

Abuse and Neglect Reporting

Division of Child and Family Services (DCFS)
Juvenile Justice Services (JJS)
Statewide Policy

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EFFECTIVE DATE:	January 15, 2025
APPROVED BY:	Sharon Anderson, Deputy Administrator – DCFS 
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SUPERSEDES:	DCFS/JJS 300.06 effective October 11, 2021
REFERENCES:	NRS 432B.020, NRS 432B.130, NRS 432B.140, NRS 432B.220, NRS 233B.050; DHHS DCFS Personnel Policy and Procedure Manual; Youth Rights, DCFS/JJS 300.03; Use of Force Review, DCFS/JJS 300.04; Incident Reporting, DCFS/JJS 300.07; Prison Rape Elimination Act, DCFS/JJS 300.09
ATTACHMENTS:	None
REVIEW DUE BY:	January 15, 2028

I. PURPOSE

To ensure Division of Child and Family Services (DCFS) staff know, understand, and are compliant with child abuse and neglect reporting requirements, responsibilities, and timeframes.

II. DEFINITIONS

As used in this document, the following definitions shall apply:

- A. Abuse or Neglect of a Child: Child abuse and neglect shall be defined by Nevada Revised Statutes (NRS) 432B.020:
1. Physical or mental injury of a nonaccidental nature,
 2. Sexual abuse or sexual exploitation, or
 3. Negligent treatment or maltreatment as set forth in NRS 432B.140, of a child caused or allowed by a person responsible for the welfare of the child under circumstances which indicate the child's health or welfare is harmed or threatened with harm.

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4. As used in this section, “allow” means to do nothing to prevent or stop the abuse or neglect of a child in circumstances where the person knows or has reason to know a child is abused or neglected.
- B. Critical Incident: An event involving abuse, neglect, death/suicide, lost/missing person, runaway/elopement, serious injury, threat or hostage situation, public health emergency, health facility emergency, or fire/natural disaster.
- C. Mandatory Reporter: A person required by statute (NRS 432B.220) to report the abuse or neglect of a child to a child welfare agency or law enforcement when they, in their professional or occupational capacity, know or have reasonable cause to believe a child has been abused or neglected. All employees of DCFS Juvenile Justice Services are mandatory reporters and must report within 24 hours of suspected or witnessed abuse or neglect.
- D. Persons Responsible for Child’s Welfare: The child’s parent, guardian, or stepparent with whom the child lives, an adult person continually or regularly found in the same household as the child, a public or private home, institution or facility where the child resides or is receiving care outside of the home for all or a portion of the day, or a person directly responsible or serving as a volunteer for or employed by such a home, institution or facility (NRS 432B.130).
- E. Prison Rape Elimination Act (PREA): A federal law supporting the prevention, detection, and response to sexual abuse and sexual harassment within facilities. This law applies to all DCFS state facilities.
- F. Reasonable Cause to Believe: If, considering all surrounding facts and circumstances known or reasonably should be known to the person at the time, a reasonable person would believe, under those facts and circumstances, an act, transaction, event, situation, or condition exists, is occurring, or has occurred.

III. GENERAL REQUIREMENTS

- A. All DCFS staff are mandatory reporters and shall report actual or suspected instances of child abuse and neglect, sex trafficking, and pregnant females under the age of consent to the appropriate child welfare agency as soon as practical, but no later than the end of their shift if there is reasonable cause to believe the incident occurred.
 1. Reportable incidents include current and historical (e.g., previously unreported abuse in the home) allegations.
- B. Failure to report actual or suspected instances of child abuse and neglect, sex trafficking, and pregnant females under the age of consent shall result in disciplinary action, up to and including termination from employment and possible criminal charges.
- C. Any action to hide, shield, tamper, conceal, or destroy evidence of actual or suspected instances of child abuse and neglect, sex trafficking, and pregnant females under the age

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of consent shall result in disciplinary action, up to and including termination from employment and possible criminal charges.

- D. Any action to falsify documents, misrepresent information, or failure to fully cooperate with all official investigating agencies regarding actual or suspected child abuse and neglect, sex trafficking, and pregnant females under the age of consent shall result in disciplinary action, up to and including termination from employment and possible criminal charges.
- E. All staff shall be trained in how to recognize signs and systems of abuse, neglect, and commercial sexual exploitation, including how to report allegations.
- F. All youth shall be trained on their rights to be free from neglect and abuse (physical, emotional, and sexual), including how to report.

IV. STAFF TRAINING

- A. Upon hire, the Superintendent or Chief of the Youth Parole Bureau, or their designee, shall:
 - 1. Inform new staff member, in writing or by electronic communication, of their duty as a mandatory reporter (NRS 432B.220).
 - 2. Inform new staff member, in writing or by electronic communication, of the agency's Prohibitions and Penalties which address child abuse and neglect.
 - 3. Obtain a written acknowledgment or electronic record from the staff member acknowledging they were informed of their mandatory reporting responsibility.
 - 4. Maintain a copy of the written acknowledgment or electronic record for as long as the staff member is employed by the agency.
- B. Facility and parole staff shall be trained on the requirements of Nevada's Protection of Children from Abuse and Nevada Statutes (NRS 432B).
 - 1. Staff shall be trained how to recognize the signs of abuse and neglect and how to report within 90 days of hire, and annually thereafter.

