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School Social Worker
Behavior Interventionist
Researcher & PhD student
Mom

Introduction

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Learning Objectives

- Identify the necessities and barriers associated with mandated reporting
- Recognize the need for balancing reporting and protecting patient rights, confidentiality and rapport
- Navigate the legal obligations as required by one's region/state



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key terms & policies

Mandated reporters - people required by law to report suspected or known instances of abuse or neglect relating to children, elders, or vulnerable person

- **Children** – minors under the age of 18
- **Elders** – typically defined as individuals over the age of 60
- **Vulnerable person** – typically defined as a person 18 years of age or older, or any minor whose ability to perform the normal activities of daily living, or to provide for his or her own care, protection from abuse, neglect, exploitation, or improper sexual contact, is impaired due to mental, emotional, physical, or developmental disability or dysfunction, brain damage, or the infirmities of aging.

Common professionals who are mandated reporters include:

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

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key terms & policies

- **Emotional or verbal abuse is anything said or done that is hurtful or threatening to a child and is the most difficult form of maltreatment to identify. Examples include:**

- Name calling ("You're stupid")
- Belittling ("I wish you were never born")
- Destroying child's possessions or pets
- Threatens to harm child or people they care about ("I'm going to choke you" or "I'll break your arm")
- Locking a child in a closet or box
- Rejecting a child
- Isolating a child

Sexual abuse is any inappropriate touching by a friend, family member, anyone having ongoing contact with the child, and/or a stranger. Examples include:

- Touching a child's genital area
- Any type of penetration of a child
- Allowing a child to view or participate in pornography

- Prostitution, selling your child for money, drugs, etc.

- Forcing a child to perform oral sex acts
- Masturbating in front of a child
- Having sex in front of a child

Physical abuse is any type of contact that results in bodily harm, such as bruising, abrasions, broken bones, internal injuries, burning, missing teeth, and skeletal injuries. Examples include:

- Hitting or slapping a child with an extension cord, hands, belts, fists, broom handles, brushes, etc.
- Putting child into hot water
- Cutting the child with a knife or any other sharp object
- Shaking or twisting arms or legs or yanking a child by the arm
- Putting tape over a child's mouth
- Tying a child up with rope or cord
- Throwing a child across a room or down the stairs

Neglect means not meeting the basic needs of the child and is the most common form of maltreatment:

- **Medical** - not giving a child life-sustaining medicines, over-medicating, or not obtaining special treatment devices deemed necessary by a physician
- **Supervision** - leaving child/children unattended or leaving child/children in the care of other children too young to protect them (depending upon the maturity of the child)
- **Clothing and Hygiene** - dressing children inadequately for weather or persistent skin disorders resulting from improper hygiene
- **Nutrition** - lack of sufficient quantity or quality of food, letting a child consistently complain of hunger, or allowing the child to rummage for food
- **Shelter** - having structurally unsafe housing, inadequate heating, or unsanitary housing conditions

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Abuse (in elders) - means any of the following:

- **Physical Abuse:** beating, slapping, kicking, rough handling, or other abuse causing welts, cuts, burns, abrasions, sprains, bruises, dislocations, fractures or broken bones.
- **Neglect by Caregiver/Others:** lack of supervision, failure to give medicine, food or personal care
- **Self-Neglect:** Indicators such as the inability to provide self-care, over-medication/under-medication, untreated medical or mental conditions, aimless wandering, causing fires
- **Psychological/Emotional Abuse:** Indicators such as verbal threats or insults, cursing, belittling, withholding companionship or isolation.
- **Sexual Abuse:** Indicators such as Sexually Transmitted Diseases (STDs), pregnancy, bruises, bleeding, pain or itching in genital or anal areas, difficulty in walking or sitting.
- **Financial Abuse/Exploitation:** Indicators such as mismanaging money or stealing property, savings, credit cards, unusual activity in bank accounts, misuse of assets by a representative payee.

key terms & policies

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Federal Child Abuse Prevention and Treatment Act (CAPTA), enacted in 1974, provides Federal funding and guidance to states in support of prevention, assessment, investigation, prosecution, and treatment activities.

