

Relating to mandated reporting of child abuse and neglect

W. Va. Code §49-2-803

Persons mandated to report suspected abuse and neglect; requirements.

http://www.wvlegislature.gov/Bill_Status/bills_text.cfm?billdoc=SB465%20SUB2%20ENR.htm&yr=2018&sesstype=RS&i=465

W. Va. Code §49-2-803

(a) Any medical, dental, or mental health professional, Christian Science practitioner, religious healer, **school teacher or other school personnel, social service worker,** child care or foster care worker, emergency medical services personnel, peace officer or law-enforcement official, humane officer, member of the clergy, circuit court judge, family court judge, employee of the Division of Juvenile Services, magistrate, 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 who has reasonable cause to suspect that a child is neglected or abused, including sexual abuse or sexual assault, or observes the child being subjected to conditions that are likely to result in abuse or neglect shall immediately, and **not more than 24 hours** after suspecting this abuse or neglect, report the circumstances to the Department of Health and Human Resources.

W. Va. Code §49-2-803 (a) [continued]

In any case where the reporter believes that the child suffered serious physical abuse or sexual abuse or sexual assault, the **reporter shall also immediately report to the State Police and any law-enforcement agency having jurisdiction to investigate the complaint.** Any person required to report under this article who is a member of the staff or volunteer of a public or private institution, school, entity that provides organized activities for children, facility, or agency **shall also immediately notify the person in charge of the institution, school, entity** that provides organized activities for children, facility, or agency, or a designated agent thereof, who may supplement the report or cause an additional report to be made: Provided, That notifying a person in charge, supervisor, or superior does not exempt a person from his or her mandate to report suspected abuse or neglect.

W. Va. Code §49-2-803

(b) County boards of education and private school administrators shall provide all employees with a written statement setting forth the requirements contained in this section and shall obtain and preserve a signed acknowledgment from school employees that they have received and understand the reporting requirement.

W. Va. Code §49-2-803

(c) Nothing in this article is intended to prevent individuals from reporting suspected abuse or neglect on their own behalf. In addition to those persons and officials specifically required to report situations involving suspected abuse or neglect of children, any other person may make a report if that person has reasonable cause to suspect that a child has been abused or neglected in a home or institution or observes the child being subjected to conditions or circumstances that would reasonably result in abuse or neglect.

W. Va. Code §49-2-803

(d) The provisions of this section are not applicable to persons under the age of 18.

Changes to Note

- The code reduces from 48 hours to 24 hours the period in which a mandated reporter is required to report suspected abuse or neglect.
- A mandated reporter must now directly report known or suspected abuse and neglect to DHHR and the State Policy and law enforcement agency.
 - This duty can not be discharged by merely “causing a report to be made.”
 - More than one report must be made if multiple people expect the abuse.
 - Must notify your school administrator. The school administrator may sit with/assist [support] you while you make the call to DHHR.

Contacting DHHR

When you suspect abuse or neglect you should report your concerns to the county office of the Department of Health and Human Resources where you live.

Martinsburg Regional Office of DHHR: 304-267-0100

Reports can also be made to the Abuse and Neglect Hotline

1-800-352-6513

7 days a week, 24 hours a day

If it is an emergency, call 911.

More information at

<https://dhhr.wv.gov/bcf/Pages/default.aspx>

Contacting Law Enforcement

WV State Police

- 304-724-7986 [Troop 2 Headquarters – Kearneysville, WV]
- 304-267-0001 [Martinsburg Detachment]

Berkeley County Office of the Sheriff 304-267-7000

Jefferson County Office of the Sheriff 304-728-3205

Morgan County Office of the Sheriff 304-258-1067

Martinsburg Police Department

- 304-264-2100

*Eastern Panhandle
Instructional Cooperative*

EPIC

Serving the educational needs
of the entire community

RELATING TO MANDATED REPORTING OF CHILD ABUSE AND NEGLECT

W. Va. Code §49-2-803

Persons mandated to report suspected abuse and neglect; requirements.

My signature below indicates that I have received a copy of W. Va. Code §49-2-803 Persons mandated to report suspected abuse and neglect; requirements.

I acknowledge that I have read and understand W. Va. Code §49-2-803.

Print Name _____

Program _____

Position _____

Signature _____

Date _____

Received by EPIC HR _____