



# Resource Guide for Mandated Reporters of Child Maltreatment Concerns

10/02/2024

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## Introduction

Children and families thrive when they experience safe, stable, nurturing relationships and environments, but such circumstances are dependent on conditions surrounding families, as well as a family's ability to access supports. People, businesses, schools, organizations and other institutions that comprise communities set such conditions collectively. Persistent inequities due to health, wealth, geography, race and other factors interrupt or interfere with community conditions, making it more difficult for some families to get supports they need. Intentionality is required in shaping practice, programs and policies to wrap families in safety, stability and nurturance – setting conditions – so children and families thrive.

The Minnesota Department of Children, Youth, and Families (department), with its partners, is responsible for protection of children whose health or welfare may be in jeopardy by child maltreatment. “While it is recognized that most parents want to keep their children safe, sometimes circumstances or conditions interfere with their ability to do so. When this occurs, the health and safety of children must be of paramount concern. Intervention and prevention efforts must address immediate concerns for child safety and the ongoing risk of abuse or neglect and should engage the protective capacities of families.” ([Minnesota Statutes 260E.01.](#))

Throughout the child welfare system, the department is committed to advancing equity, reducing disparities and improving access to human services for communities experiencing inequities. Equity considerations are embedded in decision making at all levels. Concerns for child safety are the guide when making maltreatment reports, not children's or families' race or ethnicity; political, immigrant, refugee or citizenship status; language; gender or sexual orientation. Efforts to build an antiracist workplace and ensure equity in decision making regarding reports of child maltreatment are important and necessary for any organization employing mandated reporters.

Anyone may voluntarily report suspected child abuse or neglect to the local child protection or law enforcement agency. This guide assists in better understanding the mandated reporter statute and outlining appropriate actions and best practice, if it is known or is suspected that children are being abused or neglected.

This guide includes information on:

- The process for reporting suspected child maltreatment
- Partnerships among law enforcement, child protection and licensing agencies
- Conditions of neglect and abuse that should be reported
- Identify behaviors and characteristics of children and families who may need help
- Relevant state statutes.

## Who should report suspected child abuse or neglect?

Professionals who work with children and families are in key positions to help protect children from harm. Minnesota law requires professionals and their delegates working with children to make a child protection report if they know of or have reason to believe a child:

- Is being neglected or abused, or
- Was neglected or abused in the preceding three years.

Per [Minnesota Statutes 260E.06, subd. 1](#), mandated reporters include professionals and their delegates in the following fields:

### Health care

Mandated reporters include, but are not limited to:

- Hospital administrators
- Medical personnel and professionals
- Dental professionals.

### Mental health professionals

Mandated reporters include, but are not limited to:

- Psychiatrists
- Psychologists
- Therapists.

### Social services

Mandated reporters include, but are not limited to:

- Caseworkers
- Group home staff
- Foster parents.

### Child care

Mandated reporters include, but are not limited to:

- Family child care providers
- Child care center staff.

## Education

Mandated reporters include, but are not limited to:

- Teachers and assistants
- School administrators
- School support staff.

## Other professionals considered mandated reporters include:

- Law enforcement
- Guardians ad litem
- Probation and correction services staff
- Clergy\*
- Youth programs staff.\*\*

Members of the clergy are required to report suspected child abuse or neglect unless information is received under certain privilege circumstances. See [Minnesota Statutes 260E.06, subd. 1\(a\)\(2\)](#) and [Minnesota Statutes 595.02, subd. 1\(c\)](#).

Effective June 1, 2023, [Minnesota Statutes 260E.055, subd. 1\(f\)](#) establishes a new mandated reporting requirement for employees and supervisors of public or private youth recreation programs. Private or public youth recreation programs “includes but is not limited to: Day camps or programs involving athletics, theater, arts, religious education, outdoor education, youth empowerment, or socialization.”

Anyone who reports child abuse or neglect in good faith is immune from civil liability. Reporters’ names are confidential. This information is accessible only if a reporter consents, by court order or by court procedure.

Effective July 1, 2024, a corporation, school, nonprofit organization, religious organization, facility as defined in [Minnesota Statutes 260E.03, subd. 6](#) or similar entity must not have any policies, written or otherwise, that prevent or discourage a mandatory or voluntary reporter from reporting suspected or alleged maltreatment of a child in accordance with [Minnesota Statutes 260E.06, subd. 1 \(c\)](#). A person who intentionally prevents or attempts to prevent a person mandated by Minnesota Statutes 260E.06, subd. 1, to report is guilty of a misdemeanor. Anyone required to report known or suspected abuse or neglect but fails to do so is guilty of a misdemeanor.

Reporting suspected abuse or neglect is a serious matter that must not be taken lightly. Child protection workers, law enforcement agents or licensing agency staff to whom a report is made may request reporter to provide as many facts as possible so staff can assess a child’s situation and determine the need for intervention. If a child protection report results in a court hearing, reporters may be requested to testify.

### Practice Pointer

If anyone suspects that children are being abused or neglected, they cannot shift reporting responsibility to a supervisor, or to someone else in an office, school, clinic or licensed facility. They alone are required to make reports to the local welfare or Tribal agency.

## Online training

Mandated reporters are encouraged to take the self-paced [online trainings](#) learning modules designed by The [Minnesota Child Welfare Training Academy](#). These trainings are designed for professionals identified by law who must make reports if suspected or known child maltreatment occurred. These trainings feature videos, quizzes and activities completed through self-study. The courses are divided into three options: training for mandated reporters, training for child protection workers and training for youth programs. The course you select will depend on your job title and responsibilities

## When to report suspected abuse and neglect

Communities and government have a responsibility to set conditions for thriving children and families. Before a concern related to child maltreatment arises, there are often indicators that families need additional support or services. Mandated reporters can be part of the solution and should make efforts to connect with families and children, ensuring they have necessary supports and services to thrive. Many county and Tribal agencies offer a [Parent Support Outreach Program](#) and other services that provide concrete support to families before maltreatment is a concern. The [Minnesota Help](#) website can also help mandated reporters assist families in finding services they need.

The law requires mandated reporters to make reports if they know of or have reason to believe children are being neglected or abused or have been neglected or abused within the preceding three years. Reporters are required to report suspected abuse or neglect of any child, regardless of their immigration status, nationality or race.

### Practice Pointer

Verbal reports must be communicated immediately (no longer than 24 hours). Written reports must be submitted within 72 hours (weekends and holidays excluded).

