

USD 473

Mandatory Reporting

ANNUAL TRAINING

All USD 473 staff are required to complete a self-reviewed Mandatory Reporting training video provided by Greenbush at: <https://www.greenbush.org/educator-professional-development/school-improvement-services/annual-required-trainings/>

DEFINITIONS OF RISK, DANGER, AND SAFETY

Danger

Definition: A present threat of immediate and serious harm to a child.

Focus: Current conditions and immediate threats to a child's safety.

Response: Often requires immediate intervention and a safety plan to protect the child from the danger.

Risk

Definition: The probability or likelihood of future maltreatment or harm occurring.

Focus: Potential for harm based on individual and family conditions and functioning.

Response: May involve a case plan to address the factors contributing to future harm.

Safety

Definition: The absence of any threat of danger, or the capacity of caregivers to manage any identified threat.

Focus: The current protective state of the child.

Response: A child is considered unsafe when there are identified threats of danger and insufficient caregiver capacity to manage them.

DEFINITIONS OF ABUSE, NEGLECT, AND POVERTY

Child abuse and neglect is when a child has been harmed as a result of physical, mental or emotional abuse or neglect, or sexual abuse.

Physical Abuse: Infliction of physical harm or the causation of a child deterioration, and may include, but shall not be limited to, maltreatment or exploiting a child to the extent the child's health is endangered (Kansas Statutes Annotated [K.S.A.] 38-2202)

Sexual Abuse: Any contact or interaction with a child in which the child is being used for the sexual stimulation of the perpetrator, the child or another person. Sexual abuse shall include, but is not limited to, allowing, permitting or encouraging a child to be:

-Photographed, filmed or depicted in obscene or pornographic material; or

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-Subjected to aggravated human trafficking, as defined in K.S.A. 2019 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the offender or another, or be subjected to an act which would constitute conduct proscribed by article 55 of chapter 21 of the Kansas Statutes Annotated or K.S.A. 2019 Supp. 21- 6419 or 21-6422, and amendments thereto. (K.S.A. 38-2202)

-Contact solely between children shall meet the criteria only if the contact also involves force, intimidation, difference in maturity, or coercion. KAR 30-46-10.

Emotional Abuse: Infliction of mental or emotional harm or the causing of a deterioration of a child, and may include, but shall not be limited to, maltreatment or exploiting a child to the extent the child's health or emotional wellbeing is endangered. This term may include any act, behavior or omission that impairs or endangers a child's social or intellectual functioning. This term may include the following:

-Terrorizing a child, by creating a climate of fear or engaging in violent or threatening behavior toward the child or toward others in the child's presence that demonstrates a flagrant disregard for the child;

-Emotionally abandoning a child, by being psychologically unavailable to the child, demonstrating no attachment to the child or failing to provide adequate nurturance of the child; and

-Corrupting a child, by teaching or rewarding the child for unlawful, antisocial or sexually-mature behaviors.

Physical Neglect: Acts or omissions by a parent, guardian, or person responsible for the care of a child resulting in harm to a child, or presenting a likelihood of harm, and the acts or omissions are not due solely to the lack of financial means of the child's parents or other custodian. This term may include but shall not be limited to: failure to provide the child with food, clothing, or shelter necessary to sustain the life or health of the child. (K.S.A. 38-2202)

Poverty is not a direct cause of child abuse, but a significant risk factor that increases stress and hardship for families, making it more challenging for parents to provide for their children's basic needs. In this context, poverty refers to the lack of financial and material resources, which can lead to circumstances like inadequate housing, food insecurity, and limited access to essential services, thereby increasing the likelihood of both neglect and physical abuse. However, it is crucial to distinguish between the inability to provide due to poverty and the unwillingness to provide, as the former does not equate to abuse or neglect on its own.

HOW & WHEN TO REPORT

You should report immediately if you:

- Suspect or witness signs of child abuse (physical, emotional, or sexual).
- Observe neglect, such as a child lacking food, proper clothing, supervision, or medical care.

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- Notice extreme poverty that puts a child's health, safety, or well-being at risk (e.g., no shelter, chronic hunger, unsafe living conditions).

You don't need proof — only reasonable suspicion is required to make a report.

OR

You must make a report as soon as you have reasonable suspicion that a child is being harmed, is at risk of harm, or is living in unsafe conditions. You are not responsible for investigating — only for reporting concerns.

Report immediately if you observe or suspect any of the following:

Physical Abuse

- Unexplained bruises, burns, cuts, or welts.
- Injuries inconsistent with the explanation given.
Fear of going home or flinching when approached.
- Frequent "accidents" or vague injuries.
- Wearing inappropriate clothing to cover injuries (e.g., long sleeves in hot weather).

