

Mandatory Reporting and School Counselors: Reporting Laws, Obstacles, and Solutions

Karena T. Valkyrie
D. Andrew Creamer
Leila Vaughn
Troy University

Abstract

Child abuse and neglect is a serious problem across our nation, and the consequences can be far reaching. Laws were enacted to address child abuse and identify mandatory reporters, including school counselors. In the literature, school counselors regularly report systemic and personal obstacles that influence their compliance with the mandatory reporting laws. A review of the reporting laws, the obstacles to reporting, and possible solutions are presented.

The National Child Welfare Information Gateway (CWIG), formerly known as the National Child Abuse and Neglect Data System reports indicate that child abuse is a serious problem across our nation. (Child Welfare Information Gateway, 2007). The consequences of abuse and neglect can be far reaching (Arias, 2004; Sneddon, 2003; Thompson, Kingree, & Desai, 2004; Tyler, Allison, & Winsler, 2006; Widom, 2000). Due to their proximity and their regular interaction with large groups of children, school counselors are in position to be “front-line” intervention agents in the effort to address child abuse. Thus, it is important that school counselors understand the crisis and nature of child abuse, as well as the consequences of child abuse. Furthermore, school counselors need to be conversant with the ethical/legal issues associated with mandatory

reporting laws as they work to help their “student-clients” who may be victims.

The 2004 Child Maltreatment report indicated that over 3 million referrals involving 5.5 million children to Child Protective Services or Department of Human Services/Resources agencies were made in that year (CWIG, 2007). Reports from school officials vary. Fantuzzo, Stevenson, Weiss, Hampton, & Noone (1997) reported that educators generated 32% of all child maltreatment reports. Other information indicates that 56% of the referrals came from professionals, including educators (CWIG, 2007). Lambie wrote that “based on national child abuse statistics and the occurrence of underreporting (Prevent Child Abuse America, 2003), it can be conservatively estimated that at least five students have been or will be reported as possible victims of abuse in a typical teachers’ classroom per year in the United States” (2005, p. 250).

CWIG (2007) indicates professional referrals accounted for over 870,000 children who were recognized to be victims of neglect (60%), physical abuse (18%), sexual abuse (10%), and emotional abuse (7%). Many children do not survive neglect and abuse. The CWIG site reports that 1,490 children died in 2004. Slightly more males died than females and neglect accounted for one-third of the deaths. The largest number of these children is less than four years old (80%) and just fewer than 19% of the victims were between ages 4

19 Mandatory Reporting

to 17, indicating a number of victims were of school age. Parents, other relatives, and the unmarried partners of parents were the largest group of perpetrators (90%) and 10% of the abuse was accounted for by other individuals, such as “camp counselors, school employees, and unknown offenders”.

Alabama’s children experience abuse and neglect at rates that reflect the national crisis statistics. In 2005, 30,771 cases of child abuse and neglect were reported. These cases involved 45,440 child victims and 18 Alabama children died from the abuse or neglect inflicted upon them” (Voices for Alabama Children, 2007). Similar to the national findings, the child abuse experienced by Alabama children was inflicted by close relatives or someone known to the child rather than strangers. Similar to the national incidences, infants through teenagers were abused. Even if the primary victims were not of school-age, their school age siblings may be considered secondary victims who may reveal to school officials.

School counselors need to be prepared to recognize the symptoms that may be associated with child abuse. Research suggests that the earlier the intervention the better the prognosis. Accordingly, by following the mandatory reporting guidelines, alert school counselors can help initiate the multi-level intervention activities. By doing so, the consequences for the children may not be as extreme. We now review the possible signs and consequences of abuse. Then we will review the mandatory legislation and explore obstacles to mandatory reporting.

Child Abuse and Neglect – The Signs

Each form of abuse may manifest slightly differing signs and behaviors and it is the responsibility of each mandatory reporter to know the signs and to be sensitive to the non-verbal information that can be collected (Alabama Attorney General, 2008). For many reporters, physical abuse may be easier to identify (e.g., clearly visible bruising, wounds) and blatant physical signs often prompt a reporter to take action (Brown University Child & Adolescent Behavior Letter; 1997). However, even with physical abuse, it may be harder for reporters to connect behaviors such as withdrawal or aggression, wariness around others, or children’s unrealistic explanation of their wounds with the need to suspect and report possible physical abuse (Child Protect: Children’s Advocacy Center Resource Material (CPCACR), 2007).

