You are legally responsible for the care of your child. You must either provide your child with safe and adequate food, clothing, shelter, protection, medical care and supervision or arrange for someone else to provide these basic necessities. Failure to do so may be considered neglect.

Anyone “having cause to believe that a child’s physical or mental health or welfare has been or may be adversely affected by abuse or neglect” MUST report the case immediately to a state or local law enforcement agency or the Texas Department of Family and Protective Services (TDFPS).

REPORTING REQUIREMENTS for professionals

Current law requires that professionals such as teachers, doctors, nurses or child daycare workers must make a verbal report within 48 hours. Failure to report suspected child abuse or neglect is a misdemeanor punishable by imprisonment of up to 180 days and/or a fine of up to $2,000 (Texas Family Code, Chapter 261).

Reporting suspected child abuse to your principal, school counselor or superintendent will NOT satisfy your obligation under this law. Local school district policy cannot conflict with or supersede the state law requiring you to report child abuse to a law enforcement agency or TDPRS.

TDFPS has a toll-free, 24-hour Family Violence Hotline: (800) 252-5400
WHEN YOU SUSPECT
CHILD ABUSE OR NEGLECT

YOUR LEGAL obligation
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YOUR LEGAL protection
Your report of child abuse or neglect is confidential and immune from civil or criminal liability as long as the report is made in “good faith” and “without malice.”

• “Good Faith” means that the person making the report took reasonable steps to learn facts that were readily available and at hand.
• “Without Malice” means that the person did not intend to injure or violate the rights of another person.

Provided these two conditions are met, you will also be immune from liability if you are asked to participate in any judicial proceedings that might result from your report.

IF YOU HAVE REASON TO BELIEVE that a child is abused
DON’T confront the abuser. DO report your reasonable suspicions.

Even if your report does not bring decisive action, it may help establish a pattern that will eventually be clear enough to help the child.

The signs of abuse described below don’t by themselves necessarily indicate abuse. You might talk to the child a little to see if there is a simple or innocent explanation for what you have observed. However, it is not up to you to determine whether your suspicions are true or not. A trained investigator will evaluate the child’s situation.

YOU SHOULD SUSPECT physical abuse
When you see…
• Frequent injuries such as bruises, cuts, black eyes or burns, especially when the child cannot adequately explain their causes
• Burns or bruises in an unusual pattern that may indicate the use of an instrument or a human bite; cigarette burns on any part of the body
• Frequent complaints of pain without obvious injury
• Aggressive, disruptive and destructive behavior
• Lack of reaction to pain
• Passive, withdrawn, emotionless behavior
• Fear of going home or seeing parents
• Injuries that appear after the child has not been seen for several days
• Unreasonable clothes hiding injuries to arms or legs

YOU SHOULD SUSPECT neglect
When you see…
• Obvious malnourishment
• Lack of personal cleanliness, torn and/or dirty clothes
• Obvious fatigue and listlessness
• A child unattended for long periods of time
• Need for glasses, dental care or other medical attention
• Stealing or begging for food
• Frequent absence or tardiness from school

YOU SHOULD SUSPECT sexual abuse
When you see…
• Physical signs of sexually-transmitted diseases
• Evidence of injury to the genital area
• Difficulty in sitting or walking
• Frequent expressions of sexual activity between adults and children
• Pregnancy in a young girl
• Extreme fear of being alone with adults, especially if of a particular gender
• Sexually suggestive, age inappropriate or promiscuous behavior

A DISCLOSURE
If you are the first person the child tells about sexual abuse, your testimony as “outcry witness” may be especially important in future legal proceedings.

What you say the child told you is not considered hearsay but is admissible evidence in a trial involving a sexual offense against a child. This exception applies only to the first person the child approaches.

YOU ARE LEGALLY RESPONSIBLE for the safety of your own child
Sometimes abusers are close relatives, but the fact that the abuser is a parent or other family member does not remove your obligation to protect the child. If you permit your child to be in a situation where he or she may be injured, then you may be prosecuted for child abuse.

If you are frightened for your own safety or that of your child, call 911 or (800) 252-5400.

If you are uneasy about your own behavior toward your child, you can call the Parents Anonymous toll-free hotline at: (800) 554-2323.

• Knowledge about sexual relations beyond what is appropriate for the child’s age
• Sexual victimization of other children
• Complaints of painful urination

When you suspect
child abuse or neglect

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