

CHILD ABUSE and NEGLECT

On July 16, 2006, Act 193, SLH 2006 became law and revised Section 350-1.1 of Chapter 350, HRS. Section 350-1.1. Under Act 193. all school staff members shall report suspicion of child abuse and neglect to the Child Welfare Services (CWS), Department of Human Services, (formerly known as the Child Protective Services, CPS), and shall immediately notify the principal or designee regarding the report made to CWS pursuant to Section 350-1.1, HRS.

In the language of Act 193, a staff member is defined as persons working at the school in the following capacities: full time employees, casual employees, temporary contract employees (TCE), and volunteers. If a school staff member fails to report, the individual may face criminal charges amounting to a petty misdemeanor. Regarding the non-reporting; penalty, reference Section 350-1.2, HRS states:

Any person subject to Section 350-1.1(a) who knowingly prevents another person from reporting, or who knowingly fails to provide information as required by Section 350-1.1(c) or (d), shall be guilty of a petty misdemeanor. [L 1985, c 17, Section 3; am L 1987, c 204, Section 5 and c 339, Section 4]"

The penalty for petty misdemeanor may be imprisonment for a term not to exceed thirty days.