CAPTA requires each state to have provisions or regulations for requiring certain individuals to report known or suspected instances of child abuse and neglect, most commonly through the state's Child Protection Services (CPS).

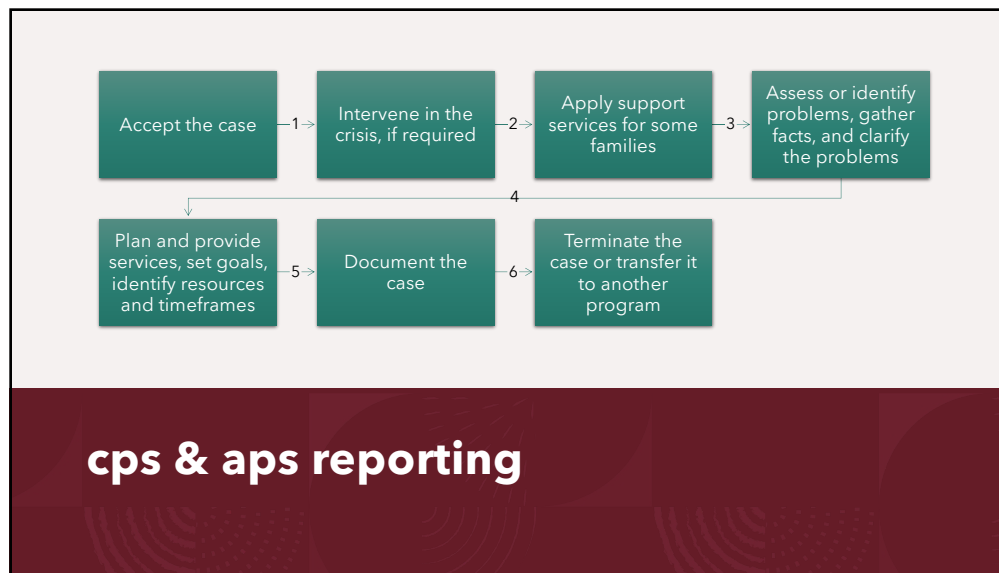
Elder Justice Act: first comprehensive legislation to address the abuse, neglect, and exploitation of older adults at the federal level.

Adult Protective Services (APS) part of Division of Aging and Adult Services, est. 2006.

Investigates reports of suspected abuse, neglect, and exploitation of the elderly population and vulnerable adults.

key terms & policies

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Considerations about Reporting

- Provides a critical layer of defense for vulnerable populations → ensuring their well-being.
- Early intervention and harm prevention are significant advantages → allowing authorities to quickly address any difficulties.

BUT

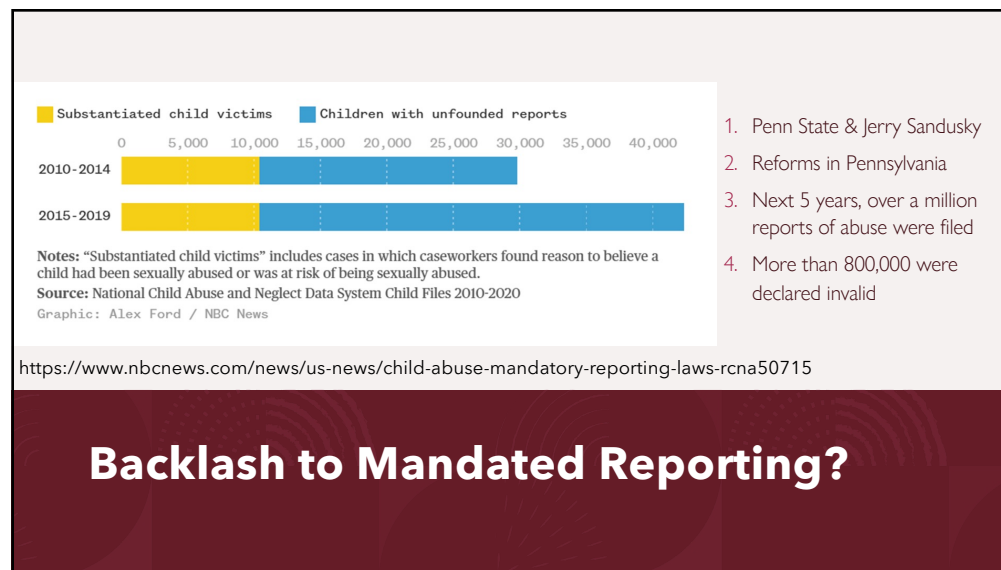
- False reporting can lead to unnecessary investigations or damage reputations unjustly.
- Invasion of privacy → personal information may be disclosed without consent.
- Impact on trust and confidentiality

