

**Do you know or suspect  
that your child has been  
abused or neglected?**

## **An Action Guide for Parents and Guardians**

All adults in Texas are legally required to report any known or suspected child abuse, neglect, or exploitation. In an emergency or if the child is in immediate danger, call 9-1-1 and follow instructions.

If it is not a medical or safety emergency, call the Department of Family and Protective Services (DFPS) hotline to make a report at 1.800.252.5400.

If there are physical indications of abuse or you suspect sexual assault: document, seek care, and report.

- **DO** take photos of marks and bruises. Ask the child for permission first.
- **DO** write down any information that the child shares.
- **DO** take the child to a medical professional (pediatrician, urgent care, ER, etc.)
- **DO** preserve any evidence, such as clothing and recordings from security cameras.
- Do **NOT** take photos of genitals or sexually explicit photos.
- Do **NOT** probe, pressure, or force the child to talk or share information. Repeatedly sharing what happened can impact the child's memory.
- Do **NOT** assume that someone else will make the report to DFPS. Make the report yourself. Provide all possible details to aid in the investigation. Write down the report identification number and the name of the person you speak to, and keep the information where you can find it again. The report identification number is the only way you can get updates or information about the child's DFPS case.

By law, medical staff, school personnel, law enforcement, and other service providers are mandatory reporters and are also required to make a report with DFPS about any child suspected of being abused or neglected.

### **Helpful tips:**

- Before leaving the clinic or hospital, make sure you have any prescriptions, papers, or documents that were given to you. Start a file and keep all of this information together in one place.
- Ask for an interpreter if needed, so you can communicate clearly.
- Save important names, numbers, and business cards in your file.
- Use text, email, and other forms of written communication for your records.

## Where did it happen?

# School

(independent school districts, charter, and private)



Notify administration at the child's school that abuse or neglect is suspected and requires investigation. By law, anyone must report suspected child abuse. Professionals, including all educators in public, charter, and private schools, must file a report with DFPS within 48 hours. As much as possible, correspond by email or other writing to document your notifications and requests. Save everything.

Often, everything that happens on school property goes through the school district's jurisdiction. If the district has its own police department, then it will be the law enforcement agency in charge of the investigation. Otherwise, the municipal police or county sheriff officers will most likely investigate. However, in some cases DFPS will investigate even in school districts that have their own police force.

In Texas, some classrooms have cameras installed that record during school hours. Parents can also request that a camera be added for any special education classroom. The data is kept for three months. There are also cameras at most exits in hallways and other places. In writing, tell school administrative officials to preserve all audio and video security camera footage until the investigation is finished.

Request copies of all documents in the investigation and write down the name and contact information for everyone involved. It may be helpful to consult an attorney or trained advocate for guidance.

In addition, in cases of serious professional ethics violations, including physical or sexual abuse or intentional discrimination, parents have the right to file a complaint against a wide variety of professionally-licensed individuals, according to the rules of that licensing body. In schools, the State Board of Education Certification **may** investigate or take disciplinary action against a certified educator or paraprofessional who were involved in abuse of a student or failed to report, or hindered the reporting of child abuse or the known criminal history of an educator. Consult the Texas Education Agency for more information about disciplinary actions.

You may file an appeal if you disagree with the final investigation decision. For more information, see 4300 Appeal of the Investigation Findings in the linked document.

# Where did it happen?

## Not at school

or unsure



In Texas, Department of Family and Protective Services/Child Protective Investigations (DFPS/CPI) investigates abuse of children with and without disabilities if the alleged abuser is:

- a parent, guardian, or foster parent
- a member of the child's family, such as a grandparent or uncle
- a member of the child's household, such as an unrelated roommate of the parent
- a parent's boyfriend or girlfriend, regardless of whether that person lives in the home
- personnel or a volunteer at the child's school, at a day care, or residential facility

DFPS only investigates sexual abuse cases involving people who live in the home, frequent the home (example: significant others), or family members. If the perpetrator lives outside of the home, or is not a family member, then that report would go to law enforcement for investigation instead. During an investigation, DFPS (or the Child Advocacy Center) will interview the child, teachers, other children, caregivers, and family members, and gather any applicable evidence.

**Local law enforcement agencies** investigate abuse of children in all other circumstances, as well as in any circumstances when criminal investigations are warranted.

