



## REPORTING CHILD ABUSE or NEGLECT

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### THE LAW

Every state in the United States has child abuse and neglect reporting law requiring that adults report suspected or alleged abuse, neglect, or maltreatment of a child. In some states, *every adult* is a mandated reporter. Other states list those adults who are required to report – usually by profession or licensure. It is our desire to be proactive in all matters relating to child protection.

Regardless of whether your state makes all adults mandated reporters, the best practice for organizations is to require that *all adults wearing your nametag* (as volunteers or employees) report suspicions of child abuse or neglect to the appropriate child protection or criminal authorities. Legal requirements that *suspected* abuse or neglect be reported are intentionally broad in order to better protect children: *when in doubt, REPORT.*

### DETERMINING YOUR REPORTING AUTHORITY

BEFORE encountering an allegation or reportable event, you should know when and to whom a report should be made. Accordingly, each organization must research and understand the reporting process for its jurisdiction, and this information should be documented and disseminated to staff members and volunteers. If your organization has multiple locations or campuses, this exercise must be completed for *each* geographic location. If multiple locations are within the same county, it is likely that an organization will report to the same entity.

### Accessing State Reporting Laws

Start by accessing state reporting requirements as if you had information requiring a report. Using Madison, WI as an example, perform an online search for 'child abuse reporting hotline Madison Wisconsin'. The first search result lists a county and tribe contact map for reporting in the state of Wisconsin. Click on the interactive map for contact information for a specific county, including telephone numbers.

In *your* state and county, call the number provided and confirm that you have reached the appropriate entity or agency for your location. Ask the representative to describe the information needed to complete a report, and the appropriate process for making a report. (*Example: time frame requirements, written vs. oral reports, ability to make reports online, etc.*)

By the time the call is completed, the caller should understand *to whom* to report, *where* to report, *how* to report and *what* to report.

### **Document Your Findings**

After completing this process, create a memo that documents your findings.

This memo should include:

- the hotline telephone number to call when making the report;
- the web address or website, if an online reporting process is available\*;
- the process for reporting and required timelines (*i.e., within 24 hours*); and
- a list of required or suggested information to be included in the report.

Note the name and position or title of the individual providing this information, and the date the information was provided. Update and confirm this information once each year, as reporting statutes continue to change nationwide.

When completed, this memo, and all subsequent versions created yearly, should be forwarded to the organization's administrative office. All employees and volunteers should receive the latest version of this memo each year to ensure that all staff members and volunteers understand current reporting requirements and the organization's reporting policies, including any *internal* reporting obligations and processes.

### **Making a Report**

Include a reminder at the bottom of the memo reminding the reporter to create an Incident Report. The Incident Report should include:

- the name of the reporter
- the date, time and location of the report
- a brief summary of the information reported
- the person to whom the report was made, including title or position, and
- a file number or report confirmation number.

A copy of the Incident Report should be immediately forwarded to *named or identified* organization leaders.

### **Past Reportable Events**

It is possible that this exercise will bring to light *past events* that should have been reported. *Suspicious or allegations of child abuse or neglect that should have been reported in the past SHOULD BE REPORTED NOW.*

In the event a past reportable event arises, follow the process above and report to appropriate authorities. Once completed, immediately forward the Incident Report to appropriate organization leaders.

## REPORTING TO INSURANCE CARRIER

Keep in mind that *some* reportable events should be reported to the organization's insurance carrier. When in doubt, seek legal guidance.

*\*Web-based reports should not be utilized if a child is in immediate danger or experiencing ongoing harm.*

## ALTERNATIVE PROCESS

### Step-by-Step Guide to Locating Your State's Reporting Requirements

1. Go to [www.childwelfare.gov](http://www.childwelfare.gov).
2. Click 'State Resources' on the blue menu near the top of the page.
3. In the dropdown menu, click 'State Statutes'.
4. Select the state(s) you'd like to view.
5. Select any topic you'd like to view. Suggested topics include:
  - a. Clergy as Mandatory Reporters of Child Abuse and Neglect
  - b. Definitions of Child Abuse and Neglect
  - c. Immunity for Reporters of Child Abuse and Neglect
  - d. Making and Screening Reports of Child Abuse and Neglect
  - e. Mandatory Reporters of Child Abuse and Neglect\*
  - f. Penalties for Failure to Report and False Reporting of Child Abuse and Neglect

\*Tip: The word 'shall' means *must (required by law)* and the word 'may' means *optional (not required by law)*. When identifying mandatory reporters, any individual who 'shall' report abuse or suspicions of abuse is considered a mandatory reporter and thus required by law to report.

Check this database regularly (every 6 months) to ensure that your organization's reporting procedures are up-to-date with state law.