



Fundamentals of Mandatory Reporting: A Guide for Refugee Service Providers in the U.S.

Refugee service providers play important roles in supporting newcomer clients' safety and wellness. This includes being knowledgeable about mandatory reporting of abuse and neglect of children and vulnerable adults. This information guide explains what mandatory reporting entails—providing guidelines on who is considered a mandated reporter and how to make a mandated report. Because bias, cultural differences, and poverty can influence your suspicion of abuse and neglect, this guide also describes considerations for determining whether to report a specific incident or suspicion. Note that this guide is general and should be supplemented with review and implementation of your state's policies and laws.

What Terms Do I Need to Know?



Mandatory reporting is the process of telling officials at a designated government agency about known or suspected abuse, abandonment, neglect, or exploitation of a child (under the age of 18) or vulnerable adult when required to do so by law.

Terms related to mandatory reporting include:

- **Child:** A person under 18 years of age
- **Vulnerable Adult:** A person 18 years of age or older who is unable to protect themselves from abuse, neglect, or exploitation due to a physical or mental impairment
- **Abuse:** Includes physical, sexual, and emotional/psychological abuse, and neglect
 - **Physical abuse:** Non-accidental physical injury (ranging from minor bruises to more severe injury or death)

- **Sexual abuse (or sexual assault):** “Sexual contact or behavior that occurs without explicit consent”¹
- **Emotional or psychological abuse:** A pattern of behavior where the perpetrator insults, humiliates, berates, threatens, or generally instills fear
- **Neglect:** When a caregiver consistently fails to meet the basic needs of a child or vulnerable adult, such as adequate food, shelter, clothing, medical care, or supervision. The absence of resources due to poverty does not constitute neglect.
- **Abandonment:** Circumstance where a parent or caregiver’s whereabouts are unknown, where a child or vulnerable adult has been left in circumstances that caused them to suffer significant harm, or where the parent or caregiver has failed to provide necessary support for a specified period of time
- **Exploitation:** Act of using a child or vulnerable adult to unfairly gain a benefit, including financial, sexual, labor, domestic servitude, human trafficking, forced marriage, and forced criminality
- **Consent:** “An agreement between participants to engage in sexual activity. Consent should be clearly and freely communicated.”²
- **Age of Consent:** The minimum age at which a person can legally consent to sexual activity
 - The age of consent may vary from state to state. States may also have different ages of consent for males and females, and for opposite-sex and same-sex activity. Most states consider the age difference between the child and the other individual.
 - The age of consent may change if the individual is in a position of authority or care over the child (e.g., in Vermont, the age of consent is 16 unless the other individual is a teacher, pastor, etc., in which case the age of consent is 18)
 - Engaging in sexual activity with someone below the age of consent can result in criminal charges in many states. Mandated reporters must report if they reasonably believe or suspect a child below the age of consent is engaging in

sexual activity with someone over the age of consent.

Note: Some forms of abuse and neglect and other terms related to mandatory reporting overlap. You will not be required to report in a specific category nor determine what did or did not occur.

Am I a Mandated Reporter?

Mandated reporters are people legally required to report to designated government authorities if they know of, or reasonably suspect based on observable facts or circumstances, that abuse, abandonment, neglect, or exploitation of a child or vulnerable adult has occurred. This applies to all children and vulnerable adults, not just clients.

Ensure you understand your state’s specific mandatory reporting laws, including whom they consider a mandatory reporter. In many states, any person who suspects child abuse or neglect is required to report.

In most states, refugee resettlement direct service workers are considered mandated reporters. Other professionals commonly mandated to report include:

- Social workers
- Teachers and other school personnel
- Doctors, nurses, and other health care workers
- Mental health professionals
- Coaches and counselors
- Child care providers
- Law enforcement officers

Some states also include any staff or volunteer that provides organized activities for children (e.g., tutoring, summer camp, after-school program, etc.).

