



Date: January 25, 2024
To: All Principals
From: Jason Batura, Director
Professional Standards
Jim Preusser, Senior Executive Director
Human Resources
Recipients: All Employees
Subject: Employee Requirements for Reporting Child Abuse, Neglect or Abandonment

All Principals/Technical College Directors – please distribute a copy of this memorandum to all employees and/or contractors who work on your school site.

All employees of Orange County Public Schools have an affirmative duty to immediately report known or suspected child abuse, neglect, or abandonment. Below you will find information that will assist you with who needs to make a report, what needs to be reported, when and to whom you report it to, and what happens if you fail to report.

I. Mandatory Reports of Child Abuse

- Section 39.201(1)(a), Fla. Stat. states:
“A person is required to report immediately to the central abuse hotline established in s. [39.101](#), in writing, through a call to the toll-free telephone number, or through electronic reporting, if he or she knows, or has reasonable cause to suspect, that any of the following has occurred:
a. Child abuse, abandonment, or neglect by a parent or caregiver, which includes, but is not limited to, when a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child’s welfare or when a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide such supervision and care.”
- Section 39.201(1)(a)(1)(b), Fla. Stat. requires reports of “child abuse by an adult other than a parent, legal custodian, caregiver, or other person responsible for the child’s welfare.”
- Section 39.201(5)(a), Fla. Stat. requires that “Sexual abuse of a child or juvenile sexual abuse must be reported immediately to the central abuse hotline... Such reports may be made in writing, through the statewide toll-free telephone number, or through electronic reporting.”
- Section 39.201(3)(c), Fla. Stat. requires reports of impregnation of children aged 15 years and under by an adult aged 21 years or older to both the hotline and law enforcement.
- Section 39.307, Fla. Stat. requires the reporting of child-on-child sexual abuse.



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If you receive any of the above allegations, such information must be immediately reported to law enforcement. Report such cases to the SRO on campus immediately upon being informed of such allegations.

II. Mandatory Reporters of Child Abuse, Abandonment or Neglect:

Section 39.201(1)(b), Fla. Stat. states the general public, when making a report to the hotline, may remain anonymous. However, the following persons must identify themselves when contacting the hotline:

- Health care professional or mental health professional (§39.201(1)(b)(2)(b), Fla. Stat.)
- School teacher or other school official or personnel (§39.201(1)(b)(2)(d), Fla. Stat.)
- Social worker, daycare center worker, or other professional child care worker, foster care worker, residential worker, or institutional worker (§39.201(1)(b)(2)(e), Fla. Stat.)
- Law enforcement officer (§39.201(1)(b)(2)(f), Fla. Stat.)

III. When and Where to Report

Under the laws cited above as well as Management Directive A-4 ([Management Directive A-4](#)) all employees shall immediately report suspected child abuse, neglect, or abandonment to the Florida Department of Children and Families (DCF). This includes child-on-child sexual abuse. You should not undertake any further investigation to prove whether your suspicion is founded or unfounded before making a report.

The school or department administrator should take immediate steps to protect the safety, welfare, and privacy interest of the child in the interim before any intervention by DCF, law enforcement, or the Office of Professional Standards.

Any doubt as to whether abuse, neglect or abandonment has occurred shall be resolved in favor of reporting. Personnel at the Central Abuse Hotline are specifically trained to determine if a report meets statutory requirements for child protective investigations. The appropriate law enforcement agency will conduct law enforcement investigations when warranted.

You may make your report with one of the following options (Note: All sexual abuse cases must be done by phone reporting only):

- Phone reporting: 1-800-96-ABUSE or 1-800-962-2873
- Online reporting: <https://reportabuse.dcf.state.fl.us/Child/ChildForm.aspx>

No employee will be subject to retaliatory employment actions for making a good-faith report of child abuse, neglect, or abandonment. Additionally, under §39.203(1)(a), Fla. Stat., any person who makes a good-faith report of child abuse, neglect or abandonment is immune from civil or criminal liability:

“Any person, official, or institution participating in good faith in any act authorized or required by this chapter or reporting in good faith any instance of child abuse, abandonment, or neglect to the department or any law enforcement agency, shall be immune from any civil or criminal liability which might otherwise result by reason of such action.



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After making the report to DCF, all employees will complete the Management Directive A-4 form. Employees making a report to DCF shall also inform their school/work location administrator and Professional Standards. The original A-4 form must be sent to Professional Standards as well. The school employee or school/work location administrator should keep a copy of the A-4 form.

By the end of the business day, the School/Work Location Administrator shall ensure that the A-4 is reported to DCF, Law Enforcement and Professional Standards.

IV. Consequences for Failure to Report

Any OCPS employee who fails to report known or suspected child abuse, neglect, or abandonment to DCF may be subject to criminal prosecution pursuant to Florida Statutes and/or subject to disciplinary action by OCPS which may include but is not limited to, termination of employment. Failure to report child abuse, neglect, or abandonment is a third-degree felony under §775.082, Fla. Stat. Failure to report sexual battery under §794.027 is a misdemeanor of the first degree.

If there are any questions or concerns, please send such questions or concerns to professionalstandards@ocps.net.