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Pros & Cons

PROS	Cons
<ul style="list-style-type: none"> • Ensures safety • Deterrence • Consistent protocols • Unearths hidden cases • Protects professionals • Facilitates early intervention • Educational aspect • Documented evidence • Public trust • Resource allocation 	<ul style="list-style-type: none"> • Overreporting • Strained resources • Potential retaliation • Dissuades open communication • Potential misinterpretations • Legal implications • Potential stigma • Training limitations • Cultural misunderstandings • Emotional toll on reporters

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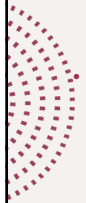


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- Legal experts and child welfare reform campaigners claim that mandating reporting laws have resulted in a massive family surveillance infrastructure, transforming educators, health care workers, therapists, and social service providers into the eyes and ears of a system with the authority to take children away from their parents.
- Some believe it jeopardizes child safety by making parents afraid to seek help and by flooding hotlines with frivolous calls, making it more difficult for caseworkers to identify families who truly need services.
- The volume of reports generated by mandatory reporting is so large and so unevenly applied that public health and social work researchers estimate that more than half of all Black children in the United States will have been the subject of a child protective services investigation by the age of 18 — nearly twice the rate of white children.

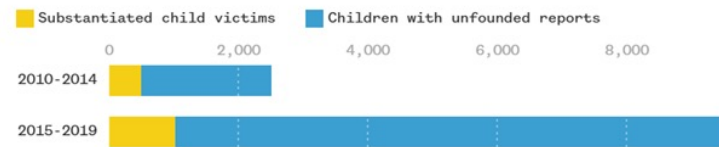
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- According to federal data, child welfare agencies investigate the families of 3.5 million children each year and take approximately 250,000 children into protective custody under this system.
- Fewer than one in every five of these family separations was the result of allegations of physical or sexual abuse.
- Most removals are based on complaints of child maltreatment, which encompasses a wide variety of allegations that are frequently linked to insufficient housing or a parent's drug use.
- Experts are studying ways to reduce the number of hotline reports related to poverty and housing issues
 - encouraging mandatory reporters to connect families directly with resources.
 - providing access to services such as mental health counseling and parental support groups

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Reports of serious medical neglect soar in Pennsylvania



Notes: "Substantiated child victims" includes cases in which caseworkers found reason to believe a child had been medically neglected or was at risk of being medically neglected.

Source: National Child Abuse and Neglect Data System Child Files 2010-2020

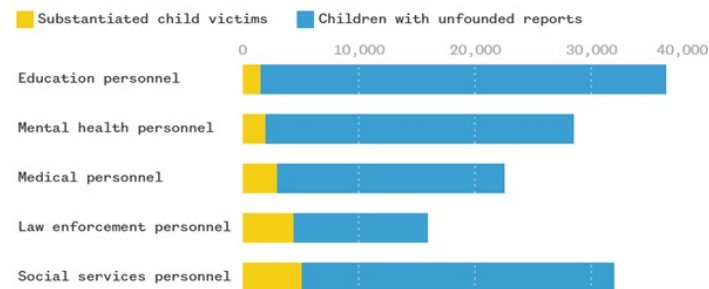
Graphic: Alex Ford / NBC News

Eighteen states have mandated universal child abuse reporting, designating every adult in the state as an obligatory reporter. However, according to a 2017 study published in the American Journal of Public Health, universal reporting requirements resulted in more false complaints while failing to uncover proven cases of child maltreatment.

