



## OFFICE OF CHILD & YOUTH PROTECTION

# MANDATED REPORTER QUICK REFERENCE GUIDE

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## WHO ARE MANDATED REPORTERS?

South Carolina Statute §63-7-310 lists specific professions as mandated reporters, however, The Bishop of Charleston considers **all Church Personnel (employees and volunteers) to be Mandatory Reporters.**

Failure of Church Personnel to report suspected abuse and/or neglect of vulnerable persons, including minors and vulnerable adults may result in termination of employment or removal from volunteer ministry.

## WHAT DO WE REPORT?

Mandated reporters **MUST** make a report when, in the performance of their duties, they receive information that gives them reason to believe a child or vulnerable adult has been or may be abused or neglected. You do not need to know for sure or have evidence that abuse or neglect has occurred or may occur.

- WE ARE NOT AN INVESTIGATING AGENCY! Beyond gathering the necessary information to report, no internal investigation is to be conducted prior to making the report.
- This duty is not superseded by an internal investigation by an institution, school, facility or agency.
- No internal investigation may interfere with an investigation by law enforcement or DSS.
- Reporting to a supervisor or the person in charge of a facility, institution, school or agency (**parish, school, or program**) **DOES NOT** relieve a mandated reporter of their individual duty to report.

## WHERE DO WE REPORT?

For allegations of abuse by church personnel or someone who is **not** a family member **in the State of South Carolina**, please call the non-emergency number for the law enforcement agency with jurisdiction over the location where the alleged abuse has occurred. If you are unsure what agency has jurisdiction, you can call the local police department or Sheriff's Office non-emergency number and they will let you know who to contact. If there appears to be an immediate risk of abuse or neglect that could result in death or serious harm, please call 911.

For allegations of abuse or neglect of a child or vulnerable adult that **are or have taken place in South Carolina**, please contact the South Carolina Department of Social Services (DSS) by calling their 24 hour Abuse and Neglect Hotline at 1-888-227-3487 (1-888-CARE4US) or submit an online report at the following secure site:

<https://benefitsportal.dss.sc.gov/#/ran/home>

Please note! The DSS online reporting system is currently limited to the English language only! To make a referral/report in other languages, please call the 24-hour hotline.

## FAILURE TO REPORT:

You cannot be penalized, prosecuted or be held liable for making a report in good faith.

If any of the following **statutorily required mandated reporters** (S.C. Code Ann. § 63-7-310) fail to report abuse or neglect:

- Physicians
- Nurses
- Dentists



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- Optometrists
- Coroners
- Medical Examiners
- Employees of Coroners/Medical Examiners
- Any other professional in these fields:
  - Medical
  - Emergency Medical Services
  - Mental Health
  - Allied Health
- School Teachers
- Counselors
- Principals and Assistant Principals
- School Attendance Officers
- Childcare Workers in Childcare Centers or Foster Care Facilities
- Foster Parents
- Police and Law Enforcement Officer
- Juvenile Justice Workers
- Substance Abuse Treatment Staff
- Social Workers
- Clergy, including Christian Science Practitioners & Religious Healers (subject to laws governing privileged communication)
- Clerical or Non clerical Religious Counselors Who Charge for Services
- Undertakers
- Funeral Home Directors
- Employees of Funeral Homes
- Judges
- Volunteer Non-Attorney Guardians ad Litem
- Computer Technicians
- Persons Responsible for Processing Film

...they are guilty of a misdemeanor and upon conviction must be fined not more than \$500.00 or imprisoned not more than six months or both (S.C. Code Ann. § 63-7-410).

## CLERGY-PENITENT PRIVILEGE:

SC Statute §19-11-90 states information regarding reportable behavior is privileged if the communication is:

“Confidential...is disclosed to a regular or duly ordained minister, priest, or rabbi...is entrusted to the clergy member when acting in his or her professional capacity [and] it must be one that is necessary and proper to enable the clergy member to discharge the functions of his or her office according to the usual course of practice or discipline of his or her church or religious body.”

As Catholics, we are committed to the protection of minors and vulnerable adults from abuse and neglect, and we believe in the inviolable nature of the seal of the sacrament of reconciliation and clergy-penitent privilege. No Priest may disclose information learned under the seal of the sacrament of reconciliation, nor does it fall under the mandated reporting statutes or guidelines.

For more detail, please see the *Clergy As Mandated Reporters* handouts from the USC School of Law.

## QUESTIONS?

If you have questions or would like to talk through the allegation and reporting process, please call Kristin Eyre, Director of the Office of Child & Youth Protection at (843) 261 0433 or send an email to:

[keyre@charlestdiocese.org](mailto:keyre@charlestdiocese.org)

**\*First call to LE or DSS, then OCYP/VAC.**