



# Field Instruction in Mandated Reporting Laws for Abuse and Neglect

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## ***Abstract***

The excitement social work graduates experience in finding initial employment or paid practice speaks to their confidence in applying social work knowledge, values, and skills toward social justice. However, an area of expertise that may cause anxiety and temper that confidence is graduates' vague comprehension of legal mandates to report suspected abuse or neglect. It is imperative that schools and colleges of social work assume responsibility for preparing students for this aspect of social service. Students may attempt to fill the gaps in their knowledge with their own biases, in terms of their subjective experiences and culture. Evidence of over-reporting or under-reporting of some ethnic or social groups exposes the slant of professionals' perceptions and perspectives in reporting. Social work field instruction in this area of practice could contribute to mitigating the impact of bias and privilege in the social work profession, while increasing graduates' confidence to address a disclosure or observation of abuse or neglect. In order to achieve these goals, the University of Washington School of Social Work included in its introductory course on field education specific instruction on mandated reporting of neglect and abuse.

*Tuesday morning Susan, in a panic, sought out her elementary school social work field instructor, John. Susan described a drawing made by a child during their session the previous Friday. During seven-year-old Joey's individual session with Susan, he drew a stick figure of a man holding something represented by a straight, dark line, over a small stick figure. When Susan asked Joey who the people were, Joey said he was the little boy and his uncle was the big man. Joey's mother arrived shortly after this brief exchange and Susan said her goodbyes. On Tuesday, Susan displayed the picture to an advanced field education student at the same school setting. The other student advised Susan that the images could display abuse to the child and that Susan could get into serious trouble for not reporting the abuse to the authorities. As a foundation-year field education student, Susan considered the other student as a mentor. However, when Susan asked the other student how to make a child abuse report, the advanced student said she wasn't sure but suggested the school probably had the phone number listed somewhere in the office. She suggested Susan talk to her field instructor to find out how to make a report. Susan realized she needed training and consultation on knowing the criteria for making a report of abuse*

*and neglect, the required time frame for reporting, and how to actually make a report.*

This fabricated scenario illustrates Susan's lack of knowledge and preparation in professional and ethical responsibilities of mandated reporting of abuse and neglect. Her emotions rush in to fill in the gap. Susan hasn't yet considered the parameters of mandated reporting – resources that could inform her, responsibilities that she as a field student and the elementary school have in making a report, and an assessment of indicators of abuse or neglect.

Vieth et al. (2012) assert that social workers regularly fail to report suspected abuse of children and vulnerable adults. They cite a study that showed that education about reporting helped first-year medical students overcome their anxiety about reporting abuse and neglect, stating the following:

Every university must teach students entering mandated reporting professions the necessary skills to competently perform this task. Simply put, the United States must end on-the-job training for mandated reporters. To this end, every graduate of every American university that declares a major in a field where they will likely be mandated reporters must receive comprehensive training that equips them for this task. (p. 4)

As a field faculty member of the University of Washington (UW) School of Social Work, I have observed the need for student professional preparation in recognizing and reporting abuse and neglect of children and vulnerable adults. Over the years in which I worked in public child welfare, I observed that mandated reporters lacked knowledge, preparation, and confidence in initiating reports of child maltreatment. The UW School of Social Work Office of Field Education took the initiative to include content on mandated reporting of abuse and neglect of children and vulnerable adults in their introductory field education courses. The framework for instruction utilized the common questions covered in most state laws:

1. Who is required to report?
2. How is abuse and neglect defined?
3. When is a report required?
4. How is a report made?

### **UW Field Education Instruction**

At the UW School of Social Work, each incoming student cohort was provided instruction on mandated reporting of abuse and neglect as part of the introductory course to field education. MSW students in both the full-time day program and part-time evening and weekend program were provided a 45-minute session of instruction. The BASW program also included this instruction in their Fieldwork Seminar. In addition, the UW field instructor online training, which is near completion, will include mandated reporting in its material.

