

**MEMORANDUM**

TO: Indiana Schools

FROM: Kelly Bauder, Staff Attorney

RE: Mandatory Reporting of Child Abuse/Neglect

In the past year, several schools have been in the news for failing to report suspected child abuse/neglect in a timely manner. I have been attempting to reach out to schools in an effort to make sure they are aware of the mandatory reporting requirements. It is important to know any person who has a reason to believe a child is a victim of abuse or neglect has a duty to make a report to the Department of Child Services (DCS) or the police. If you hear about or see child abuse/neglect you must report it immediately. Indiana Code § 31-33-5-1. If you suspect a child is being abused or neglected call Indiana's Child Abuse and Neglect Hotline at 1-800-800-5556 or local law enforcement. The police and/or DCS are the appropriate authorities to investigate these matters.

Failing to report suspected child abuse or neglect is a crime in Indiana. If you fail to make a report, it is a Class B Misdemeanor, which is punishable up to 180 days in jail and a \$1,000 fine. Indiana Code § 31-33-22-1(a). Two school employees were recently arrested in charged for waiting six days to make a report. Just telling another employee at a school is not enough to protect yourself from criminal charges, it just takes minutes to report suspected child abuse and neglect and you can report anonymously. Several years ago, an Indiana principal was charged and convicted of failing to report suspected child abuse. The principal waited four hours to report the abuse while conducting his own investigation.

Schools can also contact the DOE if a school official is terminated or resigns due to child abuse or neglect so the Department can consider possible action against the person's license. The Department in collaboration with several groups, including the United States Attorney's office, have developed a video that will be shown at the Indiana School Safety Specialist Academy on May 9-10, 2016 that covers this topic and the serious nature of failing to report suspected abuse or neglect.

If you have any questions about reporting, please feel free to contact me at 317-232-6646 or [kbauder@doe.in.gov](mailto:kbauder@doe.in.gov).