



"Any person having cause to believe..."

The Texas reporting statute specifically mandates that teachers who have cause to believe that a child is being abused or neglected must report that suspicion to the Department of Human Services and to any local or state law enforcement agency. Identifying abused children is often difficult and undercut by uncertainty. The boundaries of what constitutes "cause to believe" according to the statute are themselves somewhat vague and do not comfortably solve the teacher's dilemma.

The reporter should recognize that simply having "cause to believe" is a very low threshold to meet, and that the statute is weighted in favor of protecting the child, even at the expense of an occasional report of abuse which is not validated. The following points are offered for those teachers who find themselves in a situation about which they are not certain:

- 1) Resolve doubt in favor of the child.
- 2) Remember that you do not have to prove that abuse is occurring; reporting is a request for an investigation into a suspected case of abuse.
- 3) Call the Department of Human Services and request advice in determining "cause to believe."
- 4) Be direct: if you have a trusting relationship with the child, ask gently but directly if the child is having a problem with which she/he needs help.
- 5) Do not promise not to tell anyone else.
- 6) If your administrator is the one assigned to make reports, you should follow-up within 48 hours with DHS or the police to verify that the report was made. You could still be liable for failure to report.

If you suspect a child is being abused, you are mandated by law to report your suspicions to the Department of Human Services and/or the police. It is not the teacher's responsibility to investigate the case. That responsibility lies with the Department of Human Services and the police. A report should not be made to the parents, the investigating agency will contact all parties involved.