

MANDATORY REPORTING OF CHILD ABUSE AND NEGLECT

Board Policy: JGCE (Child Abuse)

Under Louisiana law, certain individuals are designated as “mandatory reporters” of child abuse or neglect. (La. Children’s Code Art. 609(A) and La. R.S. 14:403).

“Abuse” is defined as:

- The infliction or attempt to inflict physical or mental harm on a child, or allowing it to happen through inadequate supervision
- Exploitation through overwork
- Involvement of a child in any sexual act or display

“Neglect” is defined as:

- The refusal or unreasonable failure to provide a child with necessary food, clothing, shelter, care, treatment, or counseling for any injury, illness or condition.

“Mandatory reporters” are individuals who work with children including teachers, aides, school administrators and staff, bus drivers, coaches, social workers or any others who work with kids in a voluntary or professional capacity.

A “mandatory reporter” who has reason to believe that a child’s physical or mental health or welfare is in danger as a result of abuse or neglect is required to report such abuse or neglect in accordance with Board policy:

- When the suspected abuser is believed to be a parent or caregiver, the report must be made to the Department of Children and Family Services through the designated state child protection reporting hotline.
- When the abuse or neglect is believed to be by someone other than a parent or caretaker, and a parent or caretaker is not believed to have any responsibility for the abuse or neglect, the report should be made to local or state law enforcement.

The report should include:

- The name, address, age, sex and race of the child
- The nature, extent and cause of the children's injuries or situation, including any previous known or suspected abuse
- The name/address of the child's parent or other caretaker
- The names and ages of other children in the household
- The name and address of the reporter
- Other information as indicated in Board Policy JGCE

Oral report should be followed by a written report within 5 days to the agency to whom the report was made.

Allegations Against School Employees or Volunteers

Complaints of child abuse or neglect, impermissible corporal punishment or moral offenses involving students made against a school district employee, volunteer, agent or other person affiliated with the district *must be forwarded immediately to the accused immediate supervisor.*

The accused immediate supervisor is required to conduct an investigation in accordance with Board Policy JCGE.

Confidentiality

- Information related to such complaints is highly confidential
- Reports should be discussed only as required with school and district administrators, Child Protection Services, law enforcement, the district attorney or other court designee

- If a parent or caregiver wants information about a report, they should be directed to Child Protection Services or local law enforcement

Liability

- The Louisiana Children's Code and Louisiana criminal law impose substantial penalties for mandatory reporters who fail to report facts which would support a reasonable belief that child abuse or neglect has occurred.
- Additionally, district employees who fail or refuse to report child abuse/neglect as provided by law may be subject to discipline or dismissal for neglect of duty.

Immunity from Liability

Any person who, in good faith, makes a report or participates in judicial proceedings shall have immunity from civil or criminal liability.

Guidance:

- 1. You are all mandatory reporters who have an obligation to report suspected child abuse or neglect*
- 2. The obligation is yours – not the principal. You must follow the reporting procedures outlined here. It is not enough to report your suspicions to the principal.*
- 3. When you make a report, it should also be reported to your principal*
- 4. Reports are highly confidential and may only be discussed with school/district officials and agency representatives on a strictly as needed basis.*
- 5. Parents or caretakers who ask for information about a report of child abuse or neglect should be directed to the appropriate agency*
- 6. You cannot be held liable for making a good faith report of child abuse or neglect*