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Reports from educators are less reliable

From 2015-19, educators filed more reports of suspected child abuse or serious neglect than any other class of mandated reporter, but produced the smallest rate of substantiated findings.



Notes: "Substantiated child victims" includes cases in which caseworkers found reason to believe a child had been harmed or was at risk of being abused or neglected.

Source: National Child Abuse and Neglect Data System Child Files 2010-2020

Graphic: Alex Ford / NBC News

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One proposed solution by advocates for the parents of children who have been taken into custody state that the real solution is to address the underlying issues by providing parents and caregivers with a universal basic income to ensure they have what they need to care for children. Rather than taking children from their families and paying foster parents to care for them, invest that money in families.

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Case 1

Alerting the alleged abuser

In a 2013 case in California, a non-custodial father alerted the school counselor that his son's mother was physically and verbally abusing him. The school counselor reported the accusation in a fax to CPS, gave the father a copy of the report, and told him to take it to the police so his son could be taken into custody.

Answer by joining
at [slido.com](https://www.slido.com) with #4144222



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Were the steps taken by the school counselor appropriate?

Yes, as a mandated reporter she was correct in all her steps.

No, she was in violation of privacy laws.

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Case 1

No, she was in violation of privacy laws.

The mom sued the school district and the school counselor for invasion of her privacy under the California Child Abuse and Neglect Reporting Act (CANRA).

The report should only be shared with appropriate law enforcement and child protection agencies.

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Alerting the alleged abuser

Might come from a place of good intentions

- Maintain transparency & good rapport

Further endanger the victim before child/adult protective services can get to the child

influence the victim to change the story or lie when CPS/APS interviews them or flee with the victim

If the suspected abuse was perpetrated by someone other than the guardians, a warning might be seen as an opportunity to protect the victim

A warning might help parents/guardians know to keep the victim away from the perpetrator before CPS/APS can address the situation

Let authorities take over – mind confidentiality!

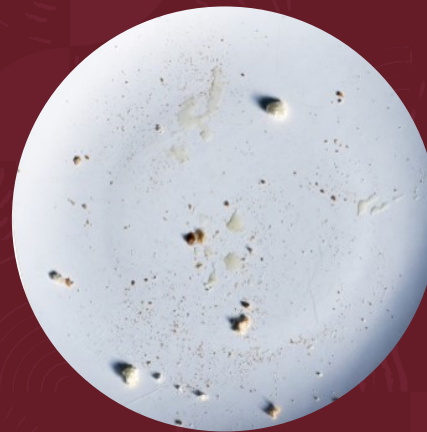
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Case 2

Reporting multiple times

You and 3 colleagues notice a client is underweight and hungry. You report this to CPS/APS and their findings return that the weight is due to a medical condition and not neglect. For the next year, you and your colleagues continue exchanging emails in which you discuss your client's continued hunger, weight concerns, and comments about his issues with caretakers. Eventually, he is found in critical condition due to starvation and abuse. You never filed a second report.

Answer by joining
at slido.com with #4144222



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Were your requirements as a mandated reporter satisfied with your report?

Yes, you did your due diligence and filed the report. After all, we are reporters, not investigators. Stay in your lane.

No, even though our initial report was filed and found to be unsubstantiated, our continued concern was reason enough to continue reporting.

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Case 2

No, even though our initial report was filed and found to be unsubstantiated, our continued concern was reason enough to continue reporting.

The team pled "no contest" to failure to report child abuse (though it could have been elder abuse!) and were sentenced to probation, fines, and community service.

The evidence against them: the year-long email exchanges

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Case 3

Parental drug abuse

When a parent is abusing drugs, does that warrant a CPS report? A police report? Or Neither?