The session material includes references to Washington State law regarding abuse and neglect of both children and vulnerable adults. The law provides the basic definitions of vulnerable adults and children and detailed information answering the four questions listed above. Reference to real situations provided both by the instructor and student experiences of making reports of maltreatment infuse the law with vitality not available with a cursory reading. The following are the website links to the statutes on Washington State mandated reporting of abuse and neglect:

- Vulnerable Adults: <http://app.leg.wa.gov/rcw/default.aspx?cite=74.34>
- Children: <http://app.leg.wa.gov/rcw/default.aspx?cite=26.44>

Instructional material could be arranged using parallel models for child and vulnerable adult abuse and neglect in conjunction with responses to the preceding four questions. This is the format used in the brief introductory session on mandated reporting at the UW.

### **The Mandated Reporter**

To continue with the scenario above, Susan is panicked, thinking she may have been responsible to make a report of abuse or neglect to a child. Is Susan mandated to report, as the advanced field student suggested? Many field sites require students to sign an agreement that they will report suspected abuse or neglect of clients or patients. Washington State law does not include social service student interns in their list of mandated reporters. However, as they are studying and practicing to become professionals in social work, students might assume that they would be mandated to report. What is clear is that field instructors and their agency are liable, according to the legal doctrine of “respondeat superior,” for their interns’ practice (Madden & Cobb 2000). The field orientation to mandated reporting addresses the need for collaboration in reporting abuse and neglect. Students are encouraged to continue to learn from their field instructors about assessing and reporting abuse and neglect in their placement site. However, ethical dilemmas may arise with regard to agency protocols for reporting; in addition, instructor or student bias, conflicting perceptions, or supervisory directives may impede the decision to make a report. It is imperative that student social workers become familiar with their eventual professional responsibility as mandated reporters, while seeking collaborative support from colleagues and supervisors. As students, they are under the tutelage of their field instructor and university instructors. However, they will eventually assume the role of professionals, making assessments and decisions in conjunction with supervision and consultation. With regard to reporting child maltreatment, Kathryn Kruse (2013) writes the following in *The New Social Worker*:

Especially early in professional practice, a social worker may have suspicions of child maltreatment related to a client, but not be sure if the suspicions are warranted, or whether a report to child protective services (CPS) is necessary. This is why the social worker should always talk to a supervisor prior to making a decision about reporting to CPS... In some cases, the social worker might confer with a colleague or supervisor and end up with a more troubling outcome. The colleague or supervisor, after hearing the

social worker's concerns, might say that the social worker should not make a report to CPS, even if the social worker believes he/she should...The social worker should make the call.

### **Definition of Abuse and Neglect**

*The smell of urine, feces, and garbage struck Tom's nostrils as soon as Mrs. Crane cracked the door in response to his social work mentor's knock. "What do you want?" she barked. When the adult protective services social worker and Tom gained entry, they discovered the apartment to be in total disarray. Eventually, they found the source of the foul odors. Seventy-year-old Mr. Crane had been tied to his bed frame to keep him from wandering the neighborhood. He had soiled himself and was surrounded by partially eaten and decayed food. Mrs. Crane defended her actions, stating this was the only way she could keep track of Mr. Crane while she slept or went shopping.*

This scenario provides clear evidence of neglect to Mr. Crane. It is evident that he may have dementia and is unable to care for himself. If he were alert and mentally capable, his age alone would not classify him as a "vulnerable adult" in Washington State. The added qualifiers would include descriptors, such as the physical or mental inability to care for oneself; being incapacitated (legal decision) or disabled; or receiving agency, facility, or personal home services. The introductory course to field education provides direction as to accessing the particular laws on child and vulnerable adult abuse and neglect.

In determining what to report, state law indicates that a report of abuse or neglect must be made when a mandated reporter has "reasonable cause to believe" that children or vulnerable adults are being abused or neglected. However, there may be considerable variation in what social workers regard as "reasonable" and what they "believe" is abuse or neglect. The profession, as well as the state, does not want to interfere with parenting practices of discipline or correction. Field instruction at UW briefly discusses identifying indicators of abuse, like multiple injuries in various stages of healing, patterns of objects such as belt buckles, finger prints, or hair brush bristles on the skin. Part of the social worker's assessment will be to mentally recreate how an injury could have occurred. For example, are the bruises or raised bumps due to an accidental fall of an elder or toddler? Using brief scenarios in class or asking questions raises the students' awareness of the many variables involved in assessing whether they have reasonable cause to believe abuse or neglect occurred.

