

# Texas Department of Family & Protective Services (DFPS)

Reporting Abuse/Neglect:  
A Guide for School Professionals



**Report Abuse/Neglect At:**

**1-800-252-5400**

<http://www.txabusehotline.org>

(24 hours a day, 365 days a year)

## **HOW DO I KNOW IF IT'S ABUSE OR NEGLECT?**

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DFPS uses definitions of abuse and neglect found in the Texas Family Code (TFC):

<http://www.statutes.legis.state.tx.us/Docs/FA/htm/FA.261.htm>

DFPS defines abuse and neglect as the following acts or omissions by a person:

**Physical injury** that results in substantial harm to the child, or the genuine threat of substantial harm from physical injury to the child, including any injury that is at variance with the history or explanation given. This does not include an accident or reasonable discipline by a parent, guardian, or managing possessory conservator that does not expose the child to a substantial risk of harm. [See TFC 261.001 \(1\)\(C\)](#).

**Sexual conduct** harmful to a child's mental emotional, or physical welfare, including conduct that constitutes the offense of continuous sexual abuse of young child or children under Section 21.02, Penal Code, indecency with a child under Section 21.11, Penal Code, sexual assault under Section 22.011, Penal Code or aggravated sexual assault under 22.021, Penal Code. [See TFC 261.001\(E\)](#).

**Mental or emotional injury** to a child that results in observable and material impairment in the child's growth, development, or psychological functioning. [See TFC 261.001\(1\)\(A\) & TFC 261.001\(1\)\(B\)](#).

**Neglect** includes the following acts or omissions by a person:

Placing a child in or failing to remove a child from a situation in which a reasonable person would realize requires judgment or actions beyond the child's level of maturity, physical condition, or mental abilities and that results in bodily injury or a substantial risk of immediate harm to the child. [See TFC 261.001\(B\)\(i\)](#).

Failing to seek, obtain, or follow through with medical care for a child with the failure resulting in or presenting a substantial risk of death, disfigurement, or bodily injury or with the failure resulting in an observable and material impairment to the growth, development, or functioning of a child. [See TFC 261.001\(B\)\(ii\)](#).

The failure to provide a child with food, clothing, or shelter necessary to sustain the life or health of the child, excluding failure caused primarily by financial inability unless relief services have been offered and refused. [See TFC 261.001\(B\)\(iii\)](#).

## **WHAT IF I'M NOT SURE IF IT'S ABUSE OR NEGLECT?**

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While it would be ideal to have a clear-cut guide that would determine whether any given situation constitutes abuse or neglect, there are many factors that determine whether a situation warrants an investigation. When in doubt, always err on the side of the child's safety by making a phone or Internet report to the Texas Abuse Hotline.

## **HOW DO I MAKE A REPORT?**

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### **Telephone**

You may call the Texas Abuse Hotline at **1-800-252-5400** to report abuse or neglect. The hotline is answered by DFPS Intake Specialists (who are all degreed professionals) 24-hours a day, 365-days a year.

**If the child is in immediate danger, call 9-1-1 or your local police first, then call the Texas Abuse Hotline to make a report.**

### **Internet**

You may also report your allegations to DFPS through the Internet at <http://www.txabusehotline.org>. If you choose to submit an internet report, you must provide your name and a valid e-mail address.

The Internet Reporting System should **NOT** be used in urgent or emergency situations, including but not limited to:

- Injuries to a child 5 or under
- Serious injuries to any child
- Immediate need for medical care (including a suicidal child)
- Sexual abuse where the perpetrator has access, or will have access, to the child within the next 24 hours
- Children 5 and under who are alone, or are likely to be left alone, within the next 24 hours
- Any other situation you feel requires a response in less than 24 hours

## **WHAT INFORMATION DO I NEED TO MAKE A REPORT?**

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- The names of as many household members of the alleged victim as possible
- The name(s) of alleged perpetrator(s)
- The names of any other people ("collaterals") who may have information about the alleged abuse or neglect

For each of the persons above, please provide as much of the following information as possible:

- Name, date of birth (preferred) or age, Social Security number, race/ethnicity, and marital status
- Home address, contact phone number(s)
- Work/school/daycare name, address, and phone number
- Special needs

Concerns and specific details about the abuse and/or neglect

## IS MY INFORMATION KEPT CONFIDENTIAL?

Anyone reporting allegations of abuse or neglect to the Texas Abuse Hotline or [texasabusehotline.org](http://texasabusehotline.org) is immune from civil or criminal liability as long as the report is made in good faith. A reporter's name is also confidential and will not be provided directly to the accused person by any DFPS employee.

However, DFPS is required to disclose a reporter's identity to law enforcement when they initiate a criminal investigation into the allegations of abuse or neglect; to a court if instructed to do so under a court order; or to another state agency if the matter that you are reporting falls under their jurisdiction.

DFPS is required to automatically notify law enforcement in writing of *all* reports of child abuse or neglect. However, the reporter's identity and contact information is **not** disclosed during these routine notifications. **A reporter's identity will only be disclosed if one of the above scenarios applies.**

## WHO IS REQUIRED TO REPORT ABUSE & NEGLECT?

In Texas, anyone who suspects that a child is being abused or neglected has a legal obligation to report it. Professional reporters are required to report allegations within 48 hours of first suspecting abuse or neglect. By law, professionals may not delegate the duty to report to another person or entity or rely on another person or entity to make the report.

A professional reporter is anyone who is licensed or certified by the state or works for an agency or facility licensed or certified by the state and has contact with children as a result of their normal duties.

Professional reporters include, but are not limited to:

- Teachers
- Nurses
- Doctors
- Day-care employees
- Employees of a clinic or health care facility that provides reproductive services
- Juvenile probation officers
- Juvenile detention or correctional officers

For more information, please visit the [DFPS Web site](#).