The signs and behaviors associated with other forms of abuse, especially emotional abuse, may be even harder to recognize; thus, making it harder for reporters to feel qualified to initiate a report. For example, information from the Comprehensive Counseling and Guidance State Model for Alabama Public Schools (2007), suggests that signs such as speech disorders, delayed physical development, substance abuse, and cognitive developmental delays may indicate emotional abuse. School counselors need to know that emotional abuse is “not just a single event, but a systematic diminishment of the victim” (Romeo, 2000, p. 184). In their interactions with students’ parents, school counselors can become aware of the signs of emotional abuse demonstrated by parents (e.g., name

calling, deliberate humiliation), in addition to the signs and symptoms that students can display (Carleton, 2006; Romeo, 2000).

Identifying neglect and emotional abuse can also be more difficult than identifying physical abuse because diverse groups (e.g., mental health providers and policy makers) may define neglect and emotional abuse differently (Loue, 2005; Tyler, Addison, & Winsler, 2006). Reporters should be aware of the legal definition in their specific jurisdictions. Emotional abuse and neglect are the more under-reported forms of child maltreatment (Carleton, 2006); yet they leave lasting scars on children.

With awareness and early reporting, school counselors may improve the chances for children to receive necessary services, thus limiting the negative “fall-out” associated with abuse and increasing their chances to recover and live life to their potential. While intervention at multiple levels holds the hope that long-term consequences can be ameliorated; it is clear that without intervention the chances for short and long-term consequences can be wide-ranging.

Child Abuse and Neglect – The Consequences

If children survive abusive events, in addition to the immediate consequences of abuse and neglect (e.g., pain, fear, anxiety), they are at risk for long-term behavioral, psychological, and relational consequences. Across the development continuum women and men abused as children experience a number of problematic behaviors and disorders, for

example, Post-Traumatic Stress Disorder (PTSD), somatization disorders, increased substance use and abuse, greater health related issues and costs, suicidal thoughts and attempts (Arias, 2004; Thompson & Desai, 2004). Of more consequence in a school setting are the educational problems, learning disorders, and poor school performance as evidenced by lower IQs and lower standardized testing scores (Sneddon, 2003; Tyler, Allison, & Winsler, 2006; Widom, 2000). Abused and neglected children may experience developmental and cognitive delays (Tyler, Allison, & Winsler, 2006). Poor attachment, alienation, conduct disorder, and antisocial behavior are also a consequence of abuse and neglect (Egeland, Yates, Appleyard, & van Dulmen, 2002; Tyler, Allison, & Winsler, 2006; Widom, 2000). Common, maladaptive affective consequences of childhood sexual abuse include problems with low-self-esteem, feelings of hopelessness and depression, perception of being “damaged goods” or “different,” self-blame, guilt, fear, anger, depression (Finkelhor, 1990; Johnson, 2004; Wozencraft, Wagner, & Pellegrin, 1991), and anxiety (Horowitz, 1985).

Some research findings suggest that while more boys are abused than girls, and clearly boys experience trauma and negative consequences, girls and women may experience more long-term physical and emotional repercussions (Thompson, Kingree, & Desai, 2004). Effects of all forms of child abuse will vary depending upon the age at the time of abuse, the developmental level of the child, the nature and type of the abuse, the relationship between abused and abuser, and the resources available to the victim (Sneddon, 2003). Incontrovertible, this

21 Mandatory Reporting

empirical evidence suggests that school counselors will interact with children who have or are experiencing child abuse and neglect. The research indicates that short- and long-term consequences associated with abuse will challenge not only teachers, administrators, and counselors in the school systems, but will challenge society itself with the costs associated with social services, police, and court services. If interventions can be made early then there is a greater chance for the abuse to be stopped and for the long-term sequelae and trauma to be minimized (Sechrist, 2000).

Federal and state mandatory reporting laws were enacted to identify children who need assistance to survive and recover from abuse and to address the larger societal issues of child abuse. Legislation at the federal and state level indicates a continuing commitment to address child abuse and to create a process by which individuals could participate in the solution. One focus of the legislation has always been to identify individuals who come into contact with children on a regular basis. This exposure to children put these individuals in the role of being the “canary in the mine – the reporters of problems” who can sound the alarm that a dangerous situation is present.

The Legal Statutes and Guides for Mandatory Reporting

Federal and Alabama State Statutes. The Federal Child Abuse Prevention and Treatment Act (CAPTA; 42 U.S.C.A. §5106g) enacted in 1974 is the foundation on which states statutes were created in an effort to address and counter childhood abuse. CAPTA was

last amended in 2003 under the Keeping Children and Families Safe Act (P.L. 108-36) and sets the minimum standards for defining abuse and neglect. As the laws sought to curtail and remedy the abuse of children, mandatory reporting guidelines were established at the state level. Individually, states were expected to develop more comprehensive delineations of what would constitute neglect, physical abuse, sexual abuse, and emotional abuse (Child Welfare Information Gateway, 2007).