Before making a report, make an extra effort to connect with children and their families who:

- Have a history of emotional, sexual, physical abuse or neglect, drug use or discussed/attempted suicide
- Have responsibility for care of other children, or live in a highly stressful family situation with limited support systems
- Require assistance due to physical, mental, behavioral or medical disabilities or delays.

Connections across social and community networks are essential to ensure safety and well-being of families and children. Signs of concern for children may include:

- Child communicates they feel unsafe
- Reporter sees child/ren in a dangerous environment
- A child is being harmed
- Young child is left alone
- Noticing a significant change in child's mood/behavior.

## Bias and mandated reporting

Mandated reporters have a role in contributing toward child welfare outcomes. Given the disparities in Minnesota’s child welfare system, there is an obligation to consider mandated reporters’ roles in contributing to outcomes that are more equitable. Racial disparities are persistent in Minnesota and begin with reporting practices. It is imperative that reporters shift their thinking around mandated reporting to close the front door to unnecessary child welfare involvement and removal.

The first step for mandated reporters is to consider carefully their own implicit or explicit bias when working with or observing children or families. Part of this consideration is accepting that mandated reporters cannot always be fully objective. Instead, the goal is to be aware of when there is subjectivity, or when bias is present in a potential reportable situation. This is done by asking the following questions:

- How have personal experiences shaped reporter’s worldview, and how does that world view impact the way they monitor for maltreatment? Or: How does reporter’s worldview shape their views on parenting?
- Reporters should think about groups of individuals who they might show leniency towards, or conversely groups they may be hypervigilant toward.
- Before making a report, reporters should ask themselves, “Am I learning about maltreatment or could this be a cultural difference in parental style?” or “Would I still be making this report if this child identified as part of a different racial or cultural group, or with one similar to my own?” Reporters should remember that culture can be reflected in many different ways, from garments or dress, food choices and/or discipline style to how families assemble, sleep and/or eat, or what holidays they celebrate. What is normal or acceptable may differ across cultures.

If mandated reporters are unsure about whether a situation should be reported, or if they are simply observing a cultural difference in parenting styles, they should contact the local welfare agency or Tribal social services for support.

## Supporting families

If a child routinely attends school in clothing that is too small or dirty, misses meals or important medical appointments, or is living in a tent or car, the first instinct may be to report. These can be difficult areas to navigate because as mandated reporters their duty is to report.

Making a report as a means of “playing it safe” can have major negative consequences for children and families who enter into the child welfare system. The previous mindset of “when in doubt, report” is being shifted nationwide towards a mindset of community support. The “when in doubt, report” mindset lacks acknowledgement of trauma, cultural parenting norms and alternative supportive community and school-based options available for families. It also does not consider the harm caused to families by the child welfare system itself.

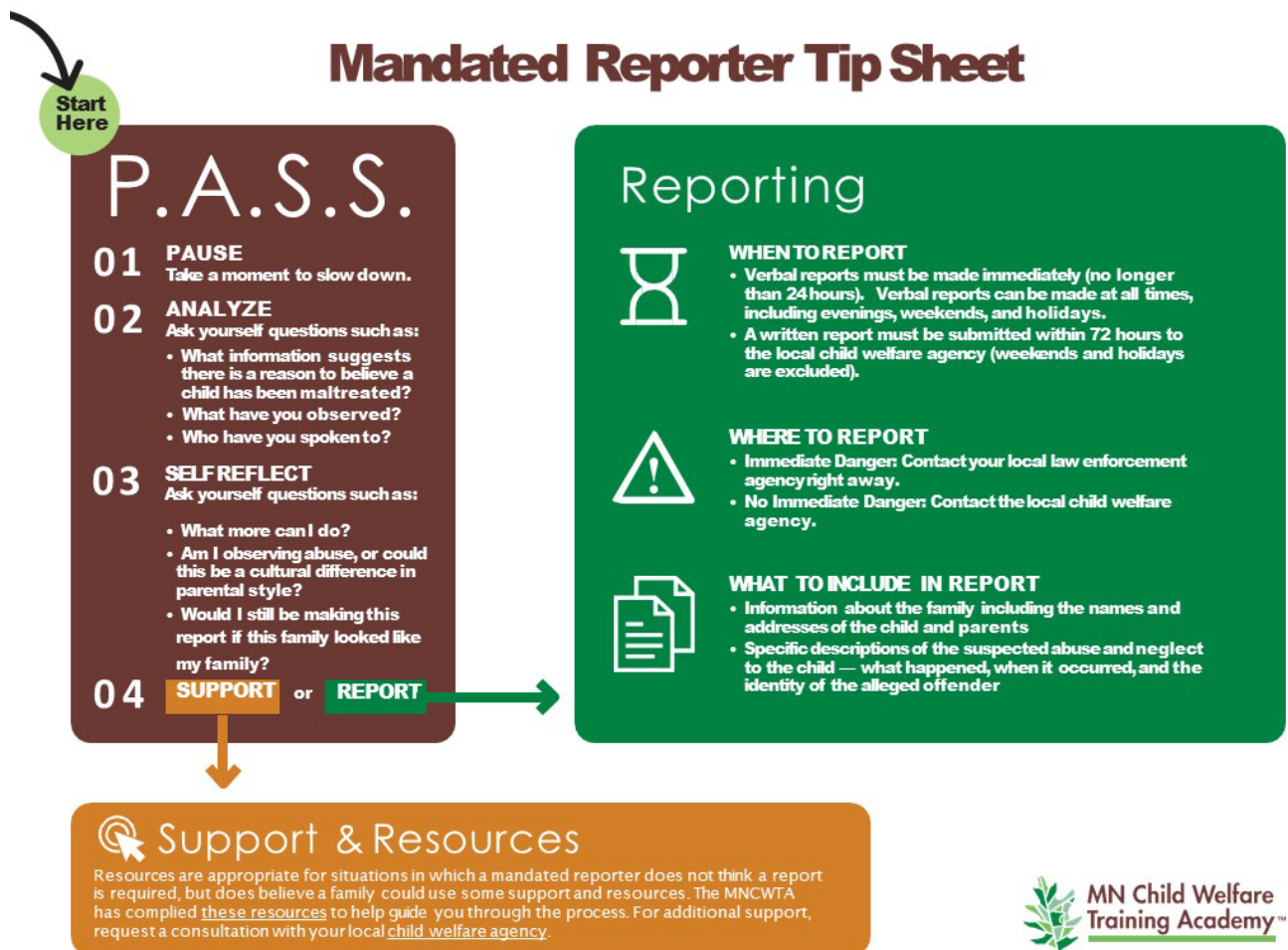
Reporting without a solid foundation can lead to unintended consequences. While reporters might assume that reporting without reasonable cause won't cause harm, it can have detrimental effects on both children and families, potentially exacerbating racial disparities within the system. While it's crucial to report genuine cases of suspected child maltreatment, unnecessary reports lacking reasonable suspicion can be damaging and even traumatic to a family.