Anyone Can Report

Any person can make a report if they know or have a reasonable belief that abuse, abandonment, neglect, or exploitation of a child or vulnerable adult is occurring, whether or not that person is a mandated reporter.

¹ RAINN. (n.d.). *Sexual assault*. <https://www.rainn.org/articles/sexual-assault>

² RAINN. (n.d.). *What consent looks like*. <https://www.rainn.org/articles/what-is-consent>

To better understand mandatory reporting requirements in your state, see the following resources:

- Child Welfare Information Gateway: [Searchable resources by state](#)
- National Adult Protective Services Association (NAPSA): [State-by-state guidance on mandatory reporting requirements for vulnerable adults](#)
- Office of the Assistant Secretary of Planning and Evaluation: [State Laws](#)
- Department of Health and Human Services, Administration for Children and Families: [Directory of State Human Services Offices](#)
- Many states also have free online training on their mandatory reporting laws. Look for training in your state by searching [your state's name] + "free mandatory reporter training."

Note: U.S. federal and state laws have higher authority than individual organizational policies. If you are a mandated reporter by law, you must report even if your organization does not have a reporting policy.

Protections for Mandated Reporters

- **Safeguards:** Employers are not allowed to take any action that prevents or discourages employees from making a report, including retaliation after a report.
- **Immunity:** Mandated reporters are protected from civil or criminal liability for any report required by law.
- **Confidentiality:** The reporter's identity and the report's content will be kept confidential and will only be disclosed to the official investigator of the report.

When Do I Need to Report?

If you are considered a mandated reporter in your state, you must report when you **know of** or **reasonably believe** an incident of abuse, abandonment, neglect, or exploitation has occurred or is occurring to a child or vulnerable adult.

- **"Know of"** means that you have knowledge of abuse, abandonment, neglect, or exploitation. For example, a child tells you that their stepfather is sexually abusing them; you witness a parent hitting a child during a home visit; or an elderly client tells you that their

caregiver withholds medicine and food from them.

- **"Reasonably believe"** means it is probable that an incident of abuse, abandonment, neglect, or exploitation has happened or is happening. For example, you notice that a child has frequent and unexplained injuries; you observe that a vulnerable adult with a full-time caregiver has run out of medication and is not attending needed medical appointments; or a child tells you that another child is being abused at home.

You must report new incident(s) as you become aware of them, even if you have reported similar incidents in the past.

If there is imminent risk of a child or vulnerable adult being harmed or harming themselves or others, call 9-1-1 before making a report.

Reporting Considerations for Refugee Service Providers

Before Reporting

Explore whether the issue of concern may be due to poverty or lack of resources rather than abuse or neglect. Poverty is when the family does not have the resources to address the issue, whereas neglect or abuse occurs when the family has the resources but withholds them. For example, a family not having enough food to eat is different than a parent withholding food from a child as a form of punishment. Similarly, a caregiver not taking a vulnerable adult to the doctor because they cannot afford to do so is different from intentionally withholding medical care.

Keep an open mind and work with clients to understand whether a concerning situation is connected to poverty, a lack of resources, or inadequate access to information. If so, begin by connecting the individual or family to information, resources, and needed support whenever possible.

Learn about differences in relevant cultural practices. Childrearing, health practices, dietary practices, and discipline can look different among

different cultures. It is important to explore cultural practices before making assumptions about abuse.

For example, “cupping” is a practice in many cultures that involves using suction to pull on skin and increase blood flow to certain areas of the body. It can leave distinct marks that can be mistaken for signs of abuse.

Cultural ideas and norms around who is supervising a child is another common example. In many cultures, both Western and non-Western, it is acceptable to leave young children at home or outside alone with the assumption that neighbors and other nearby adults are looking out for them. In the U.S., however, this is considered “leaving children unattended.” Cultural conceptions of maturity also vary. For example, some parents consider young children responsible enough to care for other children or leave the house on their own.

