



➤➤➤ Mandatory Reporter: What You Need to Know (CAPTA)



You are a **mandatory reporter** of suspected child abuse and/or neglect. Why you? Because you work in or around a school environment. Whether you are a volunteer, custodian, teacher, a para-professional, teacher’s aide, food-service, administrative assistant—pretty much *any* person who works near, or with, children is required to report any suspected child abuse or neglect.

You are a Mandated Reporter of Suspected Child Abuse/Neglect

As a person working in a school, you are automatically classified as a ‘mandated reporter’ of suspected child abuse. This should not come as a surprise, all Kelly substitutes are provided training around this topic (also known as CAPTA—Child Abuse Prevention and Treatment Act) prior to hire; this document will serve as a refresher.

Suspect Abuse? What to do
If you ever feel the need to report an act of suspected abuse or neglect please contact your local Kelly branch for assistance. Any child abuse or neglect witnessed or reported by a Kelly substitute is a reportable incident for Global Security. This team of experts is trained and capable of helping you every step of the way.

All states serviced by Kelly Educational Staffing have statutes identifying persons who are required to report suspected child maltreatment (abuse) to an appropriate agency, such as child protective services, a law enforcement agency, or a State’s toll-free child abuse reporting hotline. The actual reporting policy (how to report, when to report, etc.) will vary from state to state. The U.S. Government provides detailed *mandated reporter* guidelines, instructions, and current state policy at www.childwelfare.gov.

Who else is a mandated reporter?
 Individuals designated as mandated reporters typically have frequent contact with children and may include:

- Teachers, principals, and other school personnel
- Physicians, nurses, health-care workers
- Counselors, therapists, etc.

- Social workers & Child care providers
- Medical examiners or coroners
- Law enforcement officers

Standards for Making a Report

The circumstances under which a mandatory reporter must make a report vary from State to State. Typically, a report must be made when the reporter, in his or her official capacity, suspects or has reason to believe that a child has been abused or neglected. Another standard frequently used is in situations in which the reporter has knowledge of, or observes a child being subjected to, conditions that would reasonably result in harm to the child. In some states, you can report child abuse to a schools “designated reporter” where he or she can file an official report. In other states, the person who observed or suspects abuse is occurring must report it themselves.

Disclosure of the Reporter’s Identity

All jurisdictions have provisions in statute to maintain the confidentiality of abuse and neglect records. The identity of the reporter is specifically protected from disclosure to the alleged perpetrator in 39 States. This protection is maintained even when other information from the report may be disclosed.

Penalties for Failure to Report

Most States impose penalties on mandatory reporters who knowingly or willfully fail to make a report when they suspect that a child is being abused or neglected. In Florida, a mandatory reporter who fails to report as required by law can be charged with a felony.

Each state varies as far as the penalty for failure to report child abuse and can include fines, jail time, misdemeanor and/or felony charges.

Penalties for False Reporting

Approximately 29 States carry penalties in their civil child protection laws for any person who willfully or intentionally makes a report of child abuse or neglect that the reporter knows to be false.

