

Neither the church nor ECP have been served with a summons or received a copy of the lawsuit, and so it is difficult for us to comment about the lawsuit at this time. We understand that the parent is seeking money damages from the church based on her allegation that a report made by ECP staff to Child Protective Services about a mark on one of her children caused her emotion distress and other personal damages. The parent claims that the report to Child Protective Services was made solely because the child is bi-racial.

Fairview and the ECP take seriously their responsibility for keeping children safe. This includes reporting suspected child abuse when there is reason to believe a child has been abused or neglected. The teachers and staff at the ECP are mandatory child abuse reporters under Indiana law, meaning they have a duty to report any reasonable suspicion of child abuse or neglect. When a report is made, Child Protective Services investigates the report and determines whether it is substantiated or unsubstantiated. If the report is not substantiated, no further action is taken. That is what happened here.

The parent was invited to contact ECP so her children could return to attending ECP. The parent failed to follow up, and now has filed a lawsuit alleging the report to Child Protective Services would not have been made but for the race of the child. That is not true.

When Fairview is served with the complaint, it will work with its lawyers and its insurance company to defend the lawsuit. Indiana law protects people who act in good faith to make reports of suspected child abuse or neglect and grants them immunity from any civil or criminal liability resulting from the report or cooperating with Child Protective Services.