In some cultures, disciplinary actions may include refusing to speak to a child or making them kneel, stand, or sit in a corner with their face to a wall for a certain period of time. In such cases, providing education on accepted parenting practices in the U.S. may be more appropriate than making a report.

Note: Activities that cause bodily injury or constitute abuse or neglect must be reported, even if they are related to culturally accepted practices.

If you receive disclosure of maltreatment or suspect abuse or neglect, your fear response may heighten your reaction. Stop for a moment to consider if the information you have is reportable or if your reaction is being influenced by your own biases.

Check for your own biases. Abuse and neglect do not discriminate; they exist in every community, culture,

social sector, and economic class. Yet there is considerable overrepresentation of reports of suspected maltreatment of children of color³ and of mutual sexual exploration between LGBTQ+ or Black youth.⁴ If a situation raises concern but is not strictly reportable, you can provide psychoeducation and support to the family to try and improve the situation.

Determine whether you have enough information to report. At a minimum, you will need to provide:

- Your name, agency, and contact information;
- A description of the incident; and
- The full name of either the child or adult/caregiver.

Your name will not be disclosed to the person you are reporting. If known, also provide:

- The address of the child;
- The names and ages of all children in the home;
- Schools of the impacted child(ren);
- Date(s) of occurrence; and
- Any other information relevant to the situation or that helps locate the child(ren).

Consult with a supervisor or leader. Making the decision to report can be difficult. If there is no imminent danger to someone or you are uncertain whether the situation is reportable, consult with a supervisor or experienced colleague to decide how to proceed. This consultation should happen the same day you become aware of the situation or concern.

Note: Although you can seek support from a supervisor or trusted colleague, you must make the actual report yourself.

Review your state’s and agency’s protocols on disclosing a report to the clients involved, when safe and appropriate. If you believe that doing so could threaten your safety or the safety of the person suspected of being abused, neglected, exploited, or abandoned, you should not disclose this information. However, if you believe it is safe to reveal that you are reporting, remind clients that you are a mandated reporter, express your intent to report, and offer to

³ Krase, K. (2013). Differences in racially disproportionate reporting of child maltreatment across report sources. *Journal of Public Child Welfare*, 7(4), 351–369. https://www.researchgate.net/publication/271756238_Differences_in_Racially_Disproportionate_Reporting_of_Child_Maltreatment_Across_Report_Sources

⁴ Letourneau, E. J., Assini-Meytin, L. C., Kaufman, K. L., Mathews, B., & Palmer, D. (2020). Preventing and addressing child sexual abuse in youth serving organizations: A desk guide for organizational leaders. Moore Center for the Prevention of Child Sexual Abuse, Johns Hopkins Bloomberg School of Public Health. <https://americanhealth.jhu.edu/themes/custom/bahi/assets/pdfs/DesktopGuide.pdf>

include them in the reporting process. Advantages to involving clients in this process include:

- Empowering the client and helping to dispel fears and myths about reporting authorities
- Showing authorities that the client is engaging in help-seeking behavior
- Increasing the likelihood of a non-adversarial process

Note: Clients always have the option to decline being a part of the reporting process.

Familiarize yourself with the reporting process. Know the phone numbers or other methods for reporting in your state. For instance, some states require reports to be placed by phone to the reporting agency *and* through a written form in an online portal. Most locales also have dedicated, separate hotlines for children and vulnerable adults.

In addition, know what information is needed for each type of report. For example, written forms may require you to provide the name of the reporting authority staff you spoke with when you made the initial phone report.

Plan how you will advocate. As you prepare to make a report, consider how you might advocate for clients to receive appropriate interpretation and translation, as well as services that are culturally responsive. Consider providing context to help authorities understand and more compassionately respond to the situation. For example, you could share the family's or caregiver's history of trauma, recent arrival in the U.S., cultural considerations, or recent changes in circumstance.

