

How does the DFPS define abuse and neglect?

For legal definitions of abuse and neglect, please refer to the Texas Family Code, Chapter 2 : <http://www.statutes.legis.state.tx.us/DOCS/FA/HTM/FA.261.HTM> . Below, you'll find a paraphrased explanation of abuse and neglect using definitions found in the Texas Family Code.

Abuse

- **Physical abuse** is deliberate actions resulting in injuries to a child or genuine threats of such actions, or concerns about physical injuries of an unexplained or suspicious nature.
- **Sexual abuse** includes:
 - Sexual indecency, sexual assault, or aggravated sexual assault.
 - Failing to make a reasonable effort to prevent sexual conduct to a child.
 - Using the child for the creation of obscene or pornographic material.
- **Emotional abuse** is an emotional or mental injury caused by the parent or caregiver that results in an observable effect on the child.
 - Psychological state - Concerns about the child's mental stability, as demonstrated by mood, behavior, and thoughts.
- **Trafficking**
 - Labor trafficking - parent or caregiver forcing a child into labor or services that are unhealthy or harmful to the child.
 - Sex trafficking - parent or caregiver receiving compensation for forcing a child to engage in prostitution or other sex acts.

For more information on abuse, visit

https://www.dfps.state.tx.us/Child_Protection/Child_Safety/recognize_abuse.asp.

Neglect

- **Neglectful supervision** means improper supervision of a child left alone, or knowingly left in a situation which could result in substantial harm.
- **Medical neglect** is failure to seek, obtain, or administer medical treatment that could result in substantial harm.
- **Physical neglect** is the failure to provide a child with the necessary food, clothing, and shelter to maintain a healthy life. (lack of resources is NOT considered abuse)
- **Abandonment** is when the parent or caregiver left the child in a potentially harmful situation and did not plan to return for the child.
- **Refusal to accept parental responsibility** - Child has been out of the home for any reason, and parent/caregiver refuses to allow the child to return home.

* A note about reporting trans youth and their parents: The notion that parents of trans youth should be reported to CPS is the opinion of some Texas governing officials, but as of March 2022, it is NOT the law.