Students come to social work school from diverse cultures and traditions, which inform their assumptions about human development, family relationships, and gender roles, in particular about appropriate care and discipline of children or elders. In addition to providing information about abuse and neglect, the field orientation course begins the ongoing educational process of students exploring their own bias and ambivalence in facing difficult issues like abuse. Becoming a professional, developing critical thinking skills, and utilizing ethical principles, as advocated by CSWE in the core com-

petencies, requires increasing capacity to self-assess assumptions and biases. A significant part of the mandated reporting session at the University of Washington is an eight-minute video on the evidence of disproportionality in reporting abuse and neglect of minority children. This public child welfare Children's Administration video urges mandated reporters in Washington State to "Check Yourself" for bias when identifying and reporting abuse and neglect of children.

### **The Timeline for Reporting**

Social work students, as in the first scenario, may experience confusion about when a report should be made. A social work student may rush to make a report before obtaining names, addresses, and birthdates or accessing field supervision. Another student may think more proof is needed that the abuse or neglect really occurred before making a report or even consulting with their field instructor. Prior preparation and familiarity with state law can ease student anxiety and clear up much of the confusion about when to make a report. Washington mandated reporters are required to report suspected abuse as soon as possible but at least within 48 hours for children. Vulnerable adult abuse or neglect must be reported "immediately," with no reference to time frames.

### **The Reporting Process**

*John welcomed Susan into his office and shut the door. As her field instructor, John provided support and encouragement to Susan regarding her emotional response to possible child abuse and the delay in reporting, as well as the development of her professional skills. After encouraging her to take a couple of deep breaths, he stated that they had time to process and think about this case situation together. Once Susan described the child's drawing and his statements, they discussed previous sessions and pulled together a more comprehensive picture of the risk of abuse to Joey. They decided that the drawing may not mean that Joey was being abused at all, but there was a record of prior concerns about an uncle and his relationship to the child. They agreed that so much was still unknown as to whether the uncle resided in the home and/or had caregiver responsibilities for Joey, or whether Joey ever received injuries from hitting. John suggested that he and Susan would call and consult with the child abuse hotline social worker. Joey would not return for another session until next week and they should not delay the consultation or report, as the legal mandate was to report within 48 hours.*

Once social work students become familiar with their role as a mandated reporter, state definitions of abuse or neglect, and the timeline of making a report, they can learn the appropriate steps for making a report in their state. Reporting laws indicate which protective services agencies should receive reports and whether the report should be verbal, written, or both. These statutes may also identify law enforcement agencies as the initial or secondary protective service agency to receive reports. Most states also require law enforcement and public protective services departments to report to one another. Students need information on the mandates of how to report in their state. Equally important, students need information on how to access appropriate agencies. Some states have 1-800 hotline numbers for the entire state or county, which facilitates making a timely report. It may be quite difficult to discern which public protective services or law enforcement agency to call, as offices

have jurisdiction over specific, limited areas.

### **Ongoing Education on Mandated Reporting**

Schools and colleges of social work have a critical instructional role in preparing social service providers to deal professionally with complex issues like mandated reporting of abuse and neglect. As Vieth, et al. (2012) say, we must end reliance upon “on-the-job training” in this area. Field orientations like that of the University of Washington are an important beginning in preparing social work students to address reporting of abuse and neglect from the moment they enter placement. Ongoing education about this difficult subject is required for students to fulfill competency in practice. Because the identification of abuse or neglect is a critical skill in conducting a risk assessment and because students need support in managing the complexities of reporting within the helping relationship, continuing education about this subject in practice classes is essential. Schools of social work are also responsible for collaborating with field agencies, not only by advising but also in the field supervisor training and in staff workshops, to help field instructors clarify the definition of abuse and neglect, support students in the process of mandated reporting, and identify and work through the inevitable dilemmas in this difficult endeavor.

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