DFPS determines if an investigation is needed, and the level of priority.

**Priority 1.** The child has a potential for injury and/or an abuser has direct access to the child. Local law enforcement agents accompany DFPS investigators on Priority 1 reports of abuse or neglect that involve children who appear to face immediate risk of physical or sexual abuse. The investigator has 24 hours to respond.

**Priority 2.** Non-emergency call: The child is safe now, but there are risk factors. The investigator has 72 hours to respond.

**Priority None (PN).** There are allegations of abuse or neglect, and investigation is not recommended, but DFPS needs to review the information to determine if further action is needed.



## **Call 512.369.7000 to obtain DFPS case status.**

You can ask:

- if there is an open case and the date it opened
- name, phone number, and email for both the caseworker and supervisor

Once you have verified that there is an open case, contact the caseworker as soon as possible. Options include:

- In private by text, phone, email or video chat
- On speaker or video chat with your advocate or attorney

Schedule a meeting time and location. Request a language translator or Level 4 American Sign Language Interpreter or above, as needed.

**If DFPS contacts you**, whether you made the report or someone else made a report, responding quickly can be critical depending upon the status of the investigation (P1 or P2). Delayed response can result in advanced efforts to make contact with you/your child by:

- requesting that law enforcement stop by the house to check on the child and family (well check)
- obtaining an emergency court order to see your children or require you to surrender your children
- listing your child (and you) as missing through the Amber Alert and/or local media
- partnering with Department of Public Safety and Sheriff's office in search of you/your child

**During the investigation, a case worker will stop by unannounced to:**

- interview your child (may include picture, audio or video recording)
- Interview you and the other parent (caregiver), family, friends, neighbors or other children in the home
- possibly inspect the condition of the home

**The DFPS Child Protective Investigator (caseworker) will:**

- inform the parent about the interview with the child within 24 hours
- discuss the report, an explanation of injuries, safety concerns or risk of abuse/neglect, and inform you of next steps

Different agencies may be involved in the investigation depending on the circumstances. Write down the name and contact information for everyone involved in the investigation. Again, it may be helpful to consult an attorney or trained advocate for guidance.

If available in your area, a child who has experienced sexual abuse or severe physical abuse or who has witnessed a violent crime will be assisted and interviewed by a local Child Advocacy Center (CAC). At CACs, law enforcement, medical and mental health staff, DFPS, and child abuse prosecutors can share information and coordinate strategies for each particular child and case.

# Resources for Parents and Guardians

**Disability Rights Texas** – This disability rights legal advocacy organization can sometimes do a secondary review of abuse findings in school. For more contact information, see [www.disabilityrightstx.org/en/contact-us/](http://www.disabilityrightstx.org/en/contact-us/)

**SAFE Promoting Justice: Abuse Against Children with Disabilities** – A comprehensive website for parents, guardians, criminal justice staff, educators, and disability service providers.

## Attorneys

- Texas Lawyers for Children, a nonprofit that protects the rights of abused children.
- Local bar associations may have a juvenile section, such as [www.hba.org/?pg=juvenile-law](http://www.hba.org/?pg=juvenile-law)

## Working with Child Protective Services

- The Family Helpline for Strong Families and Safe Children – Parents and caregivers can ask experienced attorneys questions about CPS issues. Call 844.888.6565 Monday through Friday between 9:00 a.m. to 6:00 p.m. Spanish speaking services are also available.
- How the Child Welfare System Works – This 9-page guide on how the child welfare system works covers issues from what happens after possible abuse is reported to what happens in substantiated cases of abuse.
- A Parent's Guide to Child Protective Services Investigations – Texas Department of Family and Protective Services provides step-by-step information on how Child Protective Investigations (CPI) conducts investigations, legal information regarding CPI records, and what to do if you disagree with the findings of an investigation.

## National Resources

- National Child Abuse Hotline – National Abuse Hotline is staffed by professional counselors who are available 24 hours a day, every day of the year. All calls are anonymous and toll-free. Call 1.800.4-A-Child (1.800.422.4453), then push 1 to talk to a hotline counselor. Communication in 170 languages is available.
- National Child Traumatic Stress Network – Website that provides resources to help parents understand how traumatic events affect children, so they are better prepared to help their children cope.