

Title 6 Education
Subtitle 5. Postsecondary And Higher Education Generally
Chapter 61 Postsecondary Institutions Generally
Subchapter 1 -- General Provisions

A.C.A. § 6-61-133 (2011)

6-61-133. Training for mandatory reporters and licensed elementary and secondary public school personnel.

(a) As used in this section:

(1) "Child maltreatment" means the abuse, sexual abuse, neglect, sexual exploitation, or abandonment of a child under the Child Maltreatment Act, § 12-18-101 et seq.; and

(2) "Licensed school personnel" means a person who works with students in an elementary or secondary public school, a public charter school, a school district, or an education service cooperative for whom a license issued by the State Board of Education is a condition of employment, including without limitation a:

(A) School or school district administrator;

(B) Teacher;

(C) Coach for a school athletics program;

(D) School counselor;

(E) School social worker;

(F) School psychologist; and

(G) School nurse.

(b) For each degree program at an institution of higher education in this state that is a prerequisite for licensure or certification in a profession in which the professional is a child maltreatment mandated reporter under the Child Maltreatment Act, § 12-18-101 et seq., the Department of Higher Education shall coordinate with all the institutions of higher education to ensure that before receiving a degree, each graduate receives the training identified in subdivision (d)(1) of this section.

(c) Licensed school personnel shall obtain the training identified in subsection (d) of this section within twelve (12) months of:

(1) The individual's initial licensure; and

(2) All subsequent renewals of the individual's license.

(d) (1) The training required under this section shall include without limitation:

(A) Recognizing the signs and symptoms of child maltreatment;

(B) The legal requirements of the Child Maltreatment Act, § 12-18-101 et seq., and the duties of mandated reporters under the act; and

(C) Methods for managing disclosures regarding child victims.

(2) In addition to the training required under subdivision (d)(1) of this section, licensed school personnel shall obtain training in connecting a victim of child maltreatment to appropriate in-school services and other agencies, programs, and services needed to provide the child with the emotional and educational support the child needs to continue to be successful in school.

(e) (1) The training obtained by licensed school personnel may be obtained as in-person or online training.

(2) The Arkansas Child Abuse/Rape/Domestic Violence Commission shall approve the curriculum for the training.

(3) Licensed school personnel shall document completed training according to the rules of the State Board of Education.

(f) Licensed school personnel may substitute for the required number of hours of staff development on parental involvement plans under § 6-15-1703 an equal number of hours of training obtained under this section.

HISTORY: Acts 2007, No. 703, § 3; 2009, No. 758, § 7; 2011, No. 1236, § 1.

Title 12
Law Enforcement, Emergency Management, And Military Affairs
Subtitle 2. Law Enforcement Agencies And Programs
Chapter 18 Child Maltreatment Act
Subchapter 4 -- Reporting Suspected Child Maltreatment

A.C.A. § 12-18-402 (2011)

12-18-402. Mandated reporters.

(a) An individual listed as a mandated reporter under subsection (b) of this section shall immediately notify the Child Abuse Hotline if he or she:

(1) Has reasonable cause to suspect that a child has:

(A) Been subjected to child maltreatment; or

(B) Died as a result of child maltreatment; or

(2) Observes a child being subjected to conditions or circumstances that would reasonably result in child maltreatment.

(b) The following individuals are mandated reporters under this chapter:

- (1)** A child care worker or foster care worker;
- (2)** A coroner;
- (3)** A day care center worker;
- (4)** A dentist;
- (5)** A dental hygienist;
- (6)** A domestic abuse advocate;
- (7)** A domestic violence shelter employee;
- (8)** A domestic violence shelter volunteer;
- (9)** An employee of the Department of Human Services;
- (10)** An employee working under contract for the Division of Youth Services of the Department of Human Services;
- (11)** A foster parent;
- (12)** A judge;
- (13)** A law enforcement official;
- (14)** A licensed nurse;
- (15)** Medical personnel who may be engaged in the admission, examination, care, or treatment of persons;
- (16)** A mental health professional;
- (17)** An osteopath;
- (18)** A peace officer;
- (19)** A physician;
- (20)** A prosecuting attorney;
- (21)** A resident intern;
- (22)** A school counselor;

(23) A school official;

(24) A social worker;

(25) A surgeon;

(26) A teacher;

(27) A court-appointed special advocate program staff member or volunteer;

(28) A juvenile intake or probation officer;

(29) A clergy member, which includes a minister, priest, rabbi, accredited Christian Science practitioner, or other similar functionary of a religious organization, or an individual reasonably believed to be so by the person consulting him or her, except to the extent the clergy member:

(A) Has acquired knowledge of suspected child maltreatment through communications required to be kept confidential pursuant to the religious discipline of the relevant denomination or faith; or

(B) Received the knowledge of the suspected child maltreatment from the alleged offender in the context of a statement of admission;

(30) An employee of a child advocacy center or a child safety center;

(31) An attorney ad litem in the course of his or her duties as an attorney ad litem;

(32) (A) A sexual abuse advocate or sexual abuse volunteer who works with a victim of sexual abuse as an employee of a community-based victim service or mental health agency such as Safe Places, United Family Services, or Centers for Youth and Families.

(B) A sexual abuse advocate or sexual abuse volunteer includes a paid or volunteer sexual abuse advocate who is based with a local law enforcement agency;

(33) A rape crisis advocate or rape crisis volunteer;

(34) (A) A child abuse advocate or child abuse volunteer who works with a child victim of abuse or maltreatment as an employee of a community-based victim service or a mental health agency such as Safe Places, United Family Services, or Centers for Youth and Families.

(B) A child abuse advocate or child abuse volunteer includes a paid or volunteer sexual abuse advocate who is based with a local law enforcement agency;

(35) A victim/witness coordinator;

(36) A victim assistance professional or victim assistance volunteer; or

(37) An employee of the Crimes Against Children Division of the Department of Arkansas State Police.

(c) (1) A privilege or contract shall not prevent a person from reporting child maltreatment when he or she is a mandated reporter and required to report under this section.

(2) A school, Head Start program, or day care facility shall not prohibit an employee or a volunteer from directly reporting child maltreatment to the Child Abuse Hotline.

(3) A school, Head Start program, or day care facility shall not require an employee or a volunteer to obtain permission or notify any person, including an employee or a supervisor, before reporting child maltreatment to the Child Abuse Hotline.

HISTORY: Acts 2009, No. 749, § 1; 2009, No. 1409, § 1; 2011, No. 1143, § 8.