

South Dakota Mandatory Reporting Requirements Regarding Children	
<i>Who Must Report?</i>	<ul style="list-style-type: none"> • Any physician; • Dentist; • Doctor of osteopathy; • Chiropractor; • Optometrist; • Mental health professional or counselor; • Podiatrist; • Psychologist; • Religious healing practitioner; • Social worker; • Hospital intern or resident; • Parole or court services officer; • Law enforcement officer; • Teacher; • School counselor; • School official; • Nurse; • Licensed or registered child welfare provider; • Employee or volunteer of a domestic abuse shelter; • Chemical dependency counselor; • Coroner; and • Any law enforcement officer authorized to carry firearms and any custody staff employed by any agency responsible for the rehabilitation or treatment of any adjudicated adult or juvenile.
<i>Standard of Knowledge</i>	Reasonable cause to suspect that a child has been abused or neglected.
<i>Definition of Applicable Victim</i>	<p>A child is a person under the age of child under 18. An “abused or neglected child” means a child:</p> <ul style="list-style-type: none"> • Whose parent, guardian, or custodian has abandoned the child or has subjected the child to mistreatment or abuse; • Who lacks proper parental care through the actions or omissions of the child’s parent, guardian, or custodian; • Whose environment is injurious to the child’s welfare, including exposure to an environment which includes illegal substances; • Whose parent, guardian, or custodian fails or refuses to provide proper or necessary subsistence, supervision, education, medical care, or any other care necessary for the child’s health, guidance, or well-being; • Who is homeless, without proper care, or not domiciled with the child’s parent, guardian, or custodian through no fault of

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	<p>the child's parent, guardian, or custodian;</p> <ul style="list-style-type: none"> • Who is threatened with substantial harm; • Who has sustained emotional harm or mental injury as indicated by an injury to the child's intellectual or psychological capacity evidenced by an observable and substantial impairment in the child's ability to function within the child's normal range of performance and behavior, with due regard to the child's culture; • Who is subject to sexual abuse, sexual molestation, or sexual exploitation by the child's parent, guardian, custodian, or any other person responsible for the child's care; • Who was subject to prenatal exposure to abusive use of alcohol, marijuana, or any controlled drug or substance now lawfully prescribed by a practitioner; or • Whose parent, guardian, or custodian knowingly exposes the child to an environment that is being used for the manufacture, use or distribution of methamphetamines or any other unlawfully manufactured controlled drug or substance.
<i>Reports Made To</i>	<ul style="list-style-type: none"> • The required reports shall be made orally and immediately by telephone or otherwise to the state's attorney of the county in which the child resides or is present, to the Department of Social Services or to law enforcement officers. Contact information is accessible at http://dss.sd.gov/cps/protective/reporting.asp. • Any person who has contact with a child through the performance of services as a member of a staff of a hospital or similar institutions shall immediately notify the person in charge of the institution, or his designee, of suspected abuse or neglect. This person shall also promptly submit to the state's attorney complete copies of all medical examination, treatment and hospital records regarding the child. • Any person who has contact with a child through the performance of services in any public or private school as a teacher, nurse, counselor, official or administrator shall notify the principal or superintendent or designee of suspected abuse or neglect.
<i>Contents of Report</i>	<ul style="list-style-type: none"> • The name, address, date and place of birth of the child, • the name and address of the child's parents, guardian, custodian or responsible persons, • the date of the report, and • the suspected or proven instances of child abuse or neglect.

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<i>Timing/Other Procedures</i>	Reports must be made immediately. Reports must be made orally by telephone or otherwise.
<i>Other</i>	<ul style="list-style-type: none"> • In addition to the above report, any person who has reasonable cause to suspect that a child has died as a result of child abuse or neglect shall report that information to the medical examiner or coroner. • Any person who intentionally fails to make the required report is guilty of a Class 1 misdemeanor. • Any person who intentionally fails to make the required report is guilty of a Class 1 misdemeanor. Any person who knows or has reason to suspect that a child has been abused or neglected may report that information. • The person receiving a report alleging child abuse or neglect shall ask whether or not the reporting party desires a response report. If requested by the reporting person, the department of social services or the concerned law enforcement officer shall issue within thirty days, a written acknowledgement of receipt of the report and a response stating whether or not the report will be investigated.
<i>Source/Applicable Statute(s)</i>	S.D. Codified Laws §§ 23-3-64, 26-8A-2, 26-8A-3, 26-8A-4, 26-8A-6, 26-8A-7, 26-8A-8, 26-8A-10 (2009).

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