

Teens and Mandatory Reporting:

Sample Language for Mandatory Reporters When Talk to Youth

Introduction

Building a trusting relationship with teens can be complicated and challenging, especially since your professional responsibilities may conflict with the trust you are building. Each of you will have a different approach depending on your personal preference in connecting and communicating, as well as the policies and obligations of your workplace or professional role. Here are some general guidelines to consider. Be sure to modify the recommendations on page 3 to meet your program's needs.

The term caregiver is used to represent an adult figure in the teen's life such as a parent, adult guardian, relative, or family friend. Be sure to use language that is teen friendly and appropriate to their life situation. Be transparent about your obligation to report child abuse.

Be intentional and careful about how you communicate your obligations, as you don't want to go back on your word. When you are first establishing your relationship, consider talking about mandated reporting obligations in more general terms. The following is sample language and only a starting point.

Sample Language

I am more than willing to listen to anything you would like to share. Your confidentiality is important to me. I will try to make sure that anything you tell me is not shared without your permission; however, there are some exceptions. I may be required to report child abuse or neglect. Also, if I'm very concerned about your safety, I may need to tell another adult or someone who can better help you. Before I tell someone, I will make every effort to talk to you first to let you know that I am going to tell someone. Do you have any questions? And if at any point you have questions, you can always ask me.

Possible Follow-Up Question Youth Might Ask

Q: IF I tell you something, who will you tell and what will you tell them?

A: The law requires me to report physical and sexual abuse or neglect to Child Protective Services or law enforcement. In appropriate cases, I may call Indian Child Welfare. Also, if someone is harming you or if you're a danger to yourself or others, I may have to tell someone who can better help you.

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Q&A about Mandatory Reporting

The information below is based on Wisconsin Laws. These apply regardless of how the entity or agency to whom the report is made interprets the law.

What is Mandatory Reporting?

- Calling child protective services or law enforcement to report abuse or neglect of a child.

What kinds of things do mandatory reporters have to report?

- Child abuse and neglect.

Who does the mandatory reporter make the report to?

- Contact Child Protective Services, known as CPS, or law enforcement. In appropriate cases, you may call Indian Child Welfare.

Under what time frame are mandatory reporters required to report under the law?

- You are required to report child abuse and neglect immediately.

Are Mandatory reporters required to report if someone else already reported?

- No, only one legally mandated reporter within an agency is required to report the same incident of abuse.

Who is considered a child under the law?

- Anyone under the age of 18 is considered a child.

What is child abuse?

- Any sort of physical harm, sexual abuse or neglect.

How would a teen know if someone is a mandated reporter?

- They can ask that person if they are **LEGALLY** mandated to report under Wisconsin laws and/or if they consider themselves a permissive/voluntary reporter.
 - If the person says yes to either of these questions, that person will report suspected child abuse or neglect.

What is physical harm?

- Actions that cause/caused pain, injury or illness, such as hitting, punching or slapping that causes a person to have bruises, welts, marks or redness. This includes choking, known by law as strangulation.

What is neglect?

- Neglect is the denial of food, shelter, clothing or medical care.

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What is sexual abuse?

- Sexual abuse of a child is sexual intercourse or sexual contact if one or more of the parties is a minor. Sexual intercourse means vaginal sex, anal sex, oral sex, or the insertion of any body part (including fingers) or any object into the vaginal or anal opening.

What is Sexual Contact?

- Sexual contact is intentional touching of any intimate body part, either directly or through the clothing, by hand or with an object, for the purpose of degrading the victim or arousing the accuser. Sexual contact without consent of both parties is considered a violation of the law.

Do mandatory reporters have to report sexual intercourse or contact involving 16 or 17 year olds?

- Maybe. It is reportable abuse if someone age 16 or 17 discloses non-consensual sexual intercourse or contact.
- Voluntary sexual contact or intercourse with someone age 16 or 17 is generally not reportable, but there may be exceptions based upon your county's policies.

Do mandatory reporters have to report emotional abuse?

- While emotional abuse is not part of mandated child abuse reporting, concern about a child's emotional well-being may be a consideration in deciding to report.

Teens and Mandatory Reporting: Tips for Advocates Building a Relationship with Teens

Be Transparent About Your Reporting Obligations	Know Your Other Obligations and Boundaries
<ul style="list-style-type: none"> • Be intentional and careful about how you communicate your obligations. • Talk about mandated reporting obligations in more general terms at first. • Let them know about agency requirements to report and your personal philosophy. • Be open and prepared to answer questions and to re-visit mandated reporting in future conversations. 	<ul style="list-style-type: none"> • You may feel an obligation to make a report based on the program policies or personal concerns. • Make every effort to talk to the teen beforehand and work with them to decide how to do this. • Know when the teen's needs are outside the realm of your expertise and use internal and external referrals. • Reflect on your personal boundaries and understand that they may change.
Respect Confidentiality	Be Honest and Offer Options
<ul style="list-style-type: none"> • Know agency policies on confidentiality exceptions. • Be honest with yourself and the teen about your limits to honor their confidentiality. • Ask teen for permission before talking with other caregivers whenever possible. • Be clear with teen, caregiver, and service providers exactly what will be discussed. 	<ul style="list-style-type: none"> • Let them know if you think some of their choices are harmful. • You provide information; they decided what to do with that information. • Accept their decisions without judgement. • Be aware of your bias when making strong recommendations.
Empower the Teen	Give Insight About What's Been Shared
<ul style="list-style-type: none"> • Tell the teen that it is not your role to tell them what to do. • Validate that they are in charge of their choices. • Consider discussing how they live with the consequences of their choices, not you. 	<ul style="list-style-type: none"> • Give brief summaries of conversations with caregiver. • Let the teen know that you are there to support and learn about them first hand. • Let them know that their version of the story is always the most important one.
Be Nonjudgmental and Relaxed	Process Your Own Feelings
<ul style="list-style-type: none"> • Check your assumptions, values, judgements and biases. • Be supportive and relaxed. • The teen should be talking the majority of the session. • React in positive ways while working with a teen. 	<ul style="list-style-type: none"> • Take care of yourself. • Talk with a trusted co-worker or see a helping professional that must maintain your confidentiality. • Focus on the feelings you are processing rather than details about your teen client.
Respect Their Pace and Their Space	Consider General Things Teens Need
<ul style="list-style-type: none"> • Ask teens what they want to talk about; do not force a teen to talk on topics they are not ready to talk about. • Tell the teen they do not have to tell you anything they do not want to. • Allow them permission to tell you to "back off" when they need to. • Empower the teen by offering chances to bring their caregiver into a session when the teen is ready. 	<ul style="list-style-type: none"> • To be believed, treated with respect, and given information about help available to them. • To know they are not alone, violence and abuse are not okay, violence is not their fault, and they have a right to be safe. • To have opportunities to feel good about themselves, to have their peer relationships respected, to be given a chance to talk and be heard, and to have respect for their individuality. • To make choices about their own situation and to learn equitable, nonviolent problem solving.