The answer isn't as easy...

Answer by joining
at **slido.com** with **#4144222**



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When a parent is abusing a drug, what should a mandated reporter do?

File a CPS report.

Call the police.

Provide support to the student and monitor any behavioral or social changes.

Nothing. Mind your own business.

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Case 3

No cookie-cutter answer.



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CHILD ABUSE OR NEGLECT

- Manufacturing a controlled substance in the presence of a child or on premises occupied by a child → Arizona, Colorado, Indiana, Iowa, Montana, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Vermont, Virginia, and Wisconsin
- Exposing a child to, or allowing a child to be present where chemicals or equipment for the manufacture of controlled substances are used or stored → Arizona, Arkansas, Iowa, New Mexico, North Dakota, Oklahoma, and Oregon
- Selling, distributing or giving drugs or alcohol to a child → Arkansas, Florida, Hawaii, Illinois, Iowa, Minnesota, and Texas
- Using a controlled substance that impairs the caregiver's ability to adequately care for the child → California, Delaware, Florida, Iowa, Kentucky, Minnesota, New York, Oklahoma, Rhode Island, Tennessee, Texas, Vermont, and West Virginia
- Exposing a child to the criminal sale or distribution of drugs → Iowa, Montana, Oklahoma, South Dakota, and Virginia

2022

Mandated Reporting

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ADDRESSED IN THE CRIMINAL STATUTES	
o The manufacture or possession of methamphetamine in the presence of a child is a felony	California, Colorado, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Missouri, Montana, Nebraska, New Hampshire, Ohio, Pennsylvania, South Carolina, Virginia, Washington, West Virginia, and Wyoming
o The manufacture or possession of any controlled substance in the presence of a child is considered a felony	Alabama, Arizona, California, Colorado, Hawaii, Idaho, Indiana, Kentucky, Louisiana, Minnesota, Mississippi , New Mexico, North Dakota, Ohio, Oregon, and Utah
o Enhanced penalties for any conviction for the manufacture of methamphetamine when a child was on the premises where the crime occurred	Arkansas, California, Hawaii, Indiana, Kansas, Mississippi , Montana, North Carolina, Ohio, Utah, Virginia, and Washington
o Exposing children to the manufacture, possession, or distribution of illegal drugs	California, Delaware, Florida, Iowa, Kentucky, Minnesota, New York, Oklahoma, Rhode Island, Tennessee, Texas, Vermont, and West Virginia
o Exposing a child to the criminal sale or distribution of drugs	Alabama, Alaska, Arizona, Delaware, Illinois, Iowa, Kansas, Kentucky, Minnesota, Mississippi , Missouri, Montana, Washington, and Wyoming

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A group of children in a park holding hands in a circle. The children are of various ages and are wearing light-colored clothing. They are standing on a paved path in a park with trees and a gazebo in the background. The gazebo has the word "GROVE" on its side.

