

From: UNIV OF SC NEWS, MR [USCNEWS@mailbox.sc.edu]
Sent: Friday, November 18, 2011 4:20 PM
To: UNIV OF SC NEWS, MR
Subject: Child sexual abuse and neglect: Reporting requirements for S.C.



November 18, 2011
Contact: Peggy Binette
803-777-5400; peggy@mailbox.sc.edu

Editor's note: Carolyn Morris and Thomas Leclair from the Children's Law Center in the School of Law at the University of South Carolina are available for interviews. Contact Peggy Binette for interviews.

Child sexual abuse and neglect: Reporting requirements for S.C.

Recent high-profile reports of child sexual abuse underscore the critical importance for South Carolinians to know the state's law for reporting child abuse and neglect.

"Reporting child abuse and neglect is an essential first step in eliminating the widespread child abuse that is injuring children and capturing national and state headlines," said Carolyn Morris, assistant director of the Children's Law Center in the School of Law at the University of South Carolina. "It is vital that citizens know what state law mandates."

In South Carolina, a wide range of professionals from doctors, teachers and clergy members to computer technicians and funeral home directors are required to report suspected child abuse. Morris said those professionals need to be trained to recognize the signs of abuse and how to file a report.

The law also encourages every person who has reason to suspect a child has been abused or neglected to report it, she said.

"While all South Carolinians aren't required by law to report suspected child abuse or neglect, our state's children will not be fully protected until all our citizens become vigilant in reporting suspected child abuse or neglect," Morris said.

According to Thomas Leclair, senior resource attorney at the Children's Law Center, the S.C. law states that designated professionals are required to report when, in their professional capacity, they receive information that gives them reason to believe a child has been or may be abused or neglected. The professionals must report directly to the Department of Social Services or to a law enforcement agency in the county where the child lives. The report should include the victim's name and address, the reason that abuse or neglect is suspected and information about the abuser, if it is known, he said.

Despite the fact that all states have some form of a mandated reporting law, studies show that professionals do not report all cases of suspected abuse, said Leclair.

A study, which was conducted in Massachusetts and Connecticut and reported in the international journal “Child Abuse and Neglect” in 2000, showed that 65 percent of social workers, 58 percent of physician assistants and 53 percent of physicians were not reporting all cases of suspected abuse.

Among the reasons for failing to report incidents included: insufficient evidence, lack of certainty that abuse occurred, belief that a report would cause additional harm and the need to maintain good relationships with patients and clients. There also was confusion about what types of injuries required reporting.

The most recent National Incidence Study, using data collected in 2005 and 2006, reported that school professionals were least likely to report maltreatment, Leclair said.

Two-thirds of school professionals in the national study said they would report maltreatment to the child protection agency, compared with about three-fourths of law enforcement, health and other groups of mandated reporters. Although schools are the top source of recognition for maltreated children, some educators indicated that policies at their schools bar staff from making direct reports. Leclair said it is important to note, however, that South Carolina law requires the listed professionals to make reports and failure to do so is a misdemeanor.

The studies amplify the need for education and training.

The Children’s Law Center at USC provides resources for professionals required to report child abuse and neglect. They include a written guide, titled “Information for Mandated Reporters” and the Web-based training program “Recognizing and Reporting Child Abuse and Neglect.” Both are available on the center’s website at <http://childlaw.sc.edu>. The center also has a full-time trainer for mandated reporters. The trainer also is available to answer questions about the state’s mandated reporting statute.

For additional information on mandated reporting in South Carolina, visit the Children’s Law Center website, <http://childlaw.sc.edu>, or call 803-777-1646.

###

S.C.’s mandated reporter law: Professionals required to report child abuse and neglect

Physician
 Nurse
 Dentist
 Optometrist
 Medical examiner
 Coroner
 Employee of a county medical examiner or coroner’s office
 Any other medical, emergency medical services, mental health or allied health professional
 Member of the clergy, including Christian Science practitioners and religious healers
 Teacher
 Counselor
 Principal
 Assistant principal
 School attendance officer
 Social or public assistance worker
 Substance abuse treatment staff
 Child care worker in a child care center or foster care facility
 Foster parent

Police or law enforcement officer

Juvenile justice worker

Undertaker

Funeral home director or employee of a funeral home

Anyone responsible for processing films

Computer technician

Judge

Volunteer nonattorney guardian ad litem serving on behalf of the S.C. GAL Program or Richland County CASA