Mandatory Reporting

Who is a mandatory reporter?

State law C.R.S. 19-3-304 outlines the persons required by law to report child abuse and/or neglect. There are over 40 categories of professions that are considered mandatory reporters, including the following professions within the education system:

- Registered nurse or licensed practical nurse
- Public or private school official or employee
- Social worker or worker in any licensed or certified facility or agency (e.g., child care providers and employees, foster parents, employees at residential care facilities, youth shelters, homeless shelters)
- Mental health professional
- Psychologist
- Physical therapist/Speech Therapist/Occupational Therapist
- Peace officer
- Licensed professional counselors
- A person who is registered as a psychologist candidate, marriage and family therapist candidate, or licensed professional counselor candidate

Source: Colorado Revised Statutes 19-3-3

What are the responsibilities of a mandatory reporter?

- **Individual Responsibility & Non-Delegation:** The duty to report rests squarely on the individual mandated reporter with firsthand knowledge. This duty cannot be delegated to a supervisor or colleague who lacks direct knowledge. As a mandatory reporter, you must provide your name and title when making a report. Depending on the specifics of the report, you may be asked to follow up with a written report or to contact law enforcement directly. The person who receives your call will instruct you if this is necessary.
- **Timeliness of Reporting:** Reports must be made *within 24 hours* of suspecting abuse or neglect.
- **Focus on Abuse/Neglect, Not Poverty/Identity:** The new law explicitly prohibits reports based solely on race, ethnicity, socioeconomic status, or disability, aiming to reduce the disproportionate reporting of families of color and low-income families.
- **Limited Scope of Reporting (Work-Related Only):** Mandated reporters are *not* legally required to report suspected abuse or neglect observed outside of their professional capacity.
- **Consequences of Failure to Report:** Knowingly failing to report can result in a Class 2 misdemeanor (Chalkbeat) or Class 3 misdemeanor (Guidelines), with potential fines and imprisonment, though jail time is rare.
- **Immunity for Good Faith Reporting:** Mandated reporters are protected from liability (civil, criminal, or employment termination) for reports made in good faith.

Mandatory Reporting

Source: Colorado Revised Statutes 19-3-3;
https://co4kids.org/child-abuse-prevention/mandatory-reporters/#accordionbutton-accordion-0-0

For more information, free training can be found at
https://co4kids.org/child-abuse-prevention/mandatory-reporters/

Guidelines:

Once a mandatory reporter has a potential concern of abuse or neglect of a student

1. Notify the school counselor and assistant principal or principal.
2. A brief meeting should be held between the above listed to discuss:
    - Are there bruises/marks seen showing signs of physical abuse?
        - Has the child been asked about the marks/signs of physical abuse?
        - Report needs to be made within 24 hours of initial concern to Pueblo County DHS at 719-583-6901 or 1-844-CO-4-KIDS.
        - The report must be made by the staff member that witnessed concerns first hand. The counselor or social worker can provide support as needed.
        - Document the hotline ID number provided at the end of your reporting phone call per your school's guidelines.
    - Are the concerns regarding neglect? (lack of basic needs, attendance)
        - Has the student or parents been asked about the concern?
        - Does a referral need to be made to the Student Services Social Worker for community and potential direct resources?
        - Does a referral need to be made to EARSS?
        - Does truancy need to be filed?
        - Are parents refusing to accept available resources and/or are the resources provided not changing the situation?
        - If the answer to the above question is yes, a report needs to be made immediately to Pueblo County DHS at 719-583-6901 or 1-844-CO-4-KIDS.
        - The report must be made by the staff member that witnessed concerns first hand. The counselor or social worker can provide support as needed.
        - Document the hotline ID number provided at the end of your reporting phone call per your school's guidelines.
3. It is recommended that any intervention or reporting is documented per your school's guidelines.

Pueblo County School District Board Polices:

- JLF Reporting Child Abuse/Child Protection
- JLF-R Reporting Child Abuse/Child Protection
- GBEB-Staff Conduct (And Responsibilities)