clarification on routine interaction as it relates to administrative and support staff, as the definition is subjective.

For example, clerical staff can be viewed as not having direct contact with children, but in reviewing the definition of routine interaction, they would fall under the scope of having regular contact with a child that is integral to their employment.

County Children and Youth Agencies routinely have children in and out of their offices for various reasons and the clerk/typist, program specialists, fiscal, etc. may witness some event that would require a mandated reporter to report suspected abuse.

**Regional Children & Youth Director:** Amber Kalp

**Date:** 03/26/2025

**Response Prepared By:** Ashley Weaver

**Clarification:**

The Western Region Office (WRO) requested a policy clarification regarding whether administrative staff (clerk/typist, program specialists, fiscal, etc.) and other support staff fall under the scope of 23 Pa. C.S. 6383 and if those staff are required to take training related to the recognition and reporting

requirements for suspected abuse. WRO is also requesting further clarification on the definition of routine interaction as it relates to administrative and support staff.

The Pennsylvania Office of Children, Youth and Families (OCYF)'s position is that the intent of section 6383(c)(2) and (3) of the Pennsylvania Child Protective Services Law (CPSL), 23 Pa.C.S. Chapter 63 (relating to child protective services), is not to expand upon the list of individuals required to meet child abuse recognition and reporting training requirements under section 6383(c)(1) of the CPSL (relating to education and training) but to outline the specific training requirements for those individuals listed under that paragraph, as follows:

### **§ 6383. Education and training.**

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#### **(c) Training of persons subject to department regulation—**

(1) The following persons shall be required to meet the child abuse recognition and reporting training requirements of this subsection:

(i) Operators of institutions, facilities or agencies which care for children and are subject to supervision by the department under Article IX of the Public Welfare Code, and their employees who have direct contact with children.

(ii) Foster parents.

(iii) Operators of facilities and agencies which care for children and are subject to licensure by the department under Article X of the Public Welfare Code and their employees who have direct contact with children.

(iv) Caregivers in family child-care homes which are subject to licensure by the department under Article X of the Public Welfare Code and their employees who have direct contact with children.

(v) The adult family member who is a person responsible for the child's welfare and is providing services to a child in a family living home, a community home for individuals with an intellectual disability or a host home which is subject to supervision or licensure by the department under Articles IX and X of the Public Welfare Code.

A determination of whether administrative staff (clerk/typist, program specialists, fiscal, etc.) and other support staff are required to meet the child abuse recognition and reporting training requirements under section 6383(c) of the CPSL (relating to education and training) depends upon whether any of these staff fall under any of the individuals listed in subparagraphs (i-v) above. Moreover, the definitions of "direct contact with children" and "operator" under subsection (d), as prescribed below, should be used to further assess those required under subsection (c)(1) above.

### **§ 6383. Education and training**

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**(d) Definitions.--**As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

**"Direct contact with children."** The care, supervision, guidance or control of children or routine interaction with children.

**"Operator."** An executive or facility director. The term does not include a person who is not involved in managerial decisions related to the provision of services for or care of children with regard to any of the following:

- (1) Personnel.
- (2) Policy and procedures.
- (3) Regulatory compliance.
- (4) Services related to the general or medical care of children.
- (5) Supervision of children.
- (6) Safety of children.

The definition of “routine interaction” under section 6303(a) of the CPSL (relating to definitions) should be used to further assess whether any of the staff have “direct contact with children”:

**§ 6303. Definitions**

**(a) General rule.**--The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

**"Routine interaction."** Regular and repeated contact that is integral to a person's employment or volunteer responsibilities.

While several terms above – such as “care”, “contact”, “supervision”, “guidance”, “control”, etc. – are not defined in statute, the common meaning of these terms should be used, with child safety serving as the paramount consideration.

Additionally, please note that nothing in the CPSL shall be construed to otherwise interfere with the ability of an employer or person responsible for a program, activity or service from establishing additional standards as part of the hiring or selection process for employees or volunteers.

**Bureau Director:** Amanda Dorris

**Date:** 03/26/2025

Cc: Natalie Bates  
Amber Kalp  
Regional Children & Youth Directors  
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**NEXT STEP:** Regions disseminate copies of this clarification to affected agencies.