Specifically, the Alabama Code Sections §26-14-1; §26-14-5; §26-14-9; §26-14-10; §26-10-13 (Alabama’s Mandatory Child Abuse and Neglect Reporting Law; 2007) are of special interest to school counselors. As part of their initial training and their continuing education, school counselors should read and understand the specific guidelines as established in the different sections of code. Alabama Code distinguishes who the mandatory reporters are, define harm and threat, and the protection offered to mandatory reporters who, in good faith, make a report out of concern for their student-clients.

The Code Defines Mandatory Reporters. Section §26-14-3(a-f) of the Alabama Code identifies mandatory reporters (“Alabama Code”) as

Doctors, surgeons, medical examiners, coroners, dentists, osteopaths, optometrists, chiropractors, podiatrists, nurses, school teachers, and other school officials, law enforcement officials, pharmacists, social workers, day care workers or employees, and mental health professionals...and any other person called upon to render aide or medical assistance to any child and the legal obligations of mandatory reporters.

Other educational employees (e.g., custodians) may be considered “permissive reporters” and do not fall under the legal obligation identified in Section §26-14-3. However, it is expected that permissive reporters would approach school counselors for guidance in filing a report, as needed. Further, school counselors who are licensed as professional counselors (LPCs) are covered in several categories of mandatory reporters (other school professionals and mental health professionals). When contacted, the American School Counselor Association (ASCA) indicated that all their members are expected to comply with their individual state requirements related to reporting (personal communication with Jill Cook on June 19, 2007).

Additionally, when reviewing the four components of school counselors’ work responsibilities: School Guidance Curriculum, Individual Student Planning, Responsive Services and System Support (Comprehensive Counseling and Guidance State Model for Alabama Public Schools, Figure 1), we see that school counselors should address a number of mental health and social issues students may have, including issues of *physical, sexual, and emotional abuse*. The federal and state laws, as well as the School Counselor Model of Service, as adopted by the Alabama State School System, put the onus on school counselors to be prepared to identify abuse children may be receiving and to report such abuse. The law describes about what is considered harmful activity.

Harm is Defined. In Section §26-14-1 (“Alabama Code”) abusive treatment is

defined as “...harm or threatened harm to a child’s health or welfare which can occur through non-accidental physical or mental injury; sexual abuse or attempted sexual abuse; sexual exploitation or attempted sexual exploitation.” Neglect and emotional abuse are easily understood to be harmful. More recently, the definition of harm has been expanded to include exposure to domestic violence. Children are protected under Alabama’s domestic violence laws. Even if the violence is not directly focused on the child the consequences of being a witness, of hearing violence, and/or living under the threat of violence can be as harmful as if they were the actual victim (Child Welfare Information Gateway, 2007). Thus, school counselors need to understand that their legal reporting mandates may make them obligated to report cases of suspected domestic violence even if the children are secondary victims. As legal responsibility may vary for some jurisdictions consider exposure to domestic violence as abuse and some do not (Clarke, 2006), school counselors should be aware of their jurisdictions guidelines. Additionally, exposure to adults who use drugs, who distribute or manufacture drugs is now considered to be a “harm and a threat” to children’s welfare and can be perceived as abuse and maltreatment that needs to be reported. The Family Protection Unit of the Attorney General’s office indicates that “nationally there were 14,260 methamphetamine lab related incidents *recorded* (emphasis added) last year”...and that “10% of the cases involved children” (Alabama Attorney General, 2007). Thousands of children could be involved in the unreported cases. If counselors know students who

23 Mandatory Reporting

are exposed to, or who are living in, a drug environment they should report this information.

Alert to the Signs and Symptoms of Abuse and Neglect. As a mandatory reporter it is an ethical, professional, and legal responsibility for school counselors to be aware of the indicators and consequences of childhood abuse and neglect. Earlier we reviewed the signs and consequences concomitant with childhood abuse and neglect. The Attorney General of Alabama (2007) expects all counselors and other school personnel to recognize the signs and symptoms. However, school counselors are not required to be forensic investigators. They are simply the canary that calls attention to the possibility of a problem.

