

Olathe School District Mandatory Reporters

2021-2022 School Year

WHO IS REQUIRED TO REPORT ? YOU!!!

All people working in educational institutions are mandated reporters

- **K.S.A. § 38-2223**

- “teachers, school administrators or other employees of an educational institution which the child is attending . . .”

- **Board Policy GAAD:**

- “[Any employee who has reason to know or suspect that a child has been harmed as a result of physical, mental or emotional abuse or neglect or sexual abuse.”

DO I NEED “PROOF” TO REPORT ?

NO!!!

- Anyone must make a report when they have a “**reason to suspect**” that a student has been harmed as a result of abuse or neglect.
- “**Reason to Suspect**”: A suspicion or belief that abuse and/or neglect may have occurred.
Example: A caregiver indicates that bruising on a student was due to an accidental fall, however, the bruising appears on parts of the body that are inconsistent with this explanation.
- That report must be “**promptly**” made after you have reason to suspect abuse.

WHAT IS CHILD ABUSE OR NEGLECT ?

- Child abuse is any physical injury, physical neglect, emotional injury, or sexual act inflicted upon a child.
- Or, a discrepant or inconsistent history in explaining a child's injury.
- Remember:
 - Kansas law does not require PROOF of abuse or that neglect has occurred, or that the reporter witnessed the abuse.
 - Reporting is a request to have DCF assess the condition of the child.

WHO IS REQUIRED TO REPORT ?

- DCF recommends reporting EVEN IF you know someone else from your school has reported it already.
- You should also report EVEN IF you know or believe someone else from OUTSIDE your school has reported it already.
 - Example: Told by dad that social worker at hospital reported abuse (insufficient – report!).
- ***When in doubt, err on the side of reporting.***

WHO DO I REPORT TO ?

If during the hours when DCF is open, report to DCF.

- DCF 1-800-922-5330
- Report online www.dcf.ks.gov

If the child is in immediate danger, call the police, **AND**

If the report is to be made during a time that DCF is not open, then call law enforcement to report.

- Upon returning to the office, it is recommended that you ALSO make a report to DCF.

WHAT IF I DO NOT REPORT SUSPECTED ABUSE ?

Kansas law – **K.S.A. § 38-2223(e)(1) and (2)**

“Willful and knowing failure to make a report” is a class B misdemeanor.

- Could result in a \$1,000 fine or up to six months in jail.
- Failure to report also may violate the District's Staff Conduct and Board Policies.

It is NOT a defense to that criminal charge that another mandatory reporter made the report.

It is also a crime to “intentionally” prevent or interfere with the making of a report.

WHAT PROTECTIONS ARE THERE FOR MAKING A REPORT ?

Reporters of child abuse/neglect have immunity from civil liability (i.e. lawsuits), SO LONG AS:

- The report is made without malice and in good faith.

Keep in mind: Willfully and knowingly making a false report IS also a crime.

After the report is made, your identity will not be disclosed to the child's parents or persons having legal responsibility for the child.

- If the matter proceeds to a court hearing, your identity may be disclosed.

WHAT INFORMATION SHOULD I INCLUDE IN A REPORT ?

- Name and address of the child, the child's parents, or other individuals responsible for the child's care.
- Child's location
- Child's gender, race and age;
- Reasons why the child is suspected to be in need of care
 - If abuse or neglect or sexual abuse, the nature and extent of the harm to the child.
 - Include any evidence of any previous harm.
- Identity of the person(s) responsible for the harm.
- Any other information that you believe is relevant about the cause of the harm to the child.

DO I MAKE A RECORD OF THE CALL ?

Yes. It is permitted under law and is best practice.

What to Document:

- Child's name and individual(s) suspected of causing abuse/neglect
- Date of the report.
- Mode of the report.
- Who you spoke with about the report (e.g. teachers or other staff with knowledge).

MORE RESOURCES

Kansas Department for Children and Families (Prevention and Protection Services)

<http://www.dcf.ks.gov/services/pps/pages/reportchildabuseandneglect.aspx>

"A Guide to Reporting Child Abuse and Neglect", Kansas Department for Children and Families

<http://www.dcf.ks.gov/services/pps/documents/guidetoreportingabuseandneglect.pdf>



THANK YOU!

Questions:

Chris Pittman

Staff Counsel

capittman@olatheschools.org

(913) 780-8208



**Please complete the following form to confirm
you completion of this training:**

<https://forms.office.com/r/6eLsLWfWLu>