

Employee Guidelines for Mandatory Child Abuse Reporting and Legal Obligations

The duty to report arises when you have a reasonable cause to know or suspect that child has been subjected to abuse or neglect or you actually have observed the child in circumstances or conditions which would reasonably result in abuse or neglect. This reasonable cause is the triggering event of your mandatory duty to report.

Upon the emergence of reasonable cause, you must report immediately. This means the report must be made as soon as possible to prevent future harm or injury to the child. The following should be kept in mind to determine whether you have reasonable cause to suspect child abuse or neglect in any given situation.

1. The issue with which you are presented is whether it is reasonable to suspect that abuse or neglect, as defined by law, has occurred.
2. Whether you actually believe an abuse has occurred should not be the basis of your decision whether to report. Rather the decision of whether to report must be based on a good faith belief that faced with the same circumstances, a reasonable person could conclude that an abuse has occurred.
3. You are not expected to be an expert on child abuse. You are mandated to report because of your unique everyday contact and knowledge of the children in your school.
4. A good rule of thumb is that if you find yourself going into a detailed analysis of a situation or agonizing over the decision of whether to report, you should report.
5. You are not expected to be perfect, and you are protected by law when your report is made in good faith.
6. You should not investigate to determine whether an abuse actually has happened in making your decision to report. Expert investigative teams are responsible for that duty.
7. Do not report everything that remotely resembles abuse to the point where you have transcended the boundaries of good faith. However you should err on the side of caution with the health and welfare of the child in mind.
8. Do not consider the burden of paperwork or time required to report or other collateral matters.
9. You must report to the county department of social services or to a local police department in incorporated municipalities or the office of the county sheriff. YOUR duty therefore is not fulfilled by any in-house report unless that report is forwarded to the proper authority.

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