Counselors Do Not Have To Have Proof of Harm; They Are Provided Protection Under The Good Faith Clause; and Penalties for Not-Reporting May be Exacted. The Federal and Alabama laws indicate that mandatory reporters must report if they know or *suspect* (emphasis added) a child is being abused or neglected. Because they are not required to be forensic investigators, certainty is not a requirement. The Alabama Attorney General (2007) advises mandatory reporters to

Make a report when you know or suspect (emphasis added) that a child is being abused or neglected. Use your professional training and expertise to make this decision. It is not necessary to prove that the abuse or neglect happened; you just have to be reasonably suspicious. It is better to err on the side of wrongful reporting rather than to risk further injury or

death of a child. Do not delay in reporting if you do not have all the needed information. Additional information can be added later.

Depending upon the location, the reports should be made to either a jurisdiction representative (e.g., police chief or sheriff) or to the Alabama Department of Human Resources (DHR) representative.

As does the federal statute, Alabama law protects mandatory reporters from liability, Section §26-14-9 (Alabama Code, 2007) reads, in part

... [Individuals], by whatever designation, participating in the making of a good faith report in an investigation or case review authorized under this chapter, or other law or department practice ...shall in doing, be immune from any liability, civil or criminal, that might otherwise be incurred or imposed (emphasis added).

Why Don't Some School Counselors Report?

Just four years after the Child Abuse Prevention and Treatment Act came into existence, research began to find that mental health providers often did not make mandated reports (Swoboda, Elwork, Sales, & Levine, 1978). Swoboda et al.'s survey of various practitioners found providers confused about the laws, their responsibilities, the concept of privileged communication, fear of retaliation, and identified the "egotistical inability to call in outside intervention" (p. 455), as well as a lack of awareness of signs of abuse. Swoboda et al. recommended that graduate training be improved and mandatory reporting expectations of providers be improved.

One could argue that those issues have been ameliorated in the ensuing years following CAPTA and the state codes. Yet subsequent studies continue to find providers, including school counselors, hesitating to make reports (Bryant & Milsom; 2005; Colnerud, 1997; Hinson & Fossey, 2000; Muehleman & Kimmons, 1981). Counselors continue to report they feel uncomfortable when making reports (Lambie, 2005) and report they feel as if they are being put in the role of informant (Remley & Fry, 1993). As recently as 2005, Bryant and Milsom in a survey of 251 school counselors from a Midwestern state, found school counselor reporting challenges and issues similar to the ones that troubled mandatory reporters in 1978, 1981, and 2000. It is of concern that these obstacles continue to exist. It is important to remember that although school counselors and teachers make a large number of abuse reports they may not be making as many as necessary (Lambie, 2005). We now look at four clusters of obstacles to mandatory reporting repeatedly discussed in the literature and consider solutions to offset the obstacles.

The issue of recognizing signs and symptoms. Graduate school lays the foundation for professional competence. Indeed a counselor's professional identity begins in graduate school wherein programs imbue students with the ethical standards established by professional organizations, such as American Counseling Association (ACA), Association for School Counselor (ASCA) and the accrediting body, Council for Accreditation of Counseling and Related Education Programs (CACREP). Graduate school further establishes strong theoretical

foundations on which students will build their identity (Henderson, Cook, Libby, & Zambrano, 2007). Since the inception of CAPTA, graduate training programs have worked to make sure new graduates entering the field can recognize the signs that may indicate abuse as part of their developing competency. It is in the training program that the role of advocate and the task of reporter are first explored and emphasized. Training programs should clearly help students to understand that they have entered a developmental process that will last as long as they are working as a school counselor (Henderson et al., 2007).

Many counselors report anxiety, uncertainty, and hesitancy to report. Perhaps graduate students should be given even more opportunities to explore the obstacles as identified in the literature. Best-practice training for students will address adherence to professional standards (Lambie, 2005). Ethical discussions faced by school counselors are complex, even the dilemma of reporting abuse with its clear mandate. Therefore, graduate programs need to emphasize the need to develop critical analytical skills so that school counselors will be better prepared to handle the difficult legal and ethical issues they will undoubtedly face. They can be taught that advocacy and reporting abuse is part of their leadership roles as caring counselors in schools. Students need to understand the need for detailed records (Lambie) and be given opportunities in training programs to practice serving as a professional witness in court proceedings. Training programs should address reporting and related issues as an expectation rather than a "let's hope it doesn't happen" possibility.