Emotional Abuse

- Extreme behavior (aggressive, withdrawn, fearful, anxious).
- Constant criticism, belittling, or rejection by a caregiver.
- Developmental delays or low self-esteem not explained by other conditions.
- Frequent absences or sudden drop in school performance.
- Desperately seeking adult approval or affection.

Sexual Abuse

- Age-inappropriate sexual knowledge or behavior.
- Sudden fear of certain people or places.
- Difficulty walking or sitting.
- Pregnancy or sexually transmitted infections, especially under age 14.
- Drawing or writing about sexual acts.
- Disclosure by the child (believe the child and report).

Neglect

- Chronic hunger, stealing or hoarding food.
- Poor hygiene, untreated medical or dental issues.
- Inadequate clothing for the weather.
- Frequent absences or being left alone for long periods.
- Fatigue or falling asleep in class regularly.
- Unsafe or unsanitary home conditions (if known).

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Extreme Poverty Leading to Harm

- No access to food, shelter, or basic medical care.
- Living in unsafe environments (e.g., abandoned buildings, no electricity in winter).
- Family unable or unwilling to provide basic needs.

While poverty alone is not abuse, you must report if poverty places the child's safety or health at risk.

1ST HAND PERSON REPORTING

Reports can be made to the Kansas Protection Report Center (KPRC):
Telephone: 1-800-922-5330

Mail: 500 S.W. Van Buren St., Topeka, KS 66603

On-Line Web Intake: Mandated reporters may access the online report by visiting the DCF website at <http://www.dcf.ks.gov>

- Select "Report Abuse" under the list of "Quick Links" right of screen.
- On the Report Abuse page, click on the link "Mandatory Reporters Online Report Form."
- You must select if the report is a Child or Adult report
-

INFORMATION NEEDED WHEN REPORTING

Child(ren)s information (alleged victim or child(ren) who was harmed)

- Name, date of birth or estimated age and address
- Current location the child can be located

Caregiver (parent or other)

- Name, address and phone number

Alleged perpetrator or person causing harm

- Name, address and phone number
- Relationship to the child
- Current access to the child

Siblings

- Names, date of birth (estimated age) and address

When reporting an incident, try and answer the questions below to the best of your knowledge.

WHO

Who is the victim of abuse?

Who was the person that caused harm or injury to the child(ren)?

Who else has knowledge of what occurred?

Who can protect the child(ren)?

Who all lives in the home with the child(ren)?

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WHAT

What did the victim say happened (provide details and exact statements)?
What were the circumstances surrounding the incident?
What have you observed regarding the concerns?
What does the injury look like, if injury is present?
What does the child say about returning home?
What is the child's functioning level?
What has your interaction been with caregiver?
What did the caregiver say happened?

WHEN

When did the incident happen (date)?
When will the child have contact with the alleged perpetrator?
When was law enforcement contacted, if an emergency existed?

WHERE

Where does the child have an injury?
Where did the incident happen i.e. physical location
Where can the child currently be located (what time school gets out, after school plans, etc)?

KANSAS LAW - MANDATED REPORTERS

Kansas Reporting Laws: Mandated reporters are required to report child abuse or neglect under the Kansas reporting law (K.S.A. 38-2223) as follows: (a) Persons making reports. (1) When any of the following persons has reason to suspect that a child has been harmed as a result of physical, mental or emotional abuse or neglect or sexual abuse, the person shall report the matter promptly as provided in subsections (b) and (c); (A) The following persons providing medical care or treatment: Persons licensed to practice the healing arts, dentistry and optometry, persons engaged in postgraduate training programs approved by the state board of healing arts, license

(B) the following persons licensed by the state to provide mental health services: Licensed psychologists, licensed masters level psychologists, licensed clinical psychotherapists, licensed social workers, licensed marriage and family therapists, licensed clinical marriage and family therapists, licensed behavioral analysts, licensed assistant behavioral analysts, licensed professional counselors, licensed clinical professional counselors and registered alcohol and drug abuse counselors; (C) teachers, school administrators or other employees of an educational institution which the child is attending and persons licensed by the secretary of health and environment to provide child care services or the employees of persons so licensed at the place where the child care services are being provided to the child; (D) firefighters, emergency medical services personnel, law enforcement officers, juvenile intake and assessment workers, court services officers, community corrections officers, case managers

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appointed under K.S.A. 2018 Supp. 23-3508, and amendments thereto, and mediators appointed under K.S.A. 2018 Supp. 23-3502, and amendments thereto; and 12 (E) any person employed by or who works as a volunteer for any organization, whether for profit or not-for-profit, that provides social services to pregnant teenagers, including, but not limited to, counseling, adoption services and pregnancy education and maintenance. (2) In addition to the reports required under subsection (a)(1), any person who has reason to suspect that a child may be a child in need of care may report the matter as provided in subsection (b) and (c).

