IDEA Florida
Board Action Item
July 30, 2021

Subject: Mandatory Reporting for Abuse and Neglect

Proposed Board Action: For Approval

Executive Summary: IDEA Florida understands our greatest responsibility is to ensure the physical and mental well-being of our students. As such, all IDEA employees, contracted staff, personnel and volunteers who know or have reasonable cause to suspect that a child or student has been abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare shall report such knowledge or suspicion to the Department of Children and Families. The proposed policy describes the expectations and procedures for reporting such instances.

Supporting Documentation: Draft Mandatory Reporting Policy

Presenter: Adam Miller, VP of Policy and Advocacy

IDEA Florida
Mandatory Reporting Policy for Abuse and Neglect

IDEA Florida understands our greatest responsibility is to ensure the physical and mental well-being of our students. This requires that staff comply with the mandated identification and reporting of cases of child abuse or neglect in accordance with law.

Reporting Suspected Cases

A. Any person, including teachers, administrators, support personnel, volunteers and other personnel, who knows, or has reasonable cause to suspect that a child or a student has been abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare shall report such knowledge or suspicion to the Department of Children and Families in a manner prescribed by law. A person who is required to report known or suspected child abuse, abandonment, or neglect and who knowingly and willfully fails to do so, or who knowingly and willfully prevents another person from doing so is guilty of a misdemeanor of the first degree.

B. The proper procedure for reporting known or suspected cases of child abuse, abandonment, and neglect is:

1. School personnel or volunteer report immediately by telephone to the Department of Children and Families central abuse hotline, using the single Statewide toll-free telephone number: 1-800-96-ABUSE (1-800-962-2873). School personnel reporting such cases are required to provide their names to the hotline staff. The names of reporters shall be entered into the record of the report but shall be held confidential as provided by law.
2. As soon as practicable after making the report, the school staff member shall inform the principal or supervisor of the knowledge or suspicions that led to the reports and advise the principal or supervisor that a report has been made.
3. A notice regarding this reporting requirement shall be posted in a prominent place in each school.

C. School personnel and volunteers are advised that reporting their knowledge or suspicions of suspected abuse to a principal, or supervisor, or other school or IDEA personnel does not comply with the mandatory reporting requirements of the law. The principal, supervisor, volunteer and other school or District personnel who are informed of suspected abuse, abandonment, and neglect likewise have an obligation to report to the central abuse hotline as required by law.

D. No employee nor volunteer shall be subject to reprisal or discharge because of his/her actions in reporting abuse or neglect pursuant to the requirements of F.S. 39.203.

E. No Board employee nor volunteer may agree, as a condition of receiving information about child abuse, neglect, or abandonment from a victim, a perpetrator, witness, or other person, that the Board employee will not report this information as required by law and this Board policy.

F. If the person accused of the abuse or neglect is an employee of the Board and acting in their official capacity:

1. The principal will report or cause to be reported suspected cases of child abuse, neglect, or abandonment to the appropriate law enforcement agency that come to the attention of school teachers, other school officials, personnel or volunteer. This notification must be made immediately.
2. The appropriate law enforcement agency is the agency which has law enforcement jurisdiction throughout the municipality (municipal law enforcement) or the unincorporated area (sheriff's department) where that alleged abuse occurred. The law enforcement agency having jurisdiction will issue to the reporter an incident report number to document that reporting notification. Include that incident report number, as well as the date and time of notification, as a reference for school-based documentation.
3. Immediately after notifying law enforcement, report the case by telephone to the Department of Children and Families central abuse hotline, using the single Statewide toll-free telephone number 1-800-96-ABUSE (1-800-962-2873). School personnel reporting such cases are required to provide their names to the hotline staff. The names of reporters shall be entered into the record of the report but shall be held confidential as provided by law.

G. Failure to report as required by law is a second degree misdemeanor and can be punishable up to 60 days in jail, up to a $500 fine, and up to six months supervised probation. Additional penalties may also result.

Referral to Law Enforcement
Reports on the central abuse hotline (1-800-96-ABUSE) alleging that a public school employee acting in official capacity has abused a child or student may also be referred to the sheriff's department or local law enforcement by the Department of Children and Families. The sheriff's department or local law enforcement agency may contact the school to initiate a criminal investigation.