25 Mandatory Reporting

The issue of evidence. Issues associated with “having evidence” continue to influence school counselors’ reporting practices. Counselors often feel that they need proof of abuse. Again, reports from recent studies of school counselors and teachers indicate that counselors and teachers felt more comfortable with reporting and would report more readily if they had strong evidence of abuse (Bryant & Milsom, 2005; Hinson & Fossey, 2000), and they would hesitate to report if they felt they did not have “enough” evidence. For some educational professionals making a report makes them feel as if they are part of law enforcement and that a burden of evidence is required of them. This is not what is required in the statute. It is important to remember that the Federal law and the Alabama Code require mandatory reporters to report if they know or suspect. School counselors should be guided by the Attorney General’s suggestion to use their professional training, clinical reasoning skills, and expertise to determine when a report needs to be made.

Moreover, because child abuse cases are a challenge to prosecute (e.g., cognitive and language development of a child may be more challenging than working with adult victims) it is imperative that children be interviewed by professionally trained forensic interviewers (e.g., police or CPS/DHR case workers). Appropriate forensic investigation is imperative if the chain of evidence is to be preserved (American Prosecutors Research Institute, 2004). Therefore, if students report abuse (or if counselors simply suspect abuse/neglect), counselors should assume a neutral, supportive position and indicate that help will be obtained

for the student. The burden of proof rests with the investigative agencies – not the school counselor.

Understanding that they are not expected to be forensic investigators, a possible solution to the “evidence dilemma” is for school counselors (and other mandatory reporters) to view their reports as the first step of intervention. *If law enforcement officials do not know about abuse then no action can be taken to prevent it.* As mandatory reporters they take the role of student-client advocate, not investigator – again – the canary crying out that danger may exist.

The issue of “DHR won’t take action, why should I report?” Often school counselors and teachers hesitate to report because they believe the agency to which they are reporting will not take action, thus making a report an issue of “What’s the use? It’s a waste of time.” There may be some validity to their concern. As reported in the Executive Summary of the Third National Incidence Study of Child Abuse and Neglect (NIS-3) (Sedlak & Broadhurst, 1996; n.p.), “CPS investigated the maltreatment of only 28 percent of children who were countable under the Harm Standard and of only 33 percent of those whose maltreatment fit the Endangerment Standard.” It should also be noted that due to the design of the NIS-3 the exact reason for this finding cannot be determined. It could be that many of the children who met the harm and endangerment standards of the study were not reported to CPS agencies for investigation.

A solution for this obstacle is for school counselors to take the initiative and get to know the case workers assigned to

their school districts as part of their professional community (Bryant & Milsom, 2005; Henderson et al., 2007; Hinson & Fossey, 2000; Sedlak & Broadhurst, 1996) and as an effort to build working alliances with the local Department of Human Resources (Drombowski & Gischlar, 2006). School counselors can strengthen the working alliance by inviting DHR representatives to their schools for in-service training of teachers, counselors, and permissive reporters, as well as training of parents (Drombowski & Gischlar, 2006). With their facilitation skills training, school counselors are prepared to be the “bridge builders” that can help families, school districts, reporting agencies, and law enforcement agencies work together for the good of the district’s children.

The Administrative and Political Environment Issues. Several obstacles seem to fit into this category. School counselors, as well as teachers may hesitate to report because they are afraid that they won’t be supported by their principals or district officials (Bryant & Milsom, 2005; Hinson & Fossey, 2000). They also fear repercussions from their coworkers, and many report they fear legal reprisals from the students’ families. School district officials and principals set the tone and environment in schools (Drombowski & Gischlar, 2006). The administration and teachers need to and can create an environment that advocates for children’s right and should make students feel safe enough to trust the school officials and, subsequently, safe enough to report (Gullatt, 1999).

It is imperative that school officials understand the danger they put students in and the legal/financial jeopardy they

put their districts in if they do not encourage their school counselors to make appropriate reports. McCarthy and Sorenson (1993) reviewing litigation reported that “failure to report” cases began being adjudicated in the 1980s. In cases they presented, three school officials (superintendent, assistant superintendent, and a principal) were convicted for not reporting alleged incidences of students being abused by employees in their districts.

It is important to remember that all states provide immunity for reports made in good faith; accordingly, it is equally important to realize that failure to report is punishable and that some legal jurisdictions pursue failure to report litigation aggressively (Remley & Fry, 1993). Civil liability is an easier charge to successfully prosecute than criminal and may carry greater financial consequences for school districts and individuals (Gullatt, 1999). Finally, it is important for administrators to remember that failure to report violates a number of professional ethics codes.

