

EDUCATORS ARE REQUIRED TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT

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The National Center on Child Abuse and Neglect estimates that approximately one million children are maltreated by their parents or other persons each year. As an educator, you are in a unique position to play a crucial role to obtain badly needed help for abused and neglected children. Louisiana laws require you to take action **when you have cause to believe that a child has been abused or neglected**. You may be subject to arrest if you fail to make a report.

1. WHAT IS CHILD ABUSE AND NEGLECT?

There is no standard definition as to what constitutes child abuse. Child abuse includes any non-accidental trauma suffered by a minor, resulting in physical or emotional injury. Generally, there are four types of abuse: physical, emotional, sexual, and neglect.

2. WHAT ARE SOME SIGNS OF ABUSE OR NEGLECT?

Some "warning signs" of physical abuse would be skin injuries and bruises, punctures and burns to the skin, or repeated fractures. Children are often fearful and have a difficult time expressing the terrible things that have happened to them. The child's explanation may sound suspicious. A child may become suddenly withdrawn, is unusually fearful, or constantly seeks attention, or talks about inappropriate topics. You may want to look for sudden and unusual poor school performance and adjustment. Your local Office of Community Services (Child Protection Agency) should respond to questions.

3. HOW DO I KNOW WHETHER I AM REQUIRED TO MAKE A REPORT?

Louisiana law requires most school employees to make a report **if you have cause to believe that a child's physical or mental health or welfare is endangered as a result of abuse or neglect**.

4. DO I NEED DEFINITE PROOF OF ABUSE BEFORE I MAKE A REPORT?

No. You are not required to have proof that abuse or neglect has occurred before you report it.

5. WHAT IF I DON'T KNOW THE IDENTITY OF THE PERSON WHO COMMITTED THE ABUSE? AM I STILL REQUIRED TO REPORT IT?

You are required to make a report even if you don't know the identity of the person who allegedly committed the abuse.

6. AM I PERSONALLY LIABLE IF I MAKE A REPORT AND IT TURNS OUT THAT THE CHILD WASN'T ABUSED OR NEGLECTED?

You are immune from liability if you make your report in good faith.

7. IS IT TRUE THAT I MAY BE ARRESTED IF I FAIL TO MAKE A REPORT?

Yes! If you have cause to believe that a child's physical or mental health or welfare is endangered as a result of abuse or neglect, and you willfully fail to report it, you may be accused of a **criminal offense and you can even be arrested for failing to report suspected child abuse or neglect.**

8. IS IT NECESSARY THAT I MAKE MY REPORT IN WRITING?

Possibly. Your initial report should be by telephone, but you may be required to submit a written report.

9. WHAT SHOULD HAPPEN WHEN I MAKE A REPORT?

A caseworker should immediately begin to check out the facts. If the child is in danger, a Judge may place the child under the protection of the state.

10. CAN I GIVE MY REPORT ANONYMOUSLY?

Yes.

11. HOW DO I MAKE A REPORT?

If you have cause to believe that the child's caretaker has committed the abuse or neglect, you must make the report to the local office of the Office of Community Services/Division of Children, Youth, Family Services (Child Protection Agency). If you have cause to believe that someone else has committed the abuse or neglect, you must make your report to the local Sheriff's Office or Police Department.

You should ask for the name of the person you contacted, in case you are later accused of failing to make a report.

You should also inform the school social worker and your supervisor that you have made the report. You should contact the Federation if you have concerns about informing them that you have made such a report.

12. ISN'T IT OKAY JUST TO NOTIFY THE SOCIAL WORKER OR PRINCIPAL AT MY SCHOOL?

No, that is not sufficient. Louisiana law requires you to make the report to the Child Protection Agency. You may be accused of failing to comply with the law if you notify only a school official. We recommend that you also notify the school administration and/or social worker. You may jointly make the report. Just be sure that your name is included in the report, so you aren't accused of failing to notify Child Protection.

IMPORTANT: If you are a member of the Federation, you should contact your local Federation office or the LFT for assistance or to ask questions.