REPORTING CHILD ABUSE AND NEGLECT

Compiled from Questions Teachers Ask About Legal Aspects of Reporting Child Abuse and Neglect, Tower, Cynthia, a National Education Association publication, 1984.

1. In schools, who is legally mandated to report child abuse, sexual abuse, or neglect? teacher, principal, administrator, school personnel, or official
2. What legal action can be taken against the school employee who does not report? misdemeanor offense
3. Under what age is a child protected by child abuse statutes? 18 years
4. Under what circumstances must school personnel report child abuse? reasonable cause to suspect child abuse (in cases of alleged sexual misconduct by a school employee, the employee must report even if there is no reasonable cause to suspect.)
5. Does a mandatory reporter have the discretion not to report? No.
6. Are anonymous reports allowed? Mandatory reporters cannot make anonymous reports. However, reporter information will be held confidential.
7. What type of immunity is a mandatory reporter given once the report is made in good faith and without maliciously false statements? immunity from criminal and civil liability
8. If a child reports abuse, neglect, or sexual abuse to the employee, does the employee or the school have the right to detain the child? No.
9. Does Missouri recognize a parent’s right due to religious beliefs to withhold medical treatment? Yes.
10. To whom should a report be made? All reports must be made directly to the Children’s Division of the Missouri Department of Health and Senior Services. Your district may also require an internal report to a designated individual.
12. Is there a time limit within which the report has to be made? Suspected abuse or neglect must be reported immediately.
13. Is the DFS obligated to investigate all reports that meet the legal definitions of what is reportable? Yes.
15. If a family will not cooperate, might a case go to court? Yes.
16. Does the law or policy designated a time period during which a report must be investigated? Yes.
17. Is the name of the reporter kept confidential? Yes.
18. Are school contacts involved in an investigation? Yes.
19. Is the Children's Division with whom the report is filed required to advise the mandated reporter of the results? Yes.
20. Which Missouri state statute should a school employee consult for specific information about child abuse? Sections 210.110 to 210.165 and 160.261, Revised Statutes of Missouri