The solution for this set of related obstacles is predicated upon school district administrators and principals being aware of their role in child abuse intervention, understanding their legal and ethical obligations, and working to create an environment that advocates for and empowers students, teachers, and counselors (Drombowski & Gischlar, 2006). To create a child-focused environment and an environment that encourages reporters to follow their legal mandates is in line with the standards established by the Interstate School Leadership Licensure Consortium (ISLLC; Council of Chief State School Leaders, 1996). As noted by the ISLLC

27 Mandatory Reporting

Effective school leaders are strong educators, anchoring their work on central issues of learning and teaching and school improvement. They are moral agents and social advocates for the children and the communities they serve.

School districts should create clear reporting procedures and systems, and have the systems in place that assure school personnel are adequately trained on an on-going basis. Thorough training could alleviate stress associated with reporting for all involved (Remley & Fry, 1993). Drombowski and Gischlar (2006) offer suggestions that would work toward creating an empowering environment: a) develop clear, explicit, district wide-policies for personnel to follow when making a report; b) create an ombudsman reporter position that will help personnel to understand and to navigate the process; c) communicate to parents the district's position regarding maltreatment, and d) increase communication with the local protective agency for training purposes and promote school-community collaboration. Drombowski and Gischlar write that the communication to the district's constituents indicates that the district will support personnel who have to file a report, and at the same time establishes the districts' schools as a resource for parents who need help to become better parents. Moreover when a district implements these or similar suggestions it indicates a district's commitment to address child abuse and neglect.

It should be noted that even if school counselors are expected to report their concerns to their school administrators, which usually is part of the reporting protocol in a district (Drombowski &

Gischlar, 2006; Remley & Fry, 1999), such compliance does not relieve school counselors (or teachers) from the legal responsibility of directly reporting their concerns to the appropriate law enforcement or investigative agency (Hinson & Foss, 2000). School districts are also in a perfect position to address child abuse and maltreatment early in a child's life. Fantuzzo, Stevenson, and Howard (1997) suggest that school districts can spear-head the development of community based interventions by addressing the youngest victims in the district through Head-Start Programs. (For a list of research-based program suggestions please refer to their article.) Ultimately, school districts are in a position to empower school counselors and other education personnel to be advocates for students and agents of change as they reach out to the community.

Conclusion

Each year, millions of children who experience abuse, maltreatment, and neglect attend school and interact with school counselors regularly. By training, school counselors are prepared to assume the role of advocate for, and mentor to, their students. By law, school counselors are mandated to report suspected or known incidences of abuse and neglect. These roles and expectations are demanding and can evoke anxiety for new, as well as seasoned school counselors. Solutions are available that would help school counselors fulfill their professional and ethical responsibilities. When training programs emphasize strong theoretical foundations, ethical processes, and

critical reasoning skills they empower new school counselors. New and seasoned counselors can lower their anxiety and feel more assured about their reporting obligations as they seek to continue their clinical and legal knowledge education. School district administrators and principals can create school policies and establish clear, supportive reporting procedures to further empower their school counselors. Reporting, at times a difficult and challenging process, is the first step in the intervention efforts that can help students to be successful in school and, ultimately, in their lives ♦

ACKNOWLEDGMENTS

We wish to thank the following Orientation to Psychological Studies students for their critique of the manuscript: Amanda Jones, Art Gaudet, Candace Avery, Jatonna Mora, Patricee Jones, and Sandra Riley.

AUTHOR NOTE

Correspondence regarding this manuscript should be directed to Dr. Karena T. Valkyrie at Troy University. Phone: (334) 670-3359. Email: kvalkyrie@troy.edu

REFERENCES

Alabama Attorney General, Retrieved on June 15, 2007, from <http://www.ago.state.al.us/>

American Prosecutors Research Institute. (2004). Investigation and prosecution of child abuse. (3rd ed.). Thousand Oaks, CA: Sage Publications Inc.

Arias, I. (2004). The legacy of child maltreatment: Long-term health consequences for women. *Journal of Women's Health, 14*(5), 468-473.

Attorney General of Alabama Child Abuse Resource Site retrieved on June 15, 2007 from http://www.familyprotection.Alabama.gov.documents/indicators_child_abuse.pdf

Besharov, D. J. & Laumann, L. A. (1996). Child abuse reporting. *Science and Modern Society, May/June*, 40-46.

Brown University Child & Adolescent Behavior Letter. (1997, August). *Copy Editor, 13*(8), 4-6.

Besharov, D. J., & Laumann, L. A. (1996). Child abuse reporting. *Social Science and Modern Society, 33*(4), 40-46.

Bryant, J., & Milsom, A. (2005). Child abuse reporting by school counselors. *Professional School Counseling, 9*(1), 63-71.

Carleton, R. A. (2006). Does the mandate make a difference? Reporting decisions in emotional abuse. *Child Abuse Review, 15*, 19-37.