In the case of a child whose clothing is too small or not washed, or who is living in a car or tent, this may be due to many different causes. It is presumptive to assume maltreatment on this information alone. Mandated reporters may need to explore these situations more deeply to learn if support and resources are appropriate. The child's family may be struggling financially; poverty alone does not equal maltreatment. When a family is living in poverty or is otherwise under resourced, there are times parents' or caregivers' ability to provide for their children is limited or inconsistent because of their circumstances and lack of financial resources. In these situations, it is important that mandated reporters consider a family's circumstances and provide resources or connect parents and caregivers to support or reduce the impact of financial strain on families.

**Practice Pointer**

While it is the duty as a mandated reporter to report maltreatment, sometimes what might be observed is not maltreatment, but rather hardship with basic needs. In these instances, reporters can help these children and families by connecting them to resources and services they need.

The Mandated Reporter Tip Sheet developed by the Minnesota Child Welfare Training Academy and the department may help mandated reporters through the decision-making process. This tip sheet is also available in Appendix A.



## Where to report suspected abuse or neglect

It is best to contact the county or Tribal reservation where the child lives. Determining where to report may depend on whether there is immediate danger and whether a report is being made outside of normal business hours, identified as follows:

**Immediate danger** – If reporter knows or suspects that a child is in immediate danger (such as recent sexual assault or serious physical assault), or abandoned, contact the local law

enforcement agency immediately. Law enforcement officers can intervene in these types of situations and have authority to remove children from threatening environments to protect them, if necessary.

### Practice Pointer

The department maintains a [list of Minnesota’s county and Tribal child protection agencies.](#)

**No immediate danger** – If children are not in immediate danger but reporter believes they were maltreated, as soon as reasonable make reports to the following:

- **Local welfare agency**, if alleged offender is a parent, guardian, family child care provider, family foster care provider or an unlicensed personal care provider.
- **Minnesota Department of Human Services, Licensing Division**, 651-431-6500; if alleged maltreatment is committed by staff at a child care center, residential treatment center (children’s mental health), group home for children, minor parent program, children’s shelter, substance dependency treatment program for adolescents, waived services for children, crisis respite for children, or residential program for children with developmental disabilities.
- **Minnesota Department of Health, Office of Health Facility Complaints**, 651-201-4200 or 800-369-7994; if alleged maltreatment occurred in a home health care setting, hospital, regional treatment center, nursing home, intermediate care facility for developmentally disabled, or licensed and unlicensed care attendants.
- **Minnesota Department of Education**, 651-582-8546, or fax 651-797-1601, if alleged offender is employed by a public preschool, elementary, middle, secondary or charter schools, when children are students in the school. Reports received regarding staff working in private or parochial schools are sent directly to law enforcement.
- **Local law enforcement agency**, if alleged offender is staff working in a private or parochial school, someone outside the family and not a staff person at a regulated facility. Examples of non-family, non-facility caretakers include athletic club staff and babysitters.

If unsure whether to make a report, call the local welfare agency to express concerns; agency staff will consult with reporters about concerns. Consultation is an important function of local agency screeners and can aid mandated and voluntary reporters to ensure reports get to the right agency. Screeners can also consult with reporters regarding concerns that are not specific to an identifiable child.

**Practice Pointer**

After hours, reports vary in terms of where to report. Check with the local welfare agency to determine how these reports are received during non-business hours.

## What to include in a report

When filing a report, mandated reporters should be prepared to provide information about the family, which should include names and addresses of child/ren and their parents or guardians. Reporters should also be prepared to provide specific descriptions of suspected maltreatment. For example: what happened, when it occurred and identity of alleged offender/s.



## When a report is made

When receiving a report of child maltreatment, local welfare agency staff must first determine whether a report meets the legal definition of child maltreatment. A screened in report of alleged child maltreatment must include the following three elements:

- An allegation meets the statutory definition of child maltreatment, according to [Minnesota Statutes 260E](#)
- There is sufficient identifying information to attempt to locate child/ren, or at least one member of their family
- Report includes maltreatment allegations not previously assessed or investigated by the local welfare agency or another child welfare agency.

To determine if a report meets the statutory definition, child protection staff may contact other individuals with knowledge of child/ren and/or family for additional information. Past reports and history of social services involvement are considered.

For information regarding screening guidelines, see [Minnesota Child Maltreatment Intake, Screening and Response Path Guidelines](#).

At times, there may be inadequate information to begin an assessment or investigation. For these families, offering services may be a suggestion. Law enforcement, child protection agencies and other responsible agencies cooperatively assess and investigate accepted reports meeting statutory criteria of child maltreatment. These agencies are best prepared to help children and families in need of support and will assess or investigate reports of maltreatment. Local child welfare agencies offer services to safeguard the welfare of abused or neglected children. Whether initially reported to local law enforcement, child welfare or other responsible agency, it is possible that other agencies may be involved as investigation or assessment activities are coordinated.

## Commonly asked questions

Reliable information gained from reporters is essential for the best screening decisions possible. Reporters can provide valuable information to an agency. If contacting a local welfare agency, child protection may request the following information:

- Reporter's name, phone number, relationship to family or child/ren and source of information (witnessed, heard, etc.)
- Name, address, age and other identifying information regarding alleged victim/s, siblings, alleged offender/s, other household members or any additional witnesses
- Specific description of allegations; when and where alleged incident occurred, and if children are in immediate danger
- Description of child's injuries or present condition, and reporter's understanding of the impact of alleged maltreatment.

- Presence of domestic violence or criminal activity, including sex trafficking of children, weapons or other dangerous activities in the home
- Description of any action a school and/or other facility or agency has taken specifically in response to an incident
- Family's awareness of reporter's contact with agency
- Reporter's awareness or knowledge of any immediate family/relative/community resources willing to offer protection or support
- What reporter is willing to do (or has done) to help family
- Reporter's awareness of child's lineage to Indian Tribes, and if so, which Tribe/s, if known
- Additional information regarding child and/or family that may be helpful
- Whether reporter would like information regarding initial disposition.

