



DoDEA ADMINISTRATIVE INSTRUCTION 1356.01

DoDEA FAMILY ADVOCACY PROGRAM PROCESS FOR REPORTING INCIDENTS OF SUSPECTED CHILD ABUSE AND NEGLECT

Originating Division:	Education Directorate - Student Services Division
Effective:	November 5, 2018
Releasability:	Cleared for public release. Available on the DoDEA Policy Website.
Incorporates and Cancels:	DoDEA Regulation 2050.9, "Department of Defense Education Activity Family Advocacy Program Process and Procedures for Reporting Incidents of Suspected Child Abuse and Neglect," January 27, 1998 DoDEA Memorandum, "Reporting Child Abuse and Neglect," March 9, 2012
Approved by:	Thomas M. Brady, Director

Purpose: This Issuance establishes guidance, implements policy, assigns responsibilities, and provides reporting procedures for all Department of Defense Education Activity (DoDEA) employees for working cooperatively with the Department of Defense (DoD), the military installation Family Advocacy Program (FAP), and the appropriate local child welfare services (CWS) agency to address suspected or alleged incidents of child abuse and neglect. This Issuance also identifies mandated reporters within DoDEA; defines intrafamilial and extrafamilial child abuse; and clarifies reporting requirements for DoDEA personnel making reports of alleged child abuse and neglect abuse occurring both within and outside of DoDEA schools.

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SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY. This Issuance applies to the Office of the Director, DoDEA; the Principal Deputy Director and Associate Director for Academics, DoDEA; the Associate Director for Financial and Business Operations, DoDEA; the Chief of Staff, DoDEA; the Director for Student Excellence, DoDEA Americas/Associate Director for Performance and Accountability (formerly the Director, Domestic Dependent Elementary and Secondary Schools, and Department of Defense Dependents Schools, Cuba (DDESS/DoDDS-Cuba)); the Director for Student Excellence, DoDEA Europe (formerly the Director, Department of Defense Dependents Schools, Europe (DoDDS-E)); the Director for Student Excellence, DoDEA Pacific (formerly the Director, Department of Defense Dependents Schools, Pacific, and Domestic Dependent Elementary and Secondary Schools, Guam (DoDDS-P/DDESS-Guam)); (referred to collectively in this issuance as "DoDEA Region Directors for Student Excellence"); the DoDEA Regional Chiefs of Staff, and all DoDEA region, district, community, and school leaders and support staff.

1.2. POLICY. It is DoDEA policy:

a. To adhere to the DoD FAP that provides for the early identification, reporting, treatments, and prevention of child abuse and neglect in accordance with Section 20341 of Title 34, United States Code.

b. That all DoDEA personnel, to include "covered professionals" as defined in the Glossary under the provisions of Section 13031(b) of Chapter 132, Subchapter IV of Title 42, United States Code are designated as mandated reporters and will participate in the early identification of child abuse and the protection of children and are required to promptly report alleged child abuse or any information that gives reason to suspect child abuse.

c. That all DoDEA personnel, including those who are considered "covered professionals" under the statute shall receive annual training on the obligation to identify and report child abuse and comply within their defined roles, functions, and responsibilities in accordance with DoD Instruction 6400.01.

1.3. INFORMATION COLLECTION. This Issuance may result in the collection of information due to its policy and procedures. Any collection of information must follow all applicable Federal, DoD, and DoDEA regulations, policies, and guidance.

SECTION 2: RESPONSIBILITIES

2.1. DODEA DIRECTOR. The DoDEA Director:

- a. Establishes guidance, implements policy, assigns responsibilities, and ensures procedures are followed by all DoDEA employees in relation to the reporting of suspected child abuse and neglect.
- b. Provides leadership and encouragement for a coordinated DoDEA FAP approach to family advocacy issues affecting the education, safety, and wellbeing of students enrolled in a DoDEA school or any children engaged in DoDEA-sanctioned activities.
- c. Ensures the cooperation of DoDEA-mandated reporters throughout the entire process.
- d. Ensures all DoDEA Directors of Student Excellence and District and Community Superintendents are implementing this Issuance.
- e. Designates the DoDEA Chief of Staff to coordinate all reports of child abuse.
- f. Ensures reporting is disseminated to all DoDEA personnel with a legitimate need to know in accordance with DoD Directive 5400.11.