29 Mandatory Reporting

Child Protect: Children's Advocacy Center (n.d.) Retrieved June 15, 2007 From <http://www.childprotect.org>

Child Welfare Information Gateway (CWIG; formerly known as NCANDS) retrieved on June 15, 2007 from <http://www.childwelfare.gov>

Clarke, S. N. (2006). Strictly liable: Governmental use of the parent-child relationship as basis for holding victims liable for their children's witness to domestic violence. *Family Court Review*, 44(1), 149-163.

Colnerud, G. (1997). Ethical dilemmas of psychologists – A Swedish example in an international perspective. *European Psychologist*, 2(2), 164-170.

Comprehensive Counseling and Guidance State Model for Alabama Public Schools. Retrieved August 6, 2007 from the Alabama State Department of Education http://www.alsde.edu/tex/sections/doc_download.sp?section=54&id=1835

Council of Chief State School Officers. (1996). Interstate School Leaders Licensure Consortium (ISLLC) Standards for School Leaders. Washington, DC: Author. Retrieved August 8, 2007 from: <http://www.ccsso.org/content/pdfs/isllcstd.pdf>

Drombowski, S. C., & Gischlar, K. L. (2006). Supporting school professionals through the establishment of a school district policy on child maltreatment. *Education*, 127(2), 234-243.

Egeland, B., Yates, T., Appleyard, K., & van Dulmen, M. (2002). The long-term consequences of maltreatment in the early years: A developmental pathway model to antisocial behavior. *Children's Services Social Policy, Research, and Practice*, 5(4), 249-260.

Family Protection Unit of Alabama Attorney General's office (n.d.) Retrieved on June 15, 2007 from <http://www.familyprotection.alabama.gov/child.htm#drug>

Fantuzzo, J. W., Stevenson, H. C., Weiss, A.D., Hampton, V. R., & Noone, M. J. (1997). A partnership-directed school based intervention for child physical abuse and neglect: Beyond mandatory reporting. *School Psychology Review*, 26(2), 298-313.

Finkelhor, D. (1990). Early and long-term effects of child sexual abuse: An update. *Professional Psychology: Research and Practice*, 21, 325-330.

Gullatt, D. (1999). Collaborative efforts are required for schools to address suspected child abuse. *Contemporary Education*, 71(1), 24-31.

Henderson, P., Cook, K., Libby, M., & Zambrano, E. (2007). "Today I feel like a professional school counselor!". *Guidance & Counseling, 21*(3), 128-142.

Hinson, J., & Fossey, R. (2000). Child abuse: What teachers in the 90s know, think, and do. *Journal of Education for Students Placed At Risk, 5*(3), 251-266.

Lambie, G. (2005). Child abuse and neglect: A practical guide for counseling students. *Professional School Counseling, 8*(3), 249-258.

Loue, S. (2005). Redefining the psychological and emotional abuse of children. *Journal of Legal Medicine, 26*(3), 311-337.

McCarthy, M. M., & Sorenson, G. P. (1993). School counselors and consultants: Legal duties and liabilities. *Journal of Counseling & Development, 72*, 159-167.

Muehleman, T., & Kimmons, C. (1981). Psychologists' view on child abuse reporting, confidentiality, life, and the law: An exploratory study. *Professional Psychology, 12*(5), 631-638.

Prevent Child Abuse America. (2003). As cited in Lambie (2005). <http://www.preventchildabuse.org>

Remley, Jr., T. P., & Fry, L. J. (1993). Reporting suspected child abuse: Conflicting roles for the counselor. *School Counselor, 40*(4), 253-261.

Romeo, F. F. (2000). The educator's role in reporting the emotional abuse of children. *Journal of Instructional Psychology, 27*(3), 183-186.

Sechrist, W. (2000). Health educators and child maltreatment: A curious silence. *The Journal of School Health, 70*(6), 241-243.

Sedlak, A. J., & Broadhurt, D. D. (1996). *Executive summary of the third national incidence study of child abuse and neglect*. Retrieved on June 15, 2007 from <http://www.childwelfare.gov>

Sneddon, H. (2003). The effects of maltreatment on children's health and well-being. *Child Care In Practice, 9*(3), 236-250.

Swoboda, J. S., Elwork, A., Sales, B. D., & Levine, D. (1978). Knowledge of and compliance with privileged communication and child-abuse reporting laws. *Professional Psychology, 448-456*.

Thompson, M. P., Kingree, J. B., & Desai, S. *American Journal of Public Health, 94*(4), 599-603.