Although reporters may not have knowledge or answers to all questions asked, they should respond to the best of their ability.

## Collateral contacts

Child protection screeners may contact other individuals regarding a child/ren. Contacting an individual or professional other than reporter to assist in making a screening decision is permissible by law. Collateral contacts are not required to provide requested information, and may include:

- Individuals who can provide first-hand information necessary to provide a fuller picture of alleged child maltreatment
- Mandated reporters who have recent and/or regular contact with child/ren
- Individuals who can judge the quality and nature of parents' or caregivers' behavior
- Relevant law enforcement agencies.

### Practice Pointer

The name of the initial reporter remains confidential and can only be released by consent or court order.

## Use of past history in screening reports

When determining whether reports are screened in or out, prior accepted and screened out reports of child maltreatment are considered in screening a current maltreatment report. This includes case histories of all participants involved in current reports. When prior records or contact with child protection exist in another Minnesota local welfare agency, or another state, caseworkers make every effort to obtain relevant information to screen current reports.

## Nondiscrimination in screening

Children's family's race; religion; age; socioeconomic; cultural history; ethnicity; political, immigrant, refugee, citizenship status; gender or sexual orientation is not a factor when making screening decisions on reports of alleged child maltreatment. Child safety issues alone guide decisions.

Child welfare agency caseworkers remain aware of the impact that historical trauma and current war trauma has for families of color and American Indian families involved with the child protection system.

When a maltreatment assessment or investigation is conducted, accepted child-rearing practices of the culture in which children participate, and accepted disciplinary practices not injurious to children's health, welfare and safety are taken into account.

## Maltreatment types

The following explanations of maltreatment types help to understand better what law enforcement, child protection and other responsible agencies are required to assess. Details are included in relevant statutes and in [Minnesota Child Maltreatment Intake, Screening and Response Path Guidelines](#).

### Neglect

[Minnesota Statutes 260E.03, subd. 15](#) defines neglect by caretakers as failure to provide for children's basic needs "when reasonably able to do so." Neglect also includes failure to ensure that children are educated, although this does not include parents' refusal to provide children with nervous system stimulant medications.

There are times when conditions of poverty can create circumstances perceived as neglect, with parents unable to provide care for their child/ren due to lack of adequate financial resources. It is important to understand that conditions of poverty can present differently depending on cultural practices and geographic areas. Under these circumstances, local child welfare agencies will work to assist parents in providing necessary care for children, and not define parental behavior as neglectful.

Neglect also may occur when persons responsible for children's care fail to protect them from conditions or actions that seriously endanger their physical or mental health, when reasonably able to do so. Neglect also includes failure to provide for appropriate supervision or child care arrangements after considering children's age, mental ability, physical condition and length of absence or environment.

Child neglect differs from physical abuse, though the results of abuse and neglect may be similar. Both can lead to physical injury, emotional harm and even death. Neglect is failure of parents or other caretakers to do what they are legally obligated to do, rather than what they do. The following are conditions of neglect that must be reported to child protection:

- Inadequate food, clothing, shelter or medical care
- Abandonment
- Exposure to threatening or endangering conditions
- Failure to ensure obtaining an education
- Prenatal exposure to certain controlled substances
- Failure to provide necessary supervision or child care arrangements
- Environmental hazardous conditions that pose a significant health or safety hazard to children and not corrected by their parent/s or guardian

- Failure to provide for children’s special needs
- Exposure to, or involvement in, criminal activities
- Failure to protect children from conditions or actions that present serious endangerment
- Chronic and severe use of alcohol or a controlled substance by parents or caretakers that adversely affects their basic needs and safety.

## Reporting of Prenatal Exposure to Controlled Substances

Amendments were made to prenatal substance exposure reporting in [Minnesota Statutes 260E.31, subd. 1](#) effective July 1, 2021. The amendment identifies a health care professional is not required to report substance use by pregnant person if mandated reporter is collaborating with other health care professionals to provide mother and infant with care. If a woman stops receiving prenatal or postpartum care, or seeking care for her infant, mandated reporters are required to report exposure of children to controlled substances. However, if either mother or infant tests positive as a result of toxicology tests performed at birth, a report is required. ([Minnesota Statutes 260E.03, subd. 15\(a\)\(5\).](#))

## Safe Place for Newborns

Effective July 1, 2025, birth record registration provisions were amended to allow an individual who gives birth in a hospital to utilize [Safe Place for Newborns](#) provisions to anonymously relinquish their newborn in that same hospital. Previously, birth record registration requirements prohibited hospitals from accepting anonymous relinquishments under Safe Place for Newborns when the birth and relinquishment were in the same hospital. ([Laws 2024, chapter 127, article 59, sections 22-26.](#))

## Physical abuse

The definition of **physical abuse** is in [Minnesota Statutes 260E, subd. 18](#) as follows:

- Physical or mental injury or threatened injury, inflicted on a child by a person responsible for their care, other than by accidental means
- Physical or mental injury that cannot reasonably be explained by a child’s history of injuries
- Aversive or deprivation procedures, or regulated interventions, not authorized under law for use in facilities serving persons who have developmental disabilities or related conditions.

### Practice Pointer

Physical abuse does not include reasonable and moderate physical discipline of children administered by parents or guardian that does not result in injury.

Physically abused children sometimes have bruises, welts, burns, bite mark, cuts, fractures, swelling or lost teeth. While internal injuries are seldom detectable without a medical exam, anyone in close contact with children should be alert to multiple injuries, a history of repeated injuries, new injuries added to old ones and untreated injuries.

Refer to Appendix B for the TEN-4-FACESp infographic regarding injuries to children under the age of 4.

Children often experience bumps, trips and falls, and not all cuts and bruises are signs of abuse. However, if a child has repeated or patterned injuries, this should be reported. Other indicators of physical abuse include:

- Bruises, especially if seen in infants or non-mobile children
- Broken or fractured bones, or signs of old fractures
- Burns or scalds, particularly on the feet or buttocks
- Lacerations on the body or inside the mouth
- Bite marks
- Scarring
- Symptoms of poisoning, such as vomiting, drowsiness or seizures
- Breathing issues due to drowning, suffocation or poisoning
- In babies and toddlers, head injuries might show as swelling, bruising, fractures, extreme sleepiness, breathing problems, vomiting, seizures, irritability or poor feeding.

