

Recent Legislation and Law on Mandatory Reporting Education and Training

Alabama:

Failed Legislation, HB 3, 2013: Added mandatory reporter training as a requirement for mandatory reporters.

Arkansas:

Mandated training, offers training online.

<https://ar.mandatedreporter.org/UserAuth/Login!loginPage.action;jsessionid=7D1560E4E6D15A5C08DCA3DDC9A83441>

<http://www.accardv.uams.edu/>

California:

Training Available

Child Abuse Mandated Reporter Training Project

<http://www.mandatedreporterca.com/default.htm>

<http://educators.mandatedreporterca.com/default.htm>

Illinois:

Mandatory reporter education mandated for school district employees, and requires Department of Financial and Professional Regulation to give continuing education credit for mandatory reporter training.

<https://mr.dcfstraining.org/UserAuth/Login!loginPage.action>

Mandatory Reporters have to sign a notice that they are a mandatory reporter.

Iowa:

Recent bills: Prohibits an employer from taking retaliatory action against an employee in a good faith effort to report child abuse, requires a stakeholder committee, convened by the Department of Public Health, to review the training resources for mandatory reporters.

Failed Bills: Requirements of ninety minute training between 24 and 36 months of employment.

Currently requires all mandatory reporters to take two hours of training within the first six months of their employment, and then 2 hours every five years after that. Programs have to be improved by a panel, and are created by the licensing entity (depending on the profession).

<http://www.heartlandaea.org/professional-development/mandatory--non-mandatory-trainings/>

Louisiana:

Requires training, training is made available by the child welfare division of Department of Child and Family services. Requires all mandatory reporters to regularly receive training.

Maine:

HB 1094, 2013: Requires mandatory reporters in the professional category to complete

mandatory reporter training within 5 years before a license can be issued or renewed.

Maryland:

Failed legislation, SB 607, 2014:

Requires each health occupation board authorized to issue licenses to require, 90 minutes of training on identification and reporting of abuse and neglect before the issuance of a license, the renewal of a license or before treating, healing, counseling or otherwise interacting with patients or clients. The training will include the reporting requirements of the family law article, information regarding signs and symptoms of abuse and neglect, appropriate responses to disclosures of abuse and neglect, and resources and referrals for victims. Allows the board to deny, reprimand, place on probation or suspend or revoke a license for failure to report.

Massachusetts:

Requires training for law enforcement officers in the area of child abuse and elder abuse.

Mississippi:

Failed: Creation of a Mandatory Reporter Training Division within the Administrative Office of the Courts.

Nebraska:

LB 993, 2012: Determines that each child abuse and neglect investigation team shall include procedures for mandatory reporting of child abuse and neglect to include training to professionals on identification and reporting of abuse, assigning roles and responsibilities between law enforcement and the Department of Health and Human Services for the initial response or the report of abuse, and outlining how reports will be shared between law enforcement and the Department of Health and Human Services.

New York:

(Pending) Requires certain persons (doctors, teachers, superintendents, etc) to take mandatory reporting training and requires educational institutes to provide that training to employees, every three years.

Oklahoma:

Failed Legislation: adds training about sexual abuse and assault awareness and prevention to the yearly teacher training on recognizing child abuse and neglect.

Oregon:

Directs the State Bar to adopt rules establishing minimum training requirements for attorneys regarding duty to report child abuse.

Pennsylvania:

Failed legislation: Requires professional boards to require mandatory reporters to submit proof of at least 2 hours of continuing education training on child abuse, per licensing period.

Passed: SB 449, 2012: Provides for recognition and reporting training for school entities

and independent contractors of schools and their employees to address recognition of abuse and sexual misconduct, mandatory reporting policies

2013 HB 316: Requires a percentage of the fee charged for birth certificates be transferred for training mandated reporters and child abuse related costs, and for such advocacy centers.

Must have at least 3 hours every five years.

Rhode Island:

(Pending) Creates a "Child Abuse Prevention Act" which requires coaches and assistant coaches to complete a child sexual abuse prevention training program, with at least 2 hours of instruction time, to be retaken every five years.

Texas:

SB 113, 2012: Requires each school district, open-enrollment charter school, and higher education employee to report child abuse or neglect. Each school's reporting policy may not permit or require an employee to report child abuse or neglect to the employee's supervisor before the employee makes the report to the Department. Each institution of higher education shall also adopt a policy governing the reporting of child abuse and neglect for the institution and its employees. Training must be provided to orientation, to all new school district and open-enrollment charter school employees and to existing district and open-enrollment charter school employees until all district and open-enrollment charter school employees have taken the training. Each institution of higher education shall provide training for employees who are professionals in recognizing and preventing sexual abuse and other maltreatment of children and the responsibility and procedure of reporting suspected occurrences of sexual abuse and other maltreatment.

Vermont: Requires independent schools to comply with same training as school districts with respect to prevention, identification, and reporting with child abuse and child sexual abuse.

West Virginia:

SB 161, 2012: Adds youth camp administrator or counselor, employee, coach or volunteer of an entity that provides organized activities for children, or commercial film or photographic print processor to the list of persons mandated to report abuse and neglect of children. Adds any person over the age of eighteen who has actual knowledge of or observes any sexual abuse or sexual assault of a child to the list of mandated reporters who shall immediately, and not more than forty-eight hours after obtaining actual knowledge of or observing the sexual abuse or sexual assault, report the circumstances or cause a report to be made to the State Police or other law-enforcement agency. Creates an educational and training for persons required to report suspected abuse or neglect and for the general public to include indicators of child abuse and neglect, tactics used by sexual abusers, how and when to make a report, and protective factors that prevent abuse and neglect in order to promote adult responsibility for protecting children.

Wisconsin:

SB 42, 2012: No person making a report of suspected child abuse in good faith may be discharged from employment, disciplined or otherwise discriminated against in regard to employment, or threatened with any such treatment for so doing. Each school board shall require every employee of the school district to receive training provided by the department in identifying children who have been abused or neglected and in the laws and procedures governing the reporting of suspected or threatened child abuse and neglect. A school district employee shall receive that training within the first 6 months after commencing employment with the school district and at least once every 5 years after that initial training.

*This document is not comprehensive, may states have varying laws regarding mandatory reporter training.

Options for South Dakota Law:

- Add more professions or positions to the mandatory reporter list (attorneys, camp counselors, etc).
- Require training for all mandatory reporters, or for educators, or certain professions.
- Training overseen by DSS, or UJS, or licensing entities for each profession, or a separate committee created by the legislature.
- Training required for licensure or employment.
- Online instruction (create a re-useable platform), in-person classes, Continuing Legal Education (State Bar Convention each year).
- Two hours in six months, two hours every five years, one or two hours per year.
- Require mandatory reporters to sign a statement acknowledging they are a mandatory reporter.