2.2. DODEA DIRECTORS OF STUDENT EXCELLENCE. The DoDEA Directors of Student Excellence:

- a. Designate the DoDEA Regional Chiefs of Staff to coordinate all reports of child abuse.
- b. Ensure DoDEA District and Community Superintendents implement this Issuance.

2.3. DODEA CHIEF OF STAFF. The DoDEA Chief of Staff shall:

- a. Ensures the DoDEA Director is informed of all reports of child abuse and neglect within twenty-four (24) hours.
- b. Ensures there is a systemic mechanism to document and receive all reports of child abuse and neglect.
- c. Ensures compliance with Section 575 of *Public Law 114-328*.
- d. Coordinates external reporting requirements to ensure compliance with Volume 1 of DoD Manual 6400.01.

2.4. DODEA REGIONAL CHIEFS OF STAFF. The DoDEA Regional Chiefs of Staff shall coordinate all reports of child abuse and keep the DoDEA Regional DSE and DoDEA Chief of Staff or their delegates apprised of all reports.

2.5. DODEA DISTRICT AND COMMUNITY SUPERINTENDENTS. The DoDEA District and Community Superintendents:

- a. Encourage coordination and cooperation between local DoDEA officials and FAP officials.
- b. Establish liaison with major command FAP officers or coordinators and ensure that DoDEA community officials regularly participate in installation Family Advocacy Committee (FAC) activities, as appropriate.
- c. Designate a DoDEA Principal or staff representative to serve on the installation FAC and to coordinate DoDEA's initiatives and actions with Military Service FAP Managers (FAPM).
- d. Coordinate with command FAP offices to provide education and training to all DoDEA personnel concerning FAP policy and effective measures to alleviate problems associated with child abuse.
- e. Ensure that each DoDEA employee understands his or her reporting duties and that he or she makes reports of alleged and suspected child abuse in compliance with the requirements of this Issuance and applicable law.
- f. Ensure that each DoDEA employee completes annual training in accordance with DoD Instruction 6400.01.
- g. Support the participation of DoDEA representatives on the DoD Family Advocacy Command Assistance Team (FACAT) in accordance with DoD Instruction 6400.03.
- h. Designate, as appropriate, DoDEA personnel to work with FAP offices in:
 - (1) Assisting DoDEA Principals in addressing allegations of child abuse within the school.
 - (2) Providing consultative services to DoDEA school staffs, military installation commanders, FAP officials, and local and military installation law enforcement agencies.
 - (3) Inquiring into alleged cases of child abuse when requested by the FAP and law enforcement agencies as part of a coordinated investigation.
 - (4) Requesting assistance from the DoD Office of Military Community and Family Policy (MC&FP) through the DoDEA Director.
- i. Ensure local military installation command and DoDEA DSE are informed of allegations of extra-familial abuse involving a DoDEA teacher or other DoDEA staff.
- j. Assume the responsibilities normally performed by DoDEA Principals upon learning of allegations of suspicions of abuse by a DoDEA administrator.

2.6. DODEA PRINCIPALS. The DoDEA Principals:

- a. Ensure the Child Abuse Report (CAR) is coordinated through all required stakeholders.
- b. Establish liaison with FAP office or coordinator for the local military installation on which the DoDEA school is located to ensure training is provided to all school personnel annually in the identification and reporting of suspected incidents of child abuse.
- c. Represent DoDEA on the military installation FAC or delegate to DoDEA Assistant Principal.
- d. Maintain awareness of Incident Determination Committee (IDC) case outcomes and participate as the DoDEA school representative on the military installation/community IDC when the case comes before it concerns a student and/or student's family or when a DoDEA faculty or staff member has been reported as an alleged offender in accordance with Volume 3 of DoD Manual 6400.01.
- e. Ensure that the telephone number for the local FAP officer and the local CWS agency is posted in highly visible areas in the DoDEA school building where DoDEA faculty and staff members have immediate access.
- f. Ensure all DoDEA employees report with fidelity throughout the reporting and investigation process.
- g. Ensure that there are no barriers in place to prevent an employee from making a child abuse report to the appropriate agencies.
- h. In accordance with DoD Instruction 1402.05, remove employees from any duties involving children or ensure line of sight supervision until final determination has been made by DoDEA Security Management Division personnel security adjudicators.
- i. Submit all incident reports to the DoDEA Security Management Division Personnel Security Branch for re-adjudication of fitness to perform duties involving school aged children in accordance with DoD Instruction 1402.05.