31 Mandatory Reporting

Tyler, S, Allison, K., & Winsler, A. (2006). Child neglect: Developmental consequences, intervention, and policy implications. *Child & Youth Care Forum*, 25(1), 1-20.

Voices for Alabama Children. Retrieved June 15, 2007, from <http://alavoices.org/pub/statsinfo/nis3.cfm>

Widom, C. S. (2000). Childhood victimization: Early adversity, later psychopathology. Report from Department of Justice and Department of Health and Human Services (Eric Document Reproduction Service No. ED4659)

Figure 1

Program Delivery Components*			
SCHOOL GUIDANCE CURRICULUM Provides guidance content in a systematic way to all students in Grades K-12	INDIVIDUAL STUDENT PLANNING Assists students in planning, monitoring, and managing their personal and career planning	RESPONSIVE SERVICES Addresses the immediate concerns of students	SYSTEM SUPPORT Includes program, staff, and school support activities and services
Purpose Student awareness, skill development, and application of skills needed in everyday life	Purpose Student educational and occupational planning, decision making, and goal setting	Purpose Prevention and intervention	Purpose Program delivery and support
Areas Addressed: Academic Motivation to achieve Decision-making skills Goal setting Planning Problem-solving skills Career Awareness of educational opportunities Knowledge of career opportunities Knowledge of career/technical training Personal/Social Self-esteem development Interpersonal effectiveness Communication skills Cross-cultural effectiveness Responsible behavior	Areas Addressed: Academic Acquisition of study skills Awareness of educational opportunities Appropriate course selection Lifelong learning Utilization of test data Career Knowledge of career opportunities Knowledge of career/technical training Need for positive work habits Personal/Social Development of healthy self-concept Development of adaptive and adjustive social behavior	Areas Addressed: Academic Academic concerns <u>Physical abuse</u> <u>Sexual abuse</u> <u>Emotional abuse</u> Grief, loss, and death Substance abuse Family issues <u>Sexual issues</u> Coping with stress Relationship concerns School-related concerns: tardiness, absences and truancy, misbehavior, school avoidance, drop-out prevention	Areas Addressed: Academic Guidance program development Parent education Teacher and administrator consultation Staff development for educators School improvement planning Counselor professional development Research and publishing Community outreach Public relations
Counselor Role Structured groups Consultation Guidance curriculum implementation	Counselor Role Assessment Planning Placement	Counselor Role Individual counseling Small-group counseling Consultation Referral	Counselor Role Program development and management Consultation Coordination

Original Figure Note 1 : These lists represent examples and are not exhaustive.

*The original figure was reprinted with permission from:

Gysbers, N.C., and Henderson, P. (2000). *Developing and Managing Your School Guidance Program*, (3rd ed.), Alexandria, Va.: American Counseling Association. *Comprehensive Counseling and Guidance State Model for Alabama Public Schools*

Note 2: This figure was retrieved from the Alabama State Department of Education (http://www.alsde.edu/text/sections/doc_download.asp?section=54&id=1835) on August 6, 2007); emphasis was added

33 Mandatory Reporting

Resources

Figure 2

AGENCY	RESOURCE AVAILABLE	TELEPHONE OR URL
Alabama Coalition Against Domestic Violence	State information regarding domestic violence.	1-800-650-6522
Attorney General of Alabama	This site can be a guideline for reporting expectations for mandatory reporters in Alabama	http://www.ago.state.al.us/
Child Abuse USA	Provides information to abuse victims, perpetrators, and parents	1-800-4-A-CHILD OR 1-800-422-4453
Cyber Tipline	Report online victimization of children here.	http://www.cybertipline.com
Crimes Against Children Research Center	This site provides research information related to the issue of child abuse.	http://www.unh.edu/ccrc/about-ccrc.html
Department of Human Resources – Alabama	This site provides welfare information. The specific link provided lists several important numbers mandatory reporters may need	http://www.dhr.state.al.us/page.asp?pageid=487
Department of Human Resources – Child Abuse and Neglect - Alabama	State number to call; mandatory reporters should check their local listings for their community DHR office.	1-334-242-9500
National Domestic Violence Hotline	A resource for victims of domestic violence	1-800-799-SAFE (7233) 1-800-799-3224 (TDD)
National Council on Domestic Violence and Child Abuse	Information for individuals and families affected by domestic violence	http://www.nccav.org
The Rape, Abuse, Incest National Network	Provides referral sources	1-800-656-HOPE (4673)
Voices for Alabama Children	Research and advocacy resource in the State of Alabama	http://www.alavoices.org/