

The Basics for School Mandated Reporters

Who is mandated to report?

Teachers, paraprofessionals, all administration, and support staff in an educational setting.

Why is reporting required?

Kids can't protect themselves and will seek help for bad situations from people they believe can or will help them. People in helping professions are therefore legally protected and required to intervene when they have reason to believe a child is being abused or neglected.

What should I report?

If you know or have reason to believe that a child is being abused or neglected or that this has happened within the prior 3 years, you must call Law Enforcement or Human Services. You can only report what you know, and the age or identity of the perpetrator is not necessary. You need a good faith, honest belief that abuse or neglect is occurring.



How and where do I report?

Verbally within 24 hours, and in writing within 72 hours to either Law Enforcement or Human Services.

What information should I report?

Your contact information, the child's name, age and address, contact information for the child's parents, the name of the perpetrator, if known, and as much information as the child shared, using the child's words when possible. It will also be helpful to provide any information you have about the child's language, siblings, risks, any observations of past concern, any interventions you are aware of, any special needs or limitations, the child's demeanor, school performance/attendance, attitude, any actions which have already been taken, and who, if anyone else, you've told.

DO NOT call the child's parents yourself!

Leave this to the professionals who investigate the report. Your only responsibility is to report the situation to Law Enforcement or Human Services. If the parent is the perpetrator or tells the perpetrator of the report, the child could be in danger and/or the investigation will be irreparably harmed. The law protects you—make the report and let Law Enforcement or Human Services handle the rest.

**Get the facts:
Take the fear out of protecting students!**

What if I don't report? Failure to report is a crime!

A person mandated to report who knows or has reason to believe a child is or has been neglected or physically or sexually abused and fails to report is guilty of a crime!

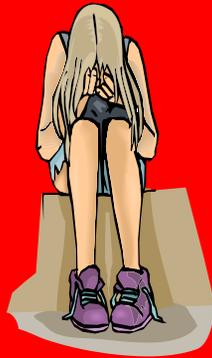
You CANNOT BE SUED FOR REPORTING! It's possible, however, that if you DON'T report and something happens after you could have, you could be sued (plus prosecuted) for failing to report!

Worst of all—if you could have prevented harm to a child who came to you for help—and you didn't help—how would you feel?

The Law in the State of Minnesota on Mandated Reporting

Minnesota Law specifically provides **immunity** from civil or criminal penalties for MANDATED OR VOLUNTARY reports of suspected abuse or neglect made in good faith. Schools who permit access to law enforcement or child protection officials to assist in investigations are protected as well.

*Minn. Stat. Section
626.556, Subd. 4.*



**YOU CANNOT
BE SUED
FOR A GOOD
FAITH REPORT!**

**YOU CAN ONLY
GET IN TROUBLE
FOR NOT
REPORTING!**



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MANDATED REPORTING

What Professionals Need to Know



Who will the children tell?



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How do I handle the child's report?

- **LISTEN.** The child will carefully gauge your reaction—so just listen supportively.

- **REMAIN CALM.** Let the child tell you what happened. Find a quiet setting, if possible.



- **NEVER ASK A CHILD A LEADING OR POINTED QUESTION THAT MAY SUGGEST AN ANSWER.** (Example: Your uncle did this to you, didn't he?) Ask open-ended questions or make simple statements. (Examples: Tell me what happened; when or where did this happen; have you told anyone else?)

- **DO NOT PRESS FOR DETAILS.** Obtain basic information, then make your report.

- **DON'T PROMISE YOU WON'T TELL ANYONE ELSE, OR MAKE PROMISES ABOUT THE FUTURE.** You don't want to lose credibility or create expectations.

- **DON'T MAKE STATEMENTS JUDGING THE SITUATION.** The perpetrator may be someone the child loves and the child may not realize that there is anything "wrong" with the conduct.

- **MAKE A VERBAL REPORT TO LAW ENFORCEMENT OR HUMAN SERVICES WITHIN 24 HOURS,** and a written report within 72 hours.

REPORTING IS A PROCESS, NOT A ONE-TIME EVENT.

Why is reporting difficult?

You may be afraid of what will happen if you report and you may be asking yourself:

- What if I'm wrong (or not)?
- What if the report "destroys" the family? (What if it's already destroyed and you could help prevent further damage?)
- What if there is retaliation? (The abuser won't know who you are until much later in the process, if ever, and retaliation RARELY occurs.)
- This is really none of my business.... (To the contrary, the law makes this your business, and you could be prosecuted and jailed for not reporting.)
- No one will know if I just keep quiet. (Don't count on it...the child may seek help elsewhere and tell the person who does help them that you didn't.)



When you are afraid of what will happen, consider how hard it was for the child to seek help!

What happens after a report is made?

Law Enforcement and Human Services do a joint investigation, which may be traditional (serious allegations) or family-strength based (family assessment). They will collect information from many sources and may also take a formal "statement" from you. You will be notified of the outcome of the investigation.

You can't predict how a child will tell...

- **The report commonly comes out in pieces, as the child gauges your reaction. If the child feels believed, and if it's safe to tell more, the child will continue or come back with more information.**



- The child may not understand there is anything "wrong" with what's happening.
 - may tell because it's starting to hurt
 - may tell out of concern for someone else
 - may tell because the threats are not working anymore, and it's worth the risk to tell
- If you overhear something "by accident," the child may not be ready to tell an adult yet, and may deny a problem if you ask. Don't be surprised if that child then approaches you later and makes the report of what you heard anyway.
- Kids are also afraid they'll be "taken away," and were likely chosen because of their trusting relationship with the perpetrator. Be aware of their love, respect and/or need for the perpetrator in your reaction to what they have to tell you.