2.7. DODEA EMPLOYEES. The DoDEA employees:

- a. Report to FAP and the local CWS agency if available, in accordance with Section 575 of *Public Law 114-328* and pursuant to this Issuance if they have a reasonable belief or receive an allegation that a student has been abused or neglected.
- b. Report the incident to the reporting DoDEA employee's supervisor.
- c. Understand that reporting is an official responsibility of each DoDEA employee as a mandated reporter.

SECTION 3: CHILD ABUSE REPORTING POLICY

3.1. CHILD ABUSE REPORTING POLICY.

a. All DoDEA personnel are considered covered professionals. Covered professionals are mandated reporters who are obligated to make reports of all instances of suspected or alleged child abuse.

b. Mandated reporters will cooperate with the FAP process beyond the initial reporting. It is the professional responsibility of all DoDEA personnel to assist the FAP by identifying suspected and alleged cases of child abuse and neglect, as well as, referring children who may be abused or neglected to the local FAP office and the local CWS agency if available for appropriate intervention and treatment. FAP provides for the early identification, reporting, treatment, and prevention of child abuse and neglect. In accordance with DoD Instruction 6400.01, local FAP offices of the Military Departments are required to be notified of allegations or suspicions of abuse or neglect. It also establishes a coordinating role for FAP offices in the process of dealing with cases of actual or alleged child abuse among the commander, law enforcement, and investigative agencies, the medical treatment facility, local CWS agencies, and applicable involved activities, such as DoDEA schools and employees.

3.2. CHILD ABUSE REPORTING PROCEDURES FOR MANDATED REPORTERS.

a. Within the contiguous United States, mandated reporters, as persons with first knowledge of incidents of suspected or alleged child abuse, will submit a child abuse report by phone to the FAP and the local CWS agency within twenty-four (24) hours. This requirement applies to both extra familial and intra familial allegations. Mandated reporters are legally responsible for personally submitting the reports. They will also coordinate with their principal or immediate supervisor to submit the DoDEA CAR within twenty-four (24) hours as referenced in Section 3.3 of this Issuance.

b. Outside of the contiguous United States, mandated reporters, as persons with first knowledge of suspected or alleged child abuse incidents, will contact the FAP and the designated host nation CWS agency or equivalent per military installation rules and in accordance with host nation agreements. Mandated reporters will use the contact information posted in their respective schools and do so within twenty-four (24) hours. This requirement applies to both extra familial and intra familial allegations. They will also coordinate with their principal or immediate supervisor to submit the DoDEA CAR within twenty-four (24) hours as referenced in Section 3.3 of this Issuance.

c. When filing a report to FAP and/or the local CWS agency, mandated reporters will provide details of what they may have observed, what they were told, or what they believe; however, formal investigations will be conducted by FAP personnel, CWS personnel, and/or law enforcement personnel, as appropriate.

d. If there are any questions concerning to whom to submit a report, DoDEA employees will consult with their supervisor and local FAP to assist with identifying the appropriate personnel or CWS agency. In this instance, DoDEA employees are still responsible for submitting the report.

3.3. CHILD ABUSE REPORTING PROCEDURES FOR SUPERVISORS.

a. For all suspected or alleged child abuse, both extra-familial abuse allegations involving a DoDEA teacher or other DoDEA staff and intra-familial allegations, the supervisor will ensure that the CAR is submitted electronically via encrypted email or a secure file exchange system to DoDEA Headquarters within twenty-four (24) hours of the occurrence or notification of the incident. The CAR should be submitted to the DoDEA District and Community Superintendent unless they are not available. If the DoDEA District and Community Superintendent is not available, the DoDEA employee shall continue up the supervisory chain until they find an appropriate individual to whom they make the report. Exceptions to reporting to the immediate supervisor are:

(1) If the matter to be reported implicates the supervisor to whom the report would be made.

