

Dealing with the D.S.S.

If you suspect abuse

Massachusetts state law designates all teachers to be mandated reporters of evidence of abuse and neglect. If you suspect a child is the victim of either, you **MUST** report it to the proper authorities. Failure to do so could result in a \$1,000 fine and expose you to liability.

According to Mass. General Laws Chapter 119, section 51A, “Any...public or private school teacher, educational administrator, guidance or family counselor, ...or any person paid to care for or work with a child in any public or private facility...who, in his professional capacity shall have reasonable cause to believe that a child under the age of eighteen years is suffering serious physical or emotional injury resulting from abuse inflicted upon him...or from neglect, shall immediately report such condition to the department by oral communication and by making a written report within 48 hours after such oral communication.”

The law continues, “whenever such person so required to report is a member of the staff of a...school ...he shall immediately either notify the department or notify the person in charge of such...school..., whereupon such person in charge or his said agent shall then become responsible to make the report in the manner required by this section.”

In other words, *a TEACHER is legally bound to report the suspected neglect or abuse to the principal*. It is the **PRINCIPAL’S** responsibility, according to the law, to file the report with the Department of Social Services (DSS). Any oral and written communication with the DSS should be initiated by the principal (or a counselor as his/her designated “said agent”), not the teacher(s) who reported the suspicion of abuse/neglect.

If you report to your principal that you suspect a student is so suffering, your principal may request that you fill out the report because you are most familiar with the circumstances, but the report should be signed by the principal, not you or any other teacher. This way, the principal will be designated as the contact person for the DSS. Also, this helps you maintain your anonymity. If your principal insists that you sign the report, politely refuse and contact the WEA.