## Threatened injury

A **threatened injury**, as defined in [Minnesota Statutes 260E.03, subd. 23 \(a\)\(b\)](#), is a statement, overt act, condition or status that represents a substantial risk of physical or sexual abuse, or mental injury to children by someone responsible for their care, unless it involves sex trafficking. In sex trafficking reports, an alleged offender does not have to be in a caregiving role. Threatened injury includes a person who:

- Has subjected children to, or failed to protect them from, an overt act or condition that constitutes egregious harm, as defined in [Minnesota Statutes 260C.007, subd. 14](#), or a similar law of another jurisdiction
- Is found to be palpably unfit under [Minnesota Statutes 260C.301, subd. 1 \(b\)\(4\)](#)
- Committed an act that resulted in an involuntary termination of parental rights
- Committed an act that resulted in involuntary transfer of permanent physical and legal custody of child to a relative.

## Mental injury

**Mental injury** is defined in [Minnesota Statutes 260E.03, subd. 13](#) as an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in their ability to function within a normal range of performance and behavior, with due regard to child's culture. Possible behavioral indicators of mental injury may include:

- Excessive sucking or rocking
- Destructive or antisocial behavior
- Sleep disorders
- Inhibition of play
- Behavioral extremes (passive or aggressive)
- Some types of developmental delays
- Substance abuse

- Obsessive and/or compulsive behaviors and phobias.

The above behavioral symptoms often need to be evaluated by a mental health practitioner to determine cause, since there may be factors other than mental injury that contribute to the development of particular disorders.

## Sexual abuse

**Sexual abuse** is defined in [Minnesota Statutes 260E.03, subd. 20](#) as the subjection of a child to sexual contact by persons responsible for their care, persons with a significant relationship to child or in a position of authority. For reports of sex trafficking, alleged offenders do not have to be in a caregiving role. Sexual abuse also includes any act involving a minor that constitutes a violation of prostitution offenses under [Minnesota Statutes 609.321](#) to [609.234](#) or [617.247](#).

Local welfare agencies are responsible for investigating allegations of sexual abuse if alleged offender is the parent, guardian, sibling or an individual functioning within the family unit responsible for child's care, or a person with a significant relationship to child, if that person resides in their household.

Sexual contact includes fondling, touching intimate parts and sexual intercourse. Sexual abuse also includes use of children in sex trafficking or in the production of sexually explicit works, or knowingly allowing them to engage in activities described in this paragraph. Sexual abuse also includes threatened sexual abuse. Since sexually abused children may lack outward symptoms of physical abuse, sexual abuse can be difficult to identify. Children often do not know how to express or explain what happened to them and may be afraid, confused or ashamed. Children may not be developmentally capable of understanding or preventing contact. Possible indicators of sexual abuse include sudden change in behavior and signs of emotional disturbance.

In a broad definition, sexual contact includes:

- Touching of children's intimate parts
- Having child touch the intimate parts of another person
- Touching clothing, or the clothing covering the immediate area of intimate parts
- Performing an act with sexual or aggressive intent. ([Minnesota Statutes 609.341, subd. 11.](#))

Warning signs may include:

- Fear of, or unwillingness to be near, a particular place or person
- Nightmares
- Regressive behaviors such as crying excessively, sucking, rocking, bed- or pants-wetting
- Withdrawal from social relationships
- Ongoing anger
- Sexually acting out with other children
- Playing out what happened to them with dolls or another person
- Unusual interest in the private body parts of other children
- Inappropriate sexual knowledge for a child's developmental or chronological age.

## Threatened sexual abuse

**Threatened sexual abuse** is defined in [Minnesota Statutes 260E.03, subd. 20](#), and goes beyond provisions of the criminal sexual conduct statutes. It includes the following, but is not limited to:

- Anything said or done that poses a significant danger that an alleged offender will perpetrate or attempt to perpetrate sexual abuse or threaten to have sexual contact with a child
- An adult soliciting sexual activity with another minor (not a household minor); adult does not have to be in a caregiving role
- Parent or other person residing in a household in possession of child sexual abuse material
- A person who has sexually abused a child, based on prior maltreatment determination or current credible statements, is residing with children or having unsupervised contact with them
- Behavior recognized as preparation for initiating sexual contact with a child, such as showering or bathing with sexualized intent, prolonged lip kissing and/or peeking at a child while they are undressing or dressing.

## Domestic violence

In situations involving domestic violence against parent/caregiver and maltreatment against child, a report of child maltreatment must meet the statutory threshold for physical abuse, mental injury, threatened injury, sexual abuse or neglect of a child to be screened in. When reporting domestic violence, consider whether another type of maltreatment may also be present.

Mere exposure to acts of domestic violence committed against child's parent/caregiver does not constitute child maltreatment; there must be an allegation of child maltreatment meeting criteria for assessment or investigation before responding under a child protection response.

Reporters concerned about victims of domestic violence may also choose to reach out to their local or regional domestic violence program for information on how to best support victims. To find and/or contact domestic violence prevention service providers in Minnesota, call the [Minnesota Day One Crisis Line](#) at 1-866-223-1111, email [safety@dayoneservices.org](mailto:safety@dayoneservices.org) or text 612-399-9995.

### Practice Pointer

In most cases, a child must be involved in or otherwise situated in a location that puts them at risk of injury during incidents of domestic violence. Children's witnessing or exposure to domestic violence against a parent or caregiver is not by itself sufficient to report as child maltreatment.

To locate domestic violence prevention service providers by county online, go to the [Violence Free Minnesota website \(formerly Minnesota Coalition for Battered Women\)](#). When working with American Indian victims of domestic violence, call the Strong Hearts helpline at 1-844-7NATIVE (1-844-762-8483) or visit [strongheartshelpline.org](http://strongheartshelpline.org).

## Predatory offenders

Report a parent or household member who is registered or required to register as a predatory offender. This includes parents who do not reside in child's primary household. Local child welfare agencies must assess these situations to assure safety of children residing in the home.