(2) The supervisor to whom the report would be made is known to be awaiting the final disposition of another allegation of abuse, neglect, or misconduct involving a child.

b. In instances of extra-familial child abuse allegations that are categorized as either a DoDEA teacher, other DoDEA school personnel, or other DoDEA caregivers, DoDEA Principals or the appropriate personnel will, upon learning of allegations, or having suspicions of child abuse by a DoDEA employee in a DoDEA setting:

(1) Contact the FAP office and local CWS agency to ensure that they are aware of the allegations within twenty-four (24) hours.

(2) Notify the District Superintendent, the Community Superintendent, the Director of School Excellence, the DoDEA Regional and District Chiefs of Staff, the DoDEA Chief of Staff, and the DoDEA Director within twenty-four (24) hours by submitting an official DoDEA CAR.

(3) Work closely and cooperatively with FAP and local CWS officials if available and participate, as appropriate, in the investigation, intervention, and overall response to the allegations.

(4) Determine with officials from FAP, CWS, and, if appropriate, higher levels of DoDEA leadership, whether an alleged offender is to be temporarily relieved from duty involving contact with children pending further investigation. The DoDEA Principal should rely on the information gathered by FAP and CWS officials and the investigative agencies. The seriousness of the allegations and the safety of the children should weigh heavily in this decision. Prior to notifying the alleged offender of the allegations, the DoDEA Principal should consult with appropriate FAP, CWS, law enforcement and Labor Management and Employee Relations (LMER) officials.

(5) Provide periodic updates on the status of the investigation to the DoDEA Director, the DoDEA Chief of Staff, Regional and District Chiefs of Staff, the DoDEA District and Community Superintendents, and other appropriate DoDEA officials until the investigation is closed.

3.4. FAMILY ADVOCACY COMMITTEE. DoDEA will designate members, one from the district level as applicable and/or one from the school level, to serve on the FAC, as appropriate, per military installation allowances. The FAC is the policy-making, coordinating, recommending, and overseeing body for the military installation FAP. The FAP will determine if there are official certification or training requirements for members of this committee.

SECTION 4: REPORTING

4.1. REQUIRED INFORMATION TO ENTITIES OUTSIDE DODEA. When reporting to FAP, the local CWS agencies if available, and/or law enforcement agencies, the mandated reporter will provide all required information, as requested.

4.2. REQUIRED INFORMATION FOR CHILD ABUSE REPORT FOR DODEA. When completing a CAR for DoDEA officials, the mandated reporter will provide the information as shown in Figure 1: Sample Child Abuse Report in this Issuance:

- a. Date the report is completed.
- b. The date of the alleged incident.
- c. The school filing the report.
- d. The name and position of the person filing the report.
- e. The name and position of the person who made the initial report to FAP and the local CWS agency.
- f. Whether or not the alleged abuse occurred on campus (to include DoDEA sanctioned activities) or off campus.
- g. Whether or not the alleged abuser is extra-familial or intra-familial and their designated subcategory as applicable (DoDEA teacher or other DoDEA school personnel, other DoDEA sanctioned caregiver, or Non-DoDEA sanctioned caregiver).
- h. Name of the alleged abuser and their relationship to the victim.
- i. The type of alleged abuse.
- j. A detailed description of the incident.
- k. The name, gender, age, and grade level of the victim(s).
- l. Name of other agencies where reports been filed?
- m. The name and phone number of the FAP official who took the report.
- n. The name and phone number of the local CWS official who took the report.
- o. Any/all administrative action taken by the DoDEA Principal (if applicable).
- p. The type of medical treatment required by the victim (if applicable).

