

MANDATORY REPORTS OF CHILD ABUSE, ABANDONMENT, NEGLECT OR NEED OF SUPERVISION

A. Matters that Must be Reported. All school district personnel are required to report to the Department of Children and Families ("DCF") any knowledge or reasonable cause to suspect the following matters:

- that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare; or
- that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care; or
- that a child is abused by an adult other than a parent, legal custodian, caregiver, or other person responsible for the child's welfare; or
- that a child is the victim of childhood sexual abuse or the victim of a known or suspected juvenile sexual offender.

B. How to Make Reports. Section 39.201(2)(a), Florida Statutes, provides that reports shall be made to DCF through its toll-free hotline number: 1-800-96 ABUSE (962-2873)

C. Confidentiality of Reporters' Names. District school teachers, district school officials, district school personnel, social workers, day care center workers, professional child care workers, law enforcement officers, physicians, nurses, health professionals and mental health professionals are among those persons required by Section 39.201(1)(d), Florida Statutes, to provide their names to DCF hotline staff. However, the names of reporters shall be held confidential and exempt from disclosure as provided by Section 39.202, Florida Statutes.

D. Criminal Penalties for Failure to Report. A person who is required to report known or suspected child abuse, abandonment, or neglect and who knowingly and willingly fails to do so, or who knowingly and willfully prevents another person from doing so, commits a felony of the third degree pursuant to Section 39.205(1), Florida Statutes, which is punishable as provided in Sections 775.082, 775.083 or 775.084.

E. Administrative Fines for False Reports. Section 39.206(1), Florida Statutes, entitles DCF to impose a fine, not to exceed \$10,000 for each violation, upon a person who knowingly and willfully makes a false report of abuse, abandonment or neglect of a child, or upon a person who counsels another to make a false report. In addition, a person who knowingly and willfully makes a false report may be civilly liable under Section 39.206(10), Florida Statutes, for damages suffered, including reasonable attorney fees and costs, as a result of the filing of the false report.

F. Immunity for Reporters. Any person reporting in good faith to DCF or any law enforcement agency any instance of child abuse, abandonment or neglect shall be immune under Section 39.203(1), Florida Statutes, from any civil or criminal liability which might otherwise result by reason of such action. Section 39.203(2), Florida Statutes, provides that no employee of a facility serving children may be subjected to reprisal or discharge because of his or her actions in reporting abuse, abandonment or neglect.

G. Training for District Personnel. All school district personnel, including but not limited to: instructional including substitute teachers and non-instructional staff, school-based administrators, school-based support staff including clerical, custodial and food service, district level personnel, bus drivers and attendants and all staff that interact with students shall annually complete the DCF training on Reporting of Child Abuse and Neglect to the Florida Abuse Hotline.

Authority: F.S. 1001.41 (1) (2);

Laws Implemented: F.S. 39.201, 39.203, 39.205(1); 39.206, 39.01

Policy Adopted: 9/5/74; 5/8/78; 11/1/84; 12/7/93; 9/15/98

Policy Amended: 7/24/07, 5/2/00; 9/3/03, 9/19/14, 6/21/2016