V. REPORTING PROCEDURES AND INVESTIGATIONS

- A. All DCFS staff shall make a report to the appropriate child welfare agency or local law enforcement agency when they, in their professional or occupational capacity, know or has reasonable cause to believe a youth was abused or neglected, was the victim of sex trafficking, or is a pregnant female under the age of consent.
 - 1. The report shall be made to the agency as soon as reasonably practicable but not later than 24 hours after the staff member becomes aware or has reasonable cause to believe the child was abused or neglected.

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2. Reporting suspected child abuse or neglect to a supervisor does not satisfy mandatory reporting requirements. Ensuring the allegation is reported to the relevant child welfare agency does satisfy mandatory reporting requirements.
3. The report to the child welfare agency shall contain the following information, if obtainable:
 - a. The name, address, age, and sex of the child.
 - b. The name and address of the person responsible for the care of the child.
 - c. The nature and extent of the suspected abuse or neglect of the child.
 - d. The name, address and relationship, if known, of the person alleged to have abused or neglected the child.
 - e. Contact information for parent/guardian.
 - f. Name and contact information of potential witnesses, if allegation occurred within a facility.
 - g. Contact information for the point of contact at the facility to request documentation or other evidentiary items required for an investigation.
 - h. Any other information known to the person making the report the child welfare agency may consider necessary.
4. The reporting party shall not notify other staff members of the alleged abuse or neglect report.
5. The reporting party shall notify at least one of the following: the Superintendent, the Chief of Parole, the Deputy Administrator, or DCFS Human Resources, immediately upon notification of an allegation or becoming aware of the reportable incident.
 - a. The Superintendent or Chief of Parole shall reassign staff as necessary based on the alleged abuse or neglect report.
- B. When they are aware of an allegation of child abuse or neglect, the Superintendent and Chief of Parole are responsible for ensuring a report is made to law enforcement or the appropriate child welfare agency, for their respective agency.
- C. Staff members shall not face retaliation or any other negative consequences for reporting alleged abuse or neglect, whether the report is investigated or not, or whether the allegation is substantiated or not.
- D. All suspected instances of sexual abuse or sexual harassment in a facility shall follow the requirements of the Prison Rape Elimination Act, DCFS/JJS 300.09.
 1. Sexual abuse or sexual exploitation by a staff member is considered child abuse per NRS 432B.020 and shall be reported to the local child welfare agency and to local law enforcement who shall determine if a crime has been committed.
- E. If law enforcement and/or the local child welfare agency determines an investigation is warranted, agency staff shall fully cooperate with the investigation.

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- F. All allegations of abuse or neglect by a staff member shall be subject to administrative investigation. The agency shall not begin an administrative investigation until:
 - 1. Local law enforcement states they will not investigate, or local law enforcement completes their investigation, and
 - 2. The local child welfare agency states they will not investigate, or the local child welfare agency completes their investigation.

VI. INTERNAL NOTIFICATION AND DOCUMENTATION

- A. The Superintendent or Chief of Parole shall notify the Deputy Administrator within two hours of being notified of an allegation.
- B. If an abuse or neglect allegation occurred by a facility or parole staff member:
 - 1. The Superintendent or Chief of Parole shall ensure the youth's parent or legal guardian is notified about the incident of abuse or neglect within two hours of notification.
 - 2. The Superintendent, Chief of Parole, or designee shall complete a Critical Incident Report within four hours of notification of the incident and contact the agency's Human Resources representative per Incident Reporting, DCFS/JJS 300.07.
- C. The reporting party shall initiate a confidential Activity in the web-based case management system for all allegations to safeguard the privacy of any alleged victims and perpetrators.
 - 1. All involved staff shall provide witness statements to the Superintendent or Chief of Parole.
 - 2. The reporting party shall upload all involved staff witness statements to the confidential Activity.
 - 3. All reports shall be completed prior to the end of their shift.

VII. MEDICAL ASSESSMENT – FACILITY-BASED INCIDENTS

- A. Facility medical staff shall complete a medical assessment immediately upon notification a youth may be the victim of abuse or neglect and make any appropriate medical referrals.
- B. All medical forms shall be completed by facility medical staff and submitted to the Superintendent, the child welfare agency, and local law enforcement, if necessary.
- C. The Superintendent may share medical forms with the Chief of Parole and Deputy Administrator on a case-by-case basis.

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VIII. REPORTING

- A. At the conclusion of all investigations from the local child welfare agency, local law enforcement, and administrative reviews, the DCFS Administrator and/or the Deputy Administrator may require a Root Cause Analysis be completed per Incident Reporting, DCFS/JJS 300.07.
- B. Superintendents and the Chief of Parole shall report the following statistics monthly to the Juvenile Justice Programs Office:
 - 1. Number of reports to any child welfare agency and local law enforcement for suspected abuse or neglect, sex trafficking, and pregnant youth under the age of consent.
 - 2. Number of substantiated or unsubstantiated reports based on the feedback from the local child welfare agency or local law enforcement (if known).

IX. STANDARD OPERATING PROCEDURES

- A. Each facility and the Youth Parole Bureau shall create standard operating procedures consistent with this policy, to include:
 - 1. Onboard training process for new staff.
 - 2. Refresher and remedial training process for staff.
 - 3. Youth education and training procedures.
 - 4. Processes for follow up to determine if facility investigations occur, and if so whether substantiated or unsubstantiated.
 - 5. Identification of the agency staff member or classification responsible for notifying youth's guardian of a reported allegation, including documentation process, if appropriate.
- B. The DCFS Juvenile Justice Programs Office shall review this policy every three years, or sooner if deemed necessary (NRS 233B.050).