(b) Form of report. (1) The report may be made orally and shall be followed by a written report if requested. Every report shall contain, if known: The names and addresses of the child and the child's parents or other persons responsible for the child's care; the location of the child if not at the child's residence; the child's gender, race and age; the reasons why the reporter suspects the child may be a child in need of care; if abuse or neglect or sexual abuse is suspected, the nature and extent of the harm Or likelihood of harm to the child, including any evidence of previous harm; and any other information that the reporter believes might be helpful in establishing the cause of the harm and the identity of the persons responsible for the harm. (2) When reporting a suspicion that a child may be in need of care, the reporter shall disclose protected health information freely and cooperate fully with the secretary and law enforcement throughout the investigation and any subsequent legal process. (c) To whom made. Reports made pursuant to this section shall be made to the secretary, except as follows: (1) When the Kansas department for children and families is not open for business, reports shall be made to the appropriate law enforcement agency. On the next day that the department is open for business, the law enforcement agency shall report to the department any report received and any investigation initiated pursuant to K.S.A. 2018 Supp. 38-2226, and amendments thereto. The reports may be made orally or, on request of the secretary, in writing. (2) Reports of child abuse or neglect occurring in an institution operated by the Kansas department of corrections shall be made to the attorney general or the secretary of corrections. Reports of child abuse or neglect occurring in an institution operated by the Kansas department for aging and disability services shall be made to the appropriate law enforcement agency. All other reports of child abuse or neglect by persons employed by the Kansas department for aging and disability services or the Kansas department for children and families, or of children of persons employed by either department, shall be made to the appropriate law enforcement agency.

(d) Death of child. Any person who is required by this section to report a suspicion that a child is in need of care and who knows of information relating to the death of a child shall immediately notify the coroner as provided by K.S.A. 22a-242, and amendments thereto. (e) Violations. (1)

Willful and knowing failure to make a report required by this section is a class B misdemeanor. It is not a defense that another mandatory reporter made a report. (2)

Intentionally preventing or interfering with the making of a report required by this section is a class B misdemeanor. 13 (3) Any person who willfully and knowingly makes a false report pursuant to this section or makes a report that such person knows lacks factual foundation is guilty of a class B misdemeanor. (f) Immunity from liability. Anyone who, without malice,

participates in the making of a report to the secretary or a law enforcement agency relating to a suspicion a child may be a child in need of care or who participates in any activity or

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investigation relating to the report or who participates in any judicial proceeding resulting from the rep

FAILURE TO REPORT

Per Kansas law, willful and knowing failure to make a report is a class B misdemeanor. This can potentially lead to a \$1,000 fine and/or up to 6 months in jail.

FREQUENTLY ASKED QUESTIONS: After Report is Made

Q: Will the identity of the reporter be disclosed once a report is made?

A: Kansas law provides the identity of the reporter may not be disclosed to the child's parents, persons having legal responsibility for the child or to such persons' legal representatives. The protection is not absolute, however. If a case is heard in court or if a DCF finding is appealed and heard in a DCF administrative hearing, there is a possibility the identity of a reporter will be discovered.

Q: What can a reporter know about a case once a report is made?

A: Federal and State laws protect the confidentiality of children and families by prohibiting DCF from disclosing additional details. DCF is unable to release further information to you without a written release of information. DCF may inform the reporter the agency's decision to either accept the report for investigation or to not assign for further assessment.

Q: If an agency receives a court order to disclose confidential information about an individual under investigation, what procedure should be followed?

A: Under Kansas law, a multidisciplinary team, DCF or law enforcement agency may request disclosure of documents, reports or information by applying to a court for an order to release information. If a subpoena or order is received for a person and/or his/her records, the person will be given an opportunity to notify the court of any objection. A judge will then make a final decision as to what information to disclose.

For frequently asked questions in regard to the Investigation Process and Child Protective Custody please refer to the "Guide To Reporting" linked under the Resources section.

RESOURCES

[Guide To Reporting](#)

[Poverty vs Neglect](#)

[Child Welfare Resources](#)

[Kansas DCF Abuse/Neglect Reporting Linke](#)