



Mandated Reporting and Handling Disclosures

The Missouri Children's Division relies on people notifying them of their concerns for a child's safety. Mandated reporters make up almost 75 percent of calls to the Missouri Child Abuse and Neglect hotline with school professionals reporting more than any other category of workers, including police or medical personnel.

In the event that a child discloses abuse or abuse is suspected, school professionals must understand their role as mandated reporters.

Who is required to report?

The following adults are mandated (required) to report child abuse and neglect under Missouri law: physician; medical examiner; coroner; dentist; chiropractor; optometrist; podiatrist; resident; intern; nurse; hospital or clinic personnel who are engaged in the examination, care, treatment or research of persons and any other health practitioner; psychologist; mental health professional; social worker; day care center worker or other child-care worker; juvenile officer; probation or parole officer; jail or detention center personnel; teacher; principal or other school official; minister as provided by section 352.400, RSMo; police officer or law enforcement official; and volunteer or personnel of a community service program that offers support services for families in crisis to assist in the delegation of any powers regarding the care and custody of a child by a properly executed power of attorney in accordance with Sections 475.600 to 475.604 RSMo.

In addition to those persons and officials required to report actual or suspected abuse or neglect, any other person may report, if such person has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect (Section 210.115(4)RSMo).

Legal Requirements of a Mandated Reporter

If a mandated reporter has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect, that person **shall immediately report** to the Children's Division (Section 210.115(1)RSMo). **The hotline number is 1-800-392-3738.** Note: the term "abuse" is not limited to abuse inflicted by a person responsible for the child's care, custody and control as specified in Section 210.110, but shall also include abuse inflicted by any other person.



Responsibilities as a mandated reporter:

- If a child discloses abuse to you, do not conduct an internal investigation.
- Directly report child abuse and neglect to Children’s Division at 1-800-392-3738
 - The reporting requirements are individual, and no supervisor or administrator may impede or inhibit any reporting.
- Law enforcement can be contacted in addition to the Children's Division. Calling law enforcement **does not** fulfill your duty as a mandated reporter to report the abuse to the Children’s Division.
- Mandated reporters must make a report if they have received information from a third party.

Rights of a mandated reporter:

- Mandated reporters acting in good faith are immune from criminal or civil liability or adverse employment action for making such report
- Your employer must make reporting possible
 - Every employer shall ensure that any employee required to report has immediate and unrestricted access to communications technology necessary to make an immediate report and is temporarily relieved of other work duties for such time as is required to make any report.
- A mandated reporter’s information is held confidential
 - A mandated reporter may not make an anonymous report to the hotline; however, his or her name and personally identifiable information will be held confidential (Section 210.109.3, RSMo). The reporter’s information is not released to parents, alleged perpetrators, children or other family members.
- Others can be present when you make a hotline call (i.e., teacher, counselor, principal).
- Mandated reporters are entitled to learn the outcome of their report and will receive a report form Children’s Division.

If you fail to report as a Mandated Reporter:

- Any person violating any provision or Missouri’s mandated reporter requirements can be guilty of a Class A misdemeanor.
- Any person who intentionally files a false report can be found guilty of a Class A misdemeanor.
- A Class A misdemeanor conviction may result in up to a year in jail and/or up to a \$1000 fine.

Effective Reporting

Reports are to be made immediately to the 24-hour, seven-days-a-week Child Abuse/Neglect Hotline telephone number **(1-800-392-3738 or 1-844-CAN-TELL)** maintained by Children’s Division. Mandated reporters may also report cases online at <http://dss.mo.gov/cd/can.htm>. It is the hotline unit’s role to



gather as much information as possible about the abuse. **It is OK to not know the answer to every question.**

What does the Children’s Division screening process decide?

The Child Abuse and Neglect Hotline is staffed by trained Children’s Service workers whose responsibility is to accept the information and make the determination that the information constitutes a child abuse/neglect report. The screening will determine that

- the alleged victim is a child (less than 18 years old) at the time of the hotline call;
- whether or not the person who is alleged to have abused the child was “responsible for the care, custody, and control” of the child at the time of the incident;
- the alleged abuse or neglect is having an adverse effect on the child;
- the incident occurred in Missouri;
- the report meets the definition of abuse or neglect as defined by law; and
- identifying information is available to locate the child/family.

What to do if you are dissatisfied with the hotline unit’s response?

Within the Children’s Division:

- Tell the hotline worker you are not satisfied and ask how you can better convey your concerns.
- Ask to speak to the supervisor and repeat your concerns.
- Notify the local county office and ask for assistance with the hotline unit.
- Contact Children’s Division’s Constituent Services Unit at 573-751-4920 or at AskCd@dss.mo.gov.

Outside of Children’s Division:

- If the child you are calling about is presently being abused or is in need of immediate medical attention, call 911.
- Contact the Office of the Child Advocate. The office serves as the third-party reviewer of the Children’s Division. Call 866-457-2302 or OCA@oca.mo.gov.

What do you do after you have made a hotline call?

- Don’t investigate further. It is the role of the Children’s Division to conduct the investigation.
- Report new or different concerns to the hotline.
- Be a caring adult for the child(ren) and adult(s) involved.
- Allow time for the child protective process to work.



Disclosure is not always obvious and can easily be missed.

Disclosure is often a process rather than a one-time event. While full disclosure happens occasionally, more often information is provided a little at a time—the process may span hours, weeks, months, or even years as a child/youth tests the reactions of the adults around them.

A child/youth may be hesitant, confused, uncertain or agitated during a disclosure. He or she may disclose, then retract and deny abuse. This does not mean that the person isn't telling the truth or that you should disregard the information.

Children/youth often express through behavior rather than words. It is important to know what signals might indicate that something is worrying the young person. Some signs include abrupt changes in temperament including increased anxiety or depression, aggression, or withdrawal; changes in behavior like attendance or grades; physical illness; and sleeplessness.

All mandated reporters should take the free online Missouri Mandated Reporter training: <http://protectmokids.com/>

I	<u>Information.</u> Secure basic information. What happened, who did this, where/when did this happen? Once you have gained enough information to suspect abuse, stop questioning the child. It is our responsibility as mandated reporters to report suspected abuse, not investigate allegations.
C	<u>Calm Demeanor.</u> Remain calm while the survivor is reporting abuse. Children may think your anger or disgust is directed toward them. Remember, you are not angry at the child, but at the abuser. Many children care about the perpetrator. If you act angry at the abuser, the child may recant.
A	<u>Assure the Child.</u> Assure the child what happened was not his or her fault. Children cannot stop abuse, only the abuser can. Things you can say include, “What happened was not your fault” or “I am sorry this happened to you and I believe you.”
R	<u>Report Suspected Abuse.</u> Report suspected abuse to Missouri’s Child Abuse Hotline at 1-800-392-3738 or 1-844-CAN-TELL or online at http://dss.mo.gov/cd/can.htm .
E	<u>Encourage Counseling.</u> Encourage non-offending family members to schedule counseling, not only for the victim/survivor, but also for non-offending family members. If you need referrals to therapists/counselors who specialize in child sexual abuse, notify your local Child Advocacy Center or counseling agency. See Appendix A for more information about available resources.