



Texas Christian University Policy

Policy Number: 6.080

Subject: Duty to Report Suspected Child Abuse

Effective Date: November 29, 2011

Revised:

DUTY TO REPORT SUSPECTED CHILD ABUSE

Texas law requires anyone with knowledge of suspected child abuse or neglect to report it to the appropriate authorities. This mandatory reporting applies to all individuals and is not limited to teachers or health care professionals. The law even extends to individuals whose personal communications may be otherwise privileged, such as attorneys, clergy members, and health care professionals. Therefore, all TCU employees should be familiar with Texas law pertaining to reporting suspected child abuse or neglect. Child abuse is a crime as is not reporting it.

Texas Mandatory Reporting Law

Section 261.101 of the Texas Family Code mandates that anyone who suspects child abuse or neglect must report it immediately. The report may be made to (1) any local or state law enforcement agency (**on TCU campus call 7777; off campus call 911**); or (2) **the Department of Family and Protective Services (1-800-252-5400)**.

All persons are required to make the report **immediately**. Individuals who are licensed or certified by the state or who work for an agency or facility licensed or certified by the state and have contact with children as a result of their normal duties, such as teachers, nurses, doctors, and day-care employees, must report the abuse or neglect within 48 hours.

Texas law broadly defines "abuse" and "neglect" so that every action in which a child's physical or mental health or welfare has been or may be adversely affected is potentially covered. The statute explicitly excludes an accident or reasonable discipline by a parent or guardian that does not expose the child to a substantial risk of harm. However, if there is a question whether conduct constitutes "abuse" or "neglect," always err on the side of the child's safety and report the incident.

A person acting in good faith who reports or assists in the investigation of a report of child abuse or neglect is immune from civil or criminal liability.

Failure to report suspected child abuse or neglect is a Class A Misdemeanor, punishable by imprisonment of up to one year and/or a fine of up to \$4,000.

Requirements for TCU Employees:

- **If you suspect child abuse or neglect has taken place on the TCU campus or at any TCU function, immediately make a report to the TCU Police Department at 7777. If you feel there is an immediate threat off campus, call 911.**
- **Merely reporting the incident to your supervisor or manager is not sufficient.**
- **Do not try to investigate the abuse or confront the abuser yourself.**
- **When in doubt, err on the side of child safety and report the incident.**
- **TCU will not take any disciplinary action against any employee reporting, in good faith, an incident of child abuse or neglect**

Do not hesitate to contact the TCU Police at 7777 if you have a question or if you need further information.