A Deeper Dive into Your Home State

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 <p>Alabama Child Abuse/Neglect Reporting - Alabama Department of Human Resources Adult Protective Services - Alabama Department of Human Resources</p> <p>Alaska Alaska Report Child Abuse Making Reports to Adult Protective Services (Report of Harm) (alaska.gov)</p> <p>Arizona Report Child Abuse or Neglect Arizona Department of Child Safety (az.gov) Report Adult Abuse, Neglect and Exploitation Arizona Department of Economic Security (az.gov)</p>	<p>Arkansas Arkansas Mandated Reporter Portal Adult Protective Services - Arkansas Department of Human Services</p> <p>California Report Child Abuse (ca.gov) Adult Protective Services (ca.gov)</p> <p>Colorado Colorado Child Abuse and Neglect Hotline Reporting System Colorado Department of Human Services Adult Protective Services Colorado Department of Human Services</p> <p>Connecticut Report Child Abuse and Neglect CT.gov: Elder Abuse Neglect and Exploitation</p>
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 <p>Delaware Mandatory Reports Related to Child Abuse and Neglect - Division of Professional Regulation - State of Delaware Adult Protective Services - Delaware Health and Social Services - State of Delaware</p> <p>Florida Safety and Protection Florida DCF (myflfamilies.com)</p> <p>Georgia How to Report Child Abuse Georgia Department of Human Services Division of Family & Children Services Report Elder Abuse Georgia Department of Human Services Division of Aging Services</p> <p>Hawaii Department of Human Services Child Abuse and Neglect Reports (hawaii.gov) Social Services Adult Protective and Community Services Branch (hawaii.gov)</p> <p>Idaho Reporting Neglect, Abuse, or Abandonment Idaho Department of Health and Welfare Adult Protective Services - Idaho Commission on Aging</p> <p>Illinois Reporting Child Abuse and Neglect (illinois.gov) Report abuse, neglect, or financial exploitation (illinois.gov)</p>	<p>Indiana DCS: Child Abuse and Neglect Hotline FSSA: Aging Home: Adult Protective Services</p> <p>Iowa Report Abuse and Fraud Iowa Department of Health and Human Services Report Elder Abuse iowagov</p> <p>Kansas Report Abuse or Neglect: Home (ks.gov) Report Adult Abuse, Neglect and Exploitation - Prevention and Protection Services (ks.gov)</p>
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	Kentucky WebReferral (ky.gov)	Department of Human Services	Mississippi Report Child Abuse - DECCD Mississippi Department of Human Services (ms.gov)
	Louisiana Reporting Child Abuse/Neglect Louisiana Department of Children & Family Services	Adult Protective Services - Maryland Department of Human Services	Adult Protective Services - Mississippi Department of Human Services (ms.gov)
	Adult Protective Services La Dept. of Health	Massachusetts Report child abuse or neglect Mass.gov	Missouri Children's Division Missouri Department of Social Services (mo.gov)
	Maine Reporting Suspected Child Abuse and Neglect Department of Health and Human Services (maine.gov)	Michigan Reporting Process (michigan.gov)	
	Adult Protective Services & Guardianship Department of Health and Human Services (maine.gov)	Elder Abuse, Neglect, and Exploitation (michigan.gov)	
	Maryland Reporting Suspected Child Abuse or Neglect - Maryland	Minnesota Report abuse / Minnesota Department of Human Services (mn.gov)	Abuse, Neglect, and Exploitation of the Elderly and Disabled Safety Health & Senior Services (mo.gov)



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	Montana Child and Family Services (mt.gov)	New Jersey DCF How and When to Report Child Abuse/Neglect (nj.gov)	North Carolina About Child Abuse and Child Neglect NCDHHS
	Adult Protective Services (mt.gov)	Department of Human Services Adult Protective Services (APS) (state.nj.us)	Protecting Seniors - NCDOJ
	Nebraska Child Abuse (ne.gov)	New Mexico NM CYFD Report Abuse or Neglect	North Dakota North Dakota Child Protection Program Health and Human Services North Dakota
	Adult Protective Services (ne.gov)	Adult Protective Services NM Aging & Long-Term Services	
	Nevada Division of Child & Family Services (nv.gov)	New York Report Child Abuse NYSPCC	
	Contact: Report Abuse (nv.gov)	Elder Abuse Office for the Aging (ny.gov)	Reporting Abuse and Neglect of a Vulnerable Adult Health and Human Services North Dakota
	New Hampshire Report a Concern New Hampshire Department of Health and Human Services (nh.gov)		