## Sexually exploited youth

Sexual exploitation includes many types of sexual conduct, such as criminal sexual conduct, transportation across state lines for sexual activity, child sexual abuse material, sexual performance and commercial sexual exploitation (referred to as prostitution in criminal law). Commercial sexual exploitation occurs when anything of value (e.g., money, drugs, food, shelter, rent, higher status in a gang or group), or promises of anything valuable, is given by any means in exchange for any type of sexual activity. A third party may not be involved. Some circumstances of indicating sexual exploitation include, but are not limited to:

- A minor solicited by any means to engage in sexual conduct for something of value
- Children who have unexplained, repeated injuries to their genitals suspicious for sexual abuse
- A child intentionally exposed to sexual activity for the purpose of sexual arousal or sexual gratification
- Children used in or sending sexual images.

Report sexual exploitation concerns to local welfare agency when a parent, caregiver or person with a significant relationship to child is involved in these activities. When in doubt, consult with local child welfare agency to determine whether a report should be made. Local agencies determine if a report meets criteria for physical abuse, neglect, sexual abuse or threatened sexual abuse. All sexually exploited youth are crime victims and receive an offer of services. Reporters should be provided with information about Safe Harbor, a law passed in 2011 regarding youth victims of sexual exploitation, and contact information for their Safe Harbor Regional Navigator.

## Sex trafficking

Report all known or suspected sex trafficking involving youth to local welfare agency, even those involving non-caregiver or unknown alleged offenders. Sex trafficking is a type of commercial sexual exploitation that involves commercial sex between an individual and a buyer in which a third person, not the buyer or victim, facilitates or receives profits. All children involved in sex trafficking must be reported as alleged victims, even when there is a report of using force, fraud or coercion by alleged offender/s. Local welfare agencies will determine if a report meets criteria for sex trafficking and, if so, it will be investigated or assessed by local welfare agency.

## Labor trafficking

Labor trafficking occurs when children are compelled to work for the benefit of another person by use of force, threats, intimidation or blackmail, when someone imposes unreasonable or unlimited terms on repayment of a real or fabricated debt as a way to coerce them to work. [Minnesota Statutes 609.281](#) states that alleged



offenders can be a parent, guardian, sibling or other related or unrelated caregiver. They may also be a peer, acquaintance or employer.

Report labor trafficking to local welfare agencies, although this is not required. Children involved in labor trafficking often experience other types of abuse or neglect. Reporting labor trafficking to local welfare agency is key to connecting children and families to services. Beginning July 1, 2025, labor trafficking will be considered a form of child maltreatment in Minnesota. The department will issue further guidance in 2025.

## Child protection responsibilities

Local child welfare agencies perform three essential functions, including:

- Receiving and screening reports of child maltreatment
- Assessing or investigating accepted reports of child maltreatment where alleged offenders are a parent, guardian, family child care or foster care provider
- Providing child protective and family support services, as needed.

Local child welfare staff does not have authority to assess or investigate every complaint or concern expressed. Authority only exists for agency services to respond to reports that meet statutory definitions of child maltreatment. Minnesota Statutes have criteria for determining how to evaluate and appropriately respond to child protection reports. For information on child maltreatment screening guidelines see the [Minnesota Child Maltreatment Intake, Screening Response Path and Assessment Guidelines](#).

Reports made to local welfare agencies are screened to determine whether a report meets criteria to be assigned for a child protection response. Screening teams review and confirm screening decisions, or in the absence of a team, child protection supervisor or designee. Screening teams may consist of child protection staff as well as other professionals such as law enforcement, county attorneys, mental health professionals and physicians. If maltreatment occurred in a family and meets the statutory definition, it is assigned for an Investigative or Family Assessment response. Reports of sex trafficking or sexual exploitation of children by caregivers (parents, siblings or household members in a caregiving role or with a significant relationship to a child) require a Family Investigation. All reports with a noncaregiver or unknown alleged third-party traffickers must be screened in and assigned as a Noncaregiver Trafficking Assessment. All have statutory and discretionary reasons and are involved in selecting the child protection response used for screened in reports of child maltreatment. Family Assessment, Family Investigation and Noncaregiver Trafficking Assessments are not voluntary responses. They are involuntary, serious child protective service responses focused on child safety as the paramount concern.

Child protection staff assesses safety and risk of children and identify parents' strengths, protective factors and other capabilities to provide safety and well-being needed for their children. Child protection workers, in partnership with families, identify services and supports a family needs to address safety. Supports may include family members, kin, cultural and community members, as well as other groups a family can reach out to when needed.

## Indian Child Welfare Act/Minnesota Indian Family Preservation Act

There are specific state and federal laws regarding child welfare involvement of American Indian/Alaskan Native children. Local welfare agencies must ensure compliance with the [Indian Child Welfare Act](#) and the [Minnesota Indian Family Preservation Act](#) to preserve and maintain Indian children's family, extended family and Tribe. Active efforts must be made to prevent placement of American Indian/Alaskan Native children, including acknowledging traditional helping and healing systems of the children's Tribe, and using these systems as the core to help and heal American Indian/Alaskan Native children and their families. Active efforts set a higher standard than reasonable efforts to preserve families, prevent breakup of American Indian/Alaskan Native families and reunify families.

Knowing when the Indian Child Welfare Act (ICWA) and the Minnesota Indian Family Preservation Act (MIFPA) apply begins with the essential process of inquiry. Inquiry of Tribal heritage and affiliation is required for all cases at the time an agency begins working with an American Indian/Alaskan Native child. If the family had previous involvement with the agency, the agency must inquire each time there is a new report as the situation may have changed. Continuous inquiry is required throughout the case until all parties or participants are located.

If agency staff has reason to believe children are American Indian/Alaskan Native, all protections of ICWA/MIFPA apply until all tribe/s have responded that child/ren is/are not eligible for membership, ([C.F.R §23.107\(b\)\(2\)](#)) or determination by a court that ICWA does not apply.

### Screened-in reports and response paths

Screened-in reports are assigned to one of the following response paths, depending on reported concerns:

- Family Investigation
- Family Assessment
- Facility Investigation
- Noncaregiver Trafficking Assessment.

Each of the four child protection responses is required under Minnesota Statutes. All three focus on child safety as the priority. Agencies must complete a Family Investigations, Family Assessments, Noncaregiver Trafficking Assessment or Facility Investigations within 45 days of the date of receipt of reports. ([Minnesota Statutes 260E.24, subd. 1.](#))

Goals of child protection are to help achieve positive outcomes for families and their children, and:

- Make child safety paramount and at the forefront of decision making
- Assess and ensure safety of children initially and ongoing during involvement
- Gather facts to help decide if a child experienced harm and provide needed services
- Identify family strengths to help address risks and ensure child safety
- Affirm family's cultural beliefs

- Coordinate and monitor services to families, including use of trauma-informed interventions
- Promote children’s well-being and permanency.

