

## MANDATORY REPORTING OF CHILD ABUSE

Section 232.69 of the Iowa Code requires that every employee of a licensed child care or preschool facility who, in the course of employment, reasonably believes a child has suffered sexual abuse, physical abuse, mental injury, child prostitution, denial of critical care, bestiality in the presence of a child, the presence of an illegal drug in the child or the person responsible for the care of a child and in the presence of the child, manufactures a dangerous substance or is in possession of a dangerous substance shall immediately report the suspected abuse directly to the Department of Human Services.

Section 232.70 of the Iowa Code requires that each report made by a mandatory reporter, as defined in Section 232.69, shall be made both orally and in writing. The oral report must be made by telephone or otherwise to the Department of Human Services. If the person making the report has reason to believe that immediate protection of the child is advisable, that person shall also make an oral report to an appropriate law enforcement agency. The written report must be made to the Department of Human Services within 48 hours after the oral report.

By law, the oral and written reports shall contain the following information, or as much thereof as the person making the report is able to furnish:

- a. the names and home address of the child and his parents or other persons believe to be responsible for his care;
- b. the child's present whereabouts if not the same as the parent's or other person's home address;
- c. the child's age;
- d. the nature and extent of the child's injuries, including any evidence of previous injuries;
- e. the name, age and condition of other children in the same home;
- f. any other information which the person making the report believes might be helpful in establishing the cause of the injury to the child, the identity of the person or persons responsible for the injury, or in providing assistance to the child; and
- g. the name and address of the person making the report.

### **Legal sanctions for failure to report are as follows:**

1. Any mandatory reporter who knowingly and willfully fails to report a suspected case of child abuse is guilty of a simple misdemeanor.
2. Any mandatory reporter who knowingly fails to report is civilly liable for damages proximately caused by such failure (Legal Reference 232.75).

Any mandatory reporter who, in good faith, makes a report of child abuse or participates in the investigation of a child abuse has immunity from any liability, civil or criminal. Records and/or information pertaining to the abuse may be released to the child abuse investigator without release required in other situation (Legal Reference 232.73).

To Report Child Abuse Anytime, CALL: Your Local DHS Office- DAY (     ) \_\_\_\_\_  
or NIGHT (     ) \_\_\_\_\_ or, if necessary, TOLL FREE STATEWIDE (1-800-362-2178). However you are encouraged to use your local number first. You may call collect.