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 <p>Ohio Report Child Abuse and Neglect Job and Family Services (ohio.gov) Report Elder Abuse Department of Aging (ohio.gov) Oklahoma Oklahoma Child Abuse Hotline Resources (oklahoma.gov) Oregon Oregon Department of Human Services : How to Report Abuse or Neglect : Report Abuse : State of Oregon State of Oregon: SUA - Adult Abuse Reporting and Prevention</p>	<p>Pennsylvania ChildLine (pa.gov) Report Elder Abuse (pa.gov) Rhode Island Report Child Abuse or Neglect RI Department of Children, Youth & Families Adult Protective Services Office of Healthy Aging (ri.gov) South Carolina Child Protective Services - South Carolina Department of Social Services (sc.gov) Adult Protective Services - South Carolina Department of Social Services (sc.gov)</p>	<p>South Dakota Child Protection Services (sd.gov) Adult Protective Services (leapsportal.net) Tennessee Report Child Abuse (tn.gov) Reporting Elder Abuse (tn.gov) Texas DFPS - Report Abuse or Neglect (texas.gov) DFPS - Texas Adult Protective Services (APS)</p> 
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 <p>Utah Child Protective Services Child and Family Services (utah.gov) Division of Aging & Adult Services Services for Utah's Aging Adults Vermont Report Child Abuse in Vermont Department for Children and Families Make a Report with Adult Protective Services Division of Licensing and Protection (vermont.gov) Virginia Report Abuse or Neglect - Virginia Department of Social Services</p>	<p>Washington How to Report Child Abuse or Neglect Washington State Department of Children, Youth, and Families Adult Protective Services (APS) DSHS (wa.gov) Washington DC Report Child Abuse and Neglect cfsa (dc.gov) Adult Protective Services dacl (dc.gov) West Virginia WVDHHR Report Abuse or Neglect Centralized Intake for Abuse and Neglect (wv.gov)</p>	<p>Wisconsin Report Child Abuse and Neglect in Wisconsin Wisconsin Department of Children and Families Adult Protective Services Wisconsin Department of Health Services Wyoming Abuse/Neglect/ Exploitation - Wyoming Department of Family Services</p> 
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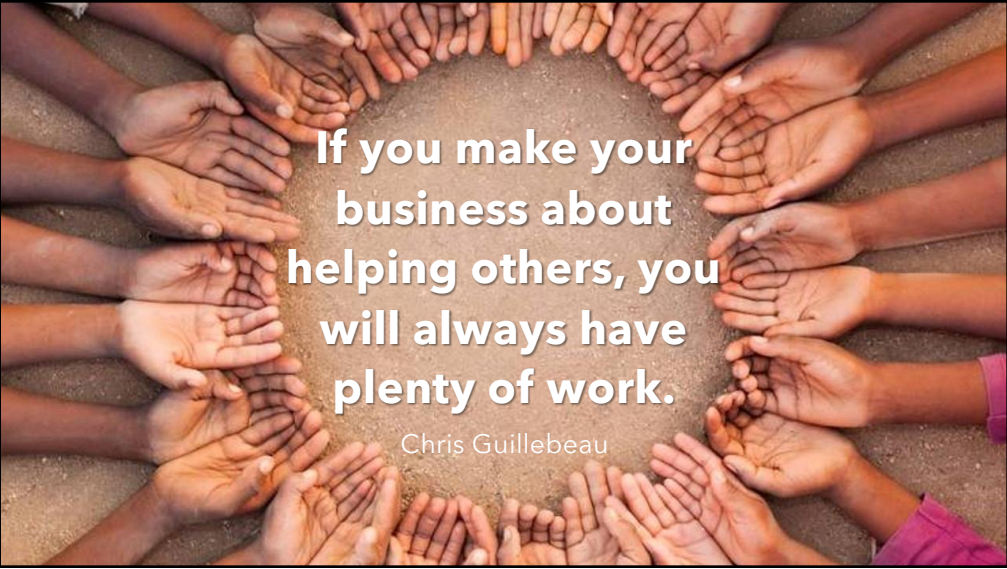
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- ✓ Take every case seriously.
- ✓ If there is imminent danger to the client or another person, contact the appropriate authorities.
- ✓ Remind clients that you are a mandated reporter

Summary

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If you make your business about helping others, you will always have plenty of work.

Chris Guillebeau

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Thank you

Nicole Miller

nmiller@harrison.k12.ms.us