## Working with families

Both statutory and discretionary reasons are involved in selecting the child protection response used for screened in reports of child maltreatment. By law, child protection has a specialized role in working with children and families. Child protection’s responsibilities are to:

- Respond promptly to reports of alleged abuse, neglect or exploitation of children
- Assess and assure safety of children
- Determine if children were harmed by their exposure to maltreatment and provide corrective interventions
- Identify family problems that contributed to child safety concerns, and when possible, assist them to locate supports to help keep their child/ren safe
- Evaluate families’ ability to benefit from services
- Develop treatment and service plans with families to meet their needs
- Implement treatment plans and involve community resources to meet identified needs
- Seek authority of juvenile or family court in situations with determined need for protective services, but family refuses services, or continues to pose a threat to safety of children.

## Family Investigation Response overview

Family Investigations respond to the most serious reports of maltreatment to children, including situations where there is not a serious report of harm or neglect, but additional considerations or vulnerabilities exist that indicate a need for an Investigation Response. Reports of child maltreatment alleging substantial child endangerment, sexual abuse or sex trafficking must receive an investigation. Minnesota Statutes define substantial child endangerment to include categories of egregious harm, physical and sexual abuse, and reports of high-risk neglect. ([Minnesota Statutes 260E.03, subd. 11.](#))

Law enforcement sometimes assists in conducting investigations as part of its investigation. Depending on circumstances of a report, a local child welfare agency may decide to assign reports not involving substantial child endangerment for an investigation. When this occurs, it is a discretionary Family Investigation because it is at the discretion of a child welfare agency as to when it will provide an Investigation response, even though a situation is not related to substantial child endangerment or sexual abuse.

The focus of a Family Investigation response centers on gathering facts, assessing/evaluating risk for subsequent child maltreatment and assessing family protective capacities regarding child safety.

In situations where serious harm occurred, or where there is risk of serious and imminent harm, the police or sheriff’s departments are authorized to remove children from their family home for 72 hours. Child welfare agencies may seek emergency protective care of children by petitioning juvenile court. Emergency protective

care grants authority to a child welfare agency to continue children in placement, providing for their safety while a thorough investigation is completed.

Reports alleging substantial child endangerment, sexual abuse, or other reports assigned for an investigation must begin immediately and include face-to-face contact with children and their caretakers. All reports assigned for an investigation must conclude within 45 days.

Investigators make two decisions at the conclusion of a Family Investigation, including:

- A determination of whether child maltreatment occurred
- Whether child protective services are needed.

### **Family Assessment Response overview**

Reports not involving substantial child endangerment, sexual abuse, or situations of serious danger may be assigned for a Family Assessment Response. Reports providing information indicating less serious safety concerns for children may be appropriate for a Family Assessment Response. The focus is child safety and is not a voluntary response.

Family Assessments involve gathering facts to evaluate thoroughly child safety, risk for subsequent child maltreatment and family's strengths, demonstrating protection of children over time. The focus of Family Assessment is to engage a family's protective capacities and offer services that address immediate and ongoing safety concerns of child/ren. Family Assessment uses strength-based interventions and involves families in planning for and selecting services. If families do not complete a Family Assessment, will not follow through with recommended services, or when an agency has not been successful in engaging them in discussion regarding child safety, the response track may switch to Investigation Response.

In Family Assessment Response, child protection staff must have face-to-face contact with child/ren and their primary caretaker within five calendar days. Family Assessments must conclude within 45 days of agency accepting a report.

There is no determination of maltreatment in Family Assessment Response. Two decisions at the conclusion of a Family Assessment are whether:

- Child protective services are needed
- Family support services are jointly agreed to by agency and parents.

### **Noncaregiver Trafficking Assessment Overview**

All reports of sex trafficking with a noncaregiver or unknown alleged third-party traffickers must be screened in and assigned as a Noncaregiver Trafficking Assessment. The Noncaregiver Trafficking Assessment is a comprehensive assessment designed to focus on safety, prevent ongoing abuse, provide access to needed services and supports, and coordinate with relevant law enforcement investigations of the sex trafficking allegation.

The four key differences between a Noncaregiver Trafficking Assessment and a Family Investigation of sex trafficking are:

- 1) No need for 24-hour victim contact
- 2) No interview with alleged perpetrator
- 3) No determination of maltreatment, and
- 4) No structured decision-making tools to assess safety and risk.

Assessing and ensuring safety is the primary focus in Noncaregiver Trafficking Assessment response.

## Facility Investigation overview

Facility investigations are completed when allegations of maltreatment involve children served by licensed and unlicensed child care providers, foster care providers and unlicensed personal care providers. Legally unlicensed child care includes a caregiver, relative or nonrelative caring for children in an ongoing arrangement, whether paid or unpaid, regardless of location. Other types of facilities have investigations conducted by other entities, including the Minnesota Departments of Human Services, Education and Health. Facilities are held to a higher standard, as they are responsible for the care of children who are not their own.

Decisions made at the conclusion of a Facility Investigation Response include whether:

- Child maltreatment occurred
- A staff person was responsible
- A facility was responsible
- Child protective services are needed.

The Minnesota Departments of Human Services, Education and Health are responsible for investigating reports of child maltreatment occurring in a school or various licensed facilities. When these agencies receive a maltreatment report, they screen it to determine whether to investigate, and if so, what priority it receives. After completing, the investigating agency determines whether maltreatment occurred, and what corrective or protective actions are required. When maltreatment is determined in an investigation involving a facility, an investigating agency also determines whether the facility or an individual was responsible for the maltreatment, or whether both are responsible.

Per [Minnesota Statutes 260E.06](#), facility operators are required to inform mandated reporters employed by a facility of their requirements, and of prohibition against retaliation for reports made in good faith.

## Learning of outcomes

Privacy laws limit information that child protection and licensing agencies can discuss. Mandated reporters can find out if a report is accepted for investigation. If accepted, reporters receive a summary of disposition of the report, unless such release of information would be detrimental to the best interests of child.

The summary that mandated reporters receive includes the following information:

- Agency’s assigned response path under [Minnesota Rules 9560.0230, subd. 5](#)
- Name of child protection worker or investigator who conducted the Family Assessment or Family Investigation Response
- Nature of maltreatment, if an agency determined that maltreatment occurred
- If case was opened for child protection or other services
- If a referral was made to a community organization.

