

Alabama Mandatory Reporting Changes

Quick Reference for School Counselors and Private-Practice Counselors

Effective October 1, 2026 Primary Authority: Ala. Code § 26-14-3, as amended by Alabama Act No. 2026-375.

Key message: If you know or suspect that a child is abused or neglected, receive a report from someone else that a child may be abused or neglected, or receive other information that would lead a reasonable person to believe or suspect abuse or neglect, you must make an **oral report immediately** to the Alabama Department of Human Resources (“DHR”) or law enforcement and submit a **written report within 72 hours**.

Who Must Follow This Rule?

The statute covers, among others:

- **Public and private K–12 school employees**
- **School teachers**
- **School officials**
- **Social workers**
- **Mental-health professionals**
- **Day-care workers and employees**
- Health-care providers and other individuals called upon to render aid or medical assistance to a child.

School counselors are covered as K–12 employees and may also qualify as school officials or mental-health professionals. **Private-practice counselors** are covered as mental-health professionals.

What Changed on October 1, 2026?

Topic	Before October 1, 2026	Beginning October 1, 2026
When a report is required	A report was required when a child was known or suspected to be a victim of abuse or neglect.	A report is required if you: (1) know or suspect abuse or neglect; (2) receive a third-party report that a child is or may be abused or neglected; or (3) receive other information that would lead a reasonable person to believe or suspect abuse or neglect.
Where to make the oral report	The report had to be made orally to a “duly constituted authority.”	The oral report must be made immediately to DHR or a law-enforcement official.
Written follow-up report	A written report had to follow the oral report, but the statute did not give a specific deadline.	A written report must be submitted within 72 hours after the oral report.

If law enforcement receives the report first	Law enforcement had to notify DHR “subsequently.”	Law enforcement must notify DHR immediately.
DHR routing of school and state-facility reports	DHR sent school reports to law enforcement. DHR sent state-operated residential-facility reports to law enforcement and the operating state agency.	DHR must send both school reports and state-operated residential-facility reports to law enforcement and the relevant operating state agency for investigation.
Retaliation against a reporter	An employer that retaliated solely because an employee made a report committed a Class C misdemeanor.	The first violation remains a Class C misdemeanor. A later violation after a prior conviction is a Class C felony.

The Three Reporting Triggers

1. You Know or Suspect Abuse or Neglect

Example — School counselor: A student tells you, “My mom’s boyfriend hit me last night.” Make an oral report immediately. Do not wait to confirm the details, interview the alleged offender, or obtain a parent’s explanation.

Example — Private-practice counselor: A child client reports that a caregiver leaves the child alone overnight. If the information causes you to suspect neglect, make the report immediately.

2. Someone Else Reports Possible Abuse or Neglect to You

Example — School counselor: A teacher tells you that a student said the student is afraid to go home because a caregiver uses a belt to punish the student. The teacher’s report to you is a specifically identified reporting trigger under the amended law. Make the external report immediately.

Example — Private-practice counselor: An adult client tells you that the client’s child reported sexual touching by a relative. You should not wait to interview the child or obtain proof before reporting.

3. You Receive Other Information That Would Lead a Reasonable Person to Suspect Abuse or Neglect

Example — School counselor: Over several weeks, you learn that a student is regularly left without food, has no adult supervision at night, and has repeatedly missed needed medical appointments. The combined information may require a report, even if the student has not made a direct allegation.

Example — Private-practice counselor: A minor client repeatedly appears in the same soiled clothing, reports no food at home, and says prescribed medication is unavailable. The cumulative information may lead a reasonable person to suspect neglect and require a report.

What Counselors Must Do

Step 1: Make an Oral Report Immediately

Report immediately to:

- **Alabama DHR; or**
- **A law-enforcement official.**

Do **not** wait for:

- Proof or confirmation;
- An internal investigation;
- Approval from a principal, supervisor, clinical director, or practice owner;
- A parent or guardian meeting;
- Completion of an incident report; or
- The next business day.

You are a mandatory reporter, not an investigator. Your responsibility is to report qualifying information promptly. DHR and law enforcement are responsible for investigating.

Step 2: Submit the Written Report Within 72 Hours

After the oral report, submit the required written report to DHR or the law-enforcement official within **72 hours of the oral report**.

Step 3: Document What You Did

Document the following in accordance with your organization's records policy:

- Date and time of the oral report;
- Whether the report was made to DHR or law enforcement;
- Name of the receiving official, if available;
- Report, intake, or reference number, if provided;
- Basic information reported;
- Deadline for the written follow-up report; and
- Date and method of the written report.

Important Reminders

Internal Reporting Does Not Replace the Required External Report

Telling a principal, school administrator, supervisor, clinical director, or practice owner may be required by organizational policy. But an internal report does **not** replace the required report to DHR or law enforcement.

The Definitions of "Abuse" and "Neglect" Did Not Change

Act No. 2026-375 amended the reporting statute, Ala. Code § 26-14-3. It did **not** amend the substantive child-abuse and neglect definitions in Ala. Code § 26-14-1.

Confidentiality Does Not Eliminate the Reporting Duty

Counselor-client confidentiality does not excuse a covered counselor from the mandatory-reporting obligation. The statute's privilege exception applies only to a clergy member's confidential communications protected by Ala. R. Evid. 505.

DHR Handles Agency Routing After the Report Is Received

For reports involving suspected abuse or neglect connected to school discipline or corporal punishment, DHR has a statutory duty to transmit the report to law enforcement and the relevant operating state agency for investigation. That routing requirement does not change the counselor's duty to make an immediate oral report in the first instance.

One-Minute Decision Guide

Question	If Yes	If No
Do I know or suspect that a child is being abused or neglected?	Report immediately.	Go to the next question.
Did another person tell me that a child is or may be abused or neglected?	Report immediately.	Go to the next question.
Do the facts I have received create a reasonable basis to believe or suspect abuse or neglect?	Report immediately.	Document and follow organizational procedures; consult a supervisor as appropriate, but do not allow consultation to delay a report if the duty is triggered.
Have I made the oral report?	Submit the written report within 72 hours.	Make the oral report immediately.

Bottom line: When in your covered professional role you receive information that creates knowledge, suspicion, a third-party report, or a reasonable basis to suspect child abuse or neglect, make an oral report to DHR or law enforcement immediately. Complete the written report within 72 hours.

Effective date: October 1, 2026.