Consider clients' possible fears or re-traumatization in interacting with authorities. Many clients come from countries where interactions with governmental authorities often leave them powerless, and child welfare authorities' main goal is taking children away. Thus, interacting with officers in uniform or undergoing investigation may trigger post-traumatic stress disorder (PTSD) symptoms in clients.

To help make reporting less scary or triggering, remind clients of their rights and explain that the well-being of their children and vulnerable loved ones is an interest they share with both you and the authorities.

Mandatory reporting can be a life-saving intervention, so it must be done with urgency. Some states require that a mandated report be made within a certain timeframe from when you reasonably believe that abuse, abandonment, neglect, or exploitation may have occurred. Even in the absence of a state requirement, reports should be made within 24–72 hours.

When Reporting

- Provide facts, not opinions, about what you heard or observed. Have relevant demographic information on hand, including names of children and adults, dates of birth, addresses, phone numbers, etc.
- If you do not know the answer to a question the hotline staff asks, do not guess or assume. Make clear that you do not know the answer.
- Note that phone hotlines are not always staffed, and you may have to leave a message.
- If the client or their family does not speak fluent English, proactively share the client's language, advocating for any interaction to be conducted with adequate interpretation.
- If a child in question is in your custody, ask if the child can be released to the caregiver.
- The hotline staff may make a preliminary determination about whether to investigate the case. If they do not accept the case, you can ask for the reason(s). If they choose to accept the case for further investigation, they will likely ask you additional questions.
- Ask for a case number, and if one is provided, record it.
- Record the date and time, as well as the name of the person you spoke with and anyone else who was present, such as an interpreter or colleague

Note: If the agency decides not to investigate or does not investigate in a timely manner and you consider the case urgent or you are significantly concerned, you may request to speak to a supervisor.

After Reporting

Document the report. Review and follow your agency's procedures for documenting mandatory reports or other interactions with authorities. Confirm with your supervisor how your identity as the reporter will be kept confidential if clients ask to see their case notes.

Consider whether the situation necessitates safety planning. Safety planning may be warranted in multiple situations, including when:

- There is an ongoing risk to a client's safety, or where reporting could increase risk;
- Both the victim and offender are clients, and your office/program needs to make decisions about whether it can continue to serve both clients and, if so, how it will do so safely;
- There are any concerns that reporting could pose a danger to office staff;
- Staff express concerns of being unsafe in their community after reporting; and/or,
- The client and offender live together, and your office/program needs to discuss alternative safe housing options or how the client can remain safe while living with the offender.

For more on safety planning, see Switchboard's information guide [Fundamentals of Gender-Based Violence \(GBV\): The What, Why, and How of Safety Planning](#) and the International Rescue Committee's e-learning course [Safety Planning in Resettlement, Asylum, and Integration Settings](#).

Explore whether the client may need further services and support to stay safe and stable. This may necessitate changing the service plan and/or connecting the client to additional resources and referrals. Clients involved in child protective services may need ongoing help with advocacy to ensure investigations, requirements, and services are culturally responsive and linguistically accessible.

Follow up. After mandatory reporting, it is crucial to ensure that appropriate action has been taken and the necessary support is provided to those involved. This involves checking with the authorities to confirm that the report has been received and processed, as well as following up with the clients to offer help, support, and advocacy throughout the process.

If the agency investigates the case, you may or may not be notified of the determination. If you have a Release of Information in place, you can call and inquire about the case or determination.

Sample Script: Notifying a Client that You Are a Mandatory Reporter

When programs have mandatory reporting requirements and staff who are mandated reporters, inform clients about this at the start of services, and provide reminders as needed. Having this awareness will allow clients to make informed choices about what information to disclose to their service providers.