Voluntary reporters receive a summary, if requested, but it is limited to the following information:

- Agency’s assigned response path under [Minnesota Rules 9560.0230](#), and
- A statement regarding whether child protective services are being provided.

Under [Minnesota Statutes 260E.35, subd. 4 \(a\)\(b\)](#), local welfare agencies are required to provide data to mandated reporters making reports with ongoing responsibility for the health, education or welfare of children affected by the data, unless providing it would not be in child’s best interest. Data may also be provided to other mandated reporters with ongoing responsibility for the health, education or welfare of children. Data provided under this section must be limited to that pertinent to an individual’s responsibility of caring for children.

## **Maltreatment determinations**

In Family and Facility Investigation responses, a determination of whether maltreatment occurred is made. In a Family Investigation there is also a determination of whether ongoing child protective services are needed. Determinations are based on preponderance of evidence of facts that may include information from interviews, physical evidence, records and other documentation.

No determinations of maltreatment are made in Family Assessments or Noncaregiver Trafficking Assessments.

In Family Investigation, Family Assessment Responses and Noncaregiver Trafficking Assessments, a determination of whether child protective services are needed is made. According to [Minnesota Statutes 260E.24, subd. 4](#), “A determination that child protective services are needed means the local welfare agency has documented conditions during the assessment or investigation sufficient to cause a child protection worker to conclude that a child is at significant risk of maltreatment if protective intervention is not provided, and the individuals responsible for the child’s care have not taken or are not likely to take actions to protect the child from maltreatment or risk of maltreatment.”

## **Reconsideration of maltreatment determinations**

An individual or facility acting on behalf of a child may request that an investigating agency reconsider its final decision regarding maltreatment.

## **When children are placed in out-of-home care**

Children belong with their families unless safety concerns exist. Child protection staff must make reasonable or active efforts to prevent out-of-home placement, providing safety for children in their home, whenever possible.

If it is necessary for children's safety to separate them from an abusive or neglectful family member, child protection agencies try to provide the least restrictive setting possible. Whenever possible, alleged offenders are requested to leave the premises to prevent removal of children from their home. Placement of children with relatives is often considered. If a suitable relative home is not available, however, other responsible adults who have a significant relationship with children may be considered for placement. Maintaining children's connections to family and their culture is a priority. If a relative or kinship placement is not available, or not in the best interest of child/ren, they may be placed in foster care. The goal is to help families resolve problems contributing to maltreatment so it is safe for child/ren to reunite with their family.

## Relevant statutes and guidelines

- The Reporting of Maltreatment of Minors Act: [Minnesota Statutes 260E](#)
- Governing reporting of prenatal exposure to controlled substances: [Minnesota Statutes 260E.31, subds. 2, 3, 4](#)
- The definition of Child in Need of Protection or Services (CHIPS): [Minnesota Statutes 260C.007, subd. 6](#)
- Administrative rule governing disclosure of records: [Minnesota Rules 9560.0230](#)
- Federal statute governing Indian children in the child welfare system: [Indian Child Welfare Act, \(ICWA\) 25 USC 1901 ET SEQ](#)
- Statute governing Indian children in the child welfare system: [Minnesota Statutes 260.762](#)  
Statute governing prostitution and sex trafficking: [Minnesota Statutes 609.321 to 609.324](#)

# Appendix A

## Mandated Reporter Tip Sheet



### P.A.S.S.

- 01 PAUSE**  
Take a moment to slow down.
- 02 ANALYZE**  
Ask yourself questions such as:
  - What information suggests maltreatment?
  - What have you observed?
  - Who have you spoken to?
- 03 SELF REFLECT**  
Ask yourself questions such as:
  - What information suggests there is a reason to believe a child has been maltreated?
  - What more can I do?
  - Am I observing abuse, or could this be a cultural difference in parental style?
  - Would I still be making this report if this family looked like my family?

**04 SUPPORT** or **REPORT**

### Support & Resources

Resources are appropriate for situations in which a mandated reporter does not think a report is required, but does believe a family could use some support and resources. The MNCWTA has compiled these resources ([z.umn.edu/mrt-resources](https://z.umn.edu/mrt-resources)) to help guide you through the process. For additional support, request a consultation with your local child welfare agency ([mn.gov/dhs/people-we-serve/children-and-families/services/child-protection/](https://mn.gov/dhs/people-we-serve/children-and-families/services/child-protection/))

Mandated Reporter Training can be found at [www.mnchildwelfaretaining.com/mrt](https://www.mnchildwelfaretaining.com/mrt).

### Reporting



**WHEN TO REPORT**

- Verbal reports must be made immediately (no longer than 24 hours). Verbal reports can be made at all times, including evenings, weekends, and holidays.
- A written report must be submitted within 72 hours to the local child welfare agency (weekends and holidays are excluded).



**WHERE TO REPORT**

- Immediate Danger: Contact your local law enforcement agency right away.
- No Immediate Danger: Contact the local child welfare agency.



**WHAT TO INCLUDE IN REPORT**

- Information about the family including the names and addresses of the child and parents
- Specific descriptions of the suspected abuse and neglect to the child — what happened, when it occurred, and the identity of the alleged offender





# Appendix B

## TEN-4-FACESp Bruising Rule

Kids are kids, and sometimes they play in ways that result in minor cuts, scrapes, and bruises. These minor injuries are often found on bony areas of the body like knees, shins, elbows, and foreheads. However, there are other types of bruises that should be a red flag for possible abuse.

**When is bruising concerning for abuse in children younger than 4 years of age?** If bruising in any of the three components – Regions, Infants, Patterns – is present, strongly consider evaluating for child abuse and/or consulting with an expert in child abuse.

### REGIONS

#### “TEN”

Torso | Ears | Neck



#### “FACES”

Frenulum  
Angle of Jaw  
Cheeks (fleshy part)  
Eyelids  
Subconjunctivae

### INFANTS

“4” = infants ages  
4 months and younger



### PATTERNS

“p” = patterned bruising



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**TEN-4-FACESp** is a useful acronym to help screen children under 4 years of age with bruising to identify when a bruise is more likely to be caused by abuse than accidental injury. The TEN-4-FACESp is not intended to diagnose abuse. **Scan the QR code to learn more.**

