

Information Sharing with School Personnel

Understanding what and when information can be shared by the SC Department of Social Services with school personnel following a report of suspected child abuse or neglect

Confidentiality

School personnel are often in a unique position to identify and report child abuse and neglect due to their close and frequent interactions with children. After making a report, it is natural for the reporter to want to make sure the child in question is being taken care of and is safe. However, the South Carolina Department of Social Services (DSS) is bound by confidentiality laws that restrict what information they may provide to the reporter.

Release of Information

DSS is authorized by agency policy to provide reporters of suspected child abuse or neglect with information regarding whether the report was accepted or not.

In addition, DSS is authorized by S.C. Code Ann. § 63-7-1990(F) to summarize the outcome of an investigation to the person who made the report if the person requests the information at the time the report is made. DSS has the discretion to limit the information disclosed to the reporter based on whether the reporter has an ongoing professional or other relationship with the child or the family.

Other than these instances, information is confidential and protected by law. S.C. Code Ann. § 63-7-1990.

Safety Plans

A safety plan is a temporary agreement between the child's family and DSS that is designed to allow the child to remain in his or her home or the home of a relative or friend during the completion of an investigation. Information sharing regarding a safety plan involving the child is controlled by DSS policy and is based on what the school needs to know to effectively carry out that safety plan. DSS can share information regarding the safety plan with the school if there is a valid reason for doing so. For example, if one of the child's parents is not to have contact with the child, the school should be notified in case that parent tries to pick the child up from school.

Follow-up Reporting

If school personnel have previously made a report and become aware of new information or a recurrence, they should not assume DSS is still involved and should make another report.

Additional Information

For a detailed overview of mandated reporter requirements, see the Mandated Reporter Guide found on the Children's Law Center website at <http://childlaw.sc.edu>.

To schedule a free training on mandated reporting, contact the Children's Law Center at 803-777-1646.