Switchboard's information guide [Client Rights and Responsibilities](#) and the International Rescue Committee's newcomer-facing guide [Understand Your Rights & Responsibilities in the United States](#) are two resources that discuss confidentiality and its limits. The sample script below offers one way to address this topic:

"It is important that you understand how I handle any information you tell me. Please know I can't share your information without your permission. This includes not sharing with your family, immigration officials, or anyone else. That is why I ask you to sign a Release of Information so that you can tell me what I am allowed to share and who I am allowed to share it with.

There are just a few exceptions to this. We are required by law to report:

- *When a child is being abused, neglected, exploited, or has been abandoned;*
- *When an adult who can't protect themselves due to a disability or who is very old is being abused, neglected, or exploited;*
- *Or if someone discloses that they are likely to kill themselves or harm someone else.*

In these rare cases, we must break confidentiality to protect someone's life or safety.

Do you have any questions or concerns?"

Special Considerations for Managers and Leaders

Organizations should have processes in place for mandatory reporting. As a manager or leader, you can:

- **Proactively identify** all service providers (staff, interns, volunteers, etc.) who are mandated reporters
- **Ensure clients receive information** on their rights and responsibilities upon program enrollment, including limitations of confidentiality
- **Ensure mandated reporters are trained** on what is reportable, how and where to report, and how to discuss confidentiality and their role as mandated reporters with clients
- **Ensure mandated reporters know:**
 - They should notify a supervisor the same day they learn of conduct or a situation that may be reportable
 - Timelines they should follow for reporting
 - How to raise questions or concerns about mandated reporting
 - How to get help with making a report
 - How to document a mandated report and/or other sensitive documentation in case files or agency documentation
- **Train supervisors** on policies and processes for handling external requests for documents, such as from child protective service agencies, or dependency or immigration courts
- **Help supervisors understand** that staff have the right to report even if a supervisor disagrees with the need for reporting
- **Remember that many service providers may come from the same community** or live in the same community as the person they are reporting. This requires special consideration, as it could create community conflict, feelings of guilt or betrayal, and safety issues for the provider. Supervisors can schedule extra time to talk to staff in this situation about their concerns and any support they need.
- **Encourage staff who were directly or indirectly involved to engage in self-care after reporting** to identify and manage any reactions or secondary/vicarious trauma responses. Offer debriefing time frames for the reporting staff, and consider implementing personalized staff self-care plans to use as a resource following reporting.

Conclusion

Mandatory reporting is fundamental to the hard work that providers do to support newcomers' safety and wellness and connect them to resources. By working with child welfare authorities, you can help parents and caregivers protect the well-being of their loved ones. Take time to learn your state's mandatory reporting laws; the processes your agency uses; and how to support newcomers before, during, and after abuse and neglect reports to gain crucial tools for holistically and successfully supporting newcomer clients.

Additional Resources

[Meeting Newcomers' Protection Needs Part II: A Collection of Resources on Sexual and Gender-Based Violence](#): Switchboard resource collection for addressing sexual and gender-based violence.

[Combating Child Labor Trafficking: A Resource Collection for Providers Serving URM and Other Youth](#): Switchboard resource collection on combating child trafficking among refugee youth.

[Fundamentals of Gender-Based Violence \(GBV\) for Refugee Service Providers: The What, Why, and How of Safety Planning](#): Switchboard archived webinar on the specifics of safety planning and maintaining safety when working with refugee and immigrant clients.

[Safety Planning with Unaccompanied Refugee Minors](#): Switchboard archived webinar on key approaches, including safety planning, to help identify vulnerable youth and prevent further exploitation.

[Determining Child Abuse and Neglect Across Cultures](#): BRYCS guide discussing culturally competent approaches to understanding child abuse and neglect.

[Guardianship Fact Sheet for Staff Assisting Refugee Families](#): BRYCS fact sheet on helping refugee families understand and establish legal guardianship when caring for the children of relatives or friends.

[Refugee Children Exposed to Intimate Partner Violence](#): BRYCS webinar on the overlaps between children who witness intimate partner violence (IPV) and children who grow up in refugee families.

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