Figure 1: Sample Child Abuse Report

This report will be provided to the DoDEA District and Community Superintendent, the Director of Student Excellence, the DoDEA Regional and District Chiefs of Staff, the DoDEA Chief of Staff, and the DoDEA Director within 24 hours of the occurrence or initial reporting of any alleged incident (extra-familial or intra-familial) of child abuse or neglect.	
Date Report Completed:	<i>99/99/9999</i>
Date of Alleged Incident:	<i>99/99/9999</i>
School Filing This Report:	<i>Big Bird Elementary</i>
Name and Position of Person Filing This Report:	<i>Dr. John Smith, Principal</i>
Name and Position of Person Who Made the Initial Report to FAP and local CWS agency:	<i>Ms. Ana Johnson, Social Studies Teacher</i>
Alleged Abuse Occurred: ** "On Campus" is inclusive of DoDEA sanctioned activities (e.g., off campus sporting events, field trip, etc.)	<input checked="" type="checkbox"/> On Campus <input type="checkbox"/> Off Campus
Alleged Abuser's	
Affiliation to DoDEA: (Check all that apply.)	<input type="checkbox"/> Intrafamilial <input type="checkbox"/> Non-DoDEA Sanctioned Caregiver <input checked="" type="checkbox"/> Extrafamilial <input checked="" type="checkbox"/> DoD Teacher/ other School Personnel <input type="checkbox"/> Other DoDEA Sanctioned Caregiver
Full Name:	<i>Amelia Logan</i>
Relationship (to the alleged victim):	<i>Math Teacher</i>
If DoDEA Employee include:	
Position:	<i>Math Teacher</i>
School/Installation:	<i>Fort Imaginary ES, Ft. Imaginary, GA</i>
Provide a detailed description of the reported incident: (use additional paper if necessary)	
<i>Ms. Logan grabbed Student A, pulled her out of her desk and threw her on the floor. The student landed on her side, hitting her elbow and her head. The student screamed loudly and started to cry. Ms. Logan told the student to get up and sit in her desk; however the student informed Ms. Logan that she could not move her arm. I went to Ms. Logan classroom after I heard the student continuously crying loudly to see what happened. I observed the student on the floor and Ms. Logan walking around continuing to teach and ignore the injured student. When I walked in, four other students told me what happened before Ms. Logan started yelling and threatening to write them up for talking without permission.</i>	

Figure 1: Sample Child Abuse Report, Continued

Victim Information: (if additional space is needed, continue on a separate sheet):			
Name:	Age/Grade	Gender	Type of Abuse: (physical, neglect, emotional, sexual, fatal, other)
<i>Elsa Frost</i>	<i>9</i>	<i>F</i>	<i>physical</i>
Incident Also Reported to:			
<input checked="" type="checkbox"/> Military Criminal Investigators/Police <input type="checkbox"/> Local Law Enforcement <input type="checkbox"/> Host Nation and/or Local OCONUS Authorities <input checked="" type="checkbox"/> FAP <input checked="" type="checkbox"/> Local CWS Agency <input type="checkbox"/> Immediate Supervisor <input type="checkbox"/> Other (Specify) _____			
Name and Phone Number of FAP Point of Contact:		<i>Mr. Ed 999-999-9999</i>	
Name and Phone Number of CWS Point of Contact:		<i>Mrs. Smith 999-998-9998</i>	
Administrative Action Taken (if applicable):		<i>Ms. Logan removed from classroom pending investigation results.</i>	
Type of Medical Treatment Required (if applicable):		<i>Student A's parent took student to ER to evaluate for injuries.</i>	
For Administrative Use Only:			
<i>Teacher removed from classroom pending investigation results (9/9/9999)</i> <i>FAP stated this meets their threshold for an investigation. (9/10/9999)</i> <i>CWS stated this meets their threshold to be investigated (9/12/9999)</i> <i>Local law enforcement agency launched an investigation (9/15/9999)</i>			

GLOSSARY

G.1. ACRONYMS.

CAR	Child Abuse Report
CWS	Child Welfare Services
FAC	Family Advocacy Committee
FACAT	Family Advocacy Command Assistance Team
FAP	Family Advocacy Program
FAPM	Family Advocacy Program Manager
IDC	Incident Determination Committee
LMER	Labor Management and Employee Relations
MC&FP	Military Community and Family Policy

G.2. DEFINITIONS. Unless otherwise noted, these terms and their definitions are for the purpose of this Issuance.

child. A natural child, adopted child, stepchild, foster child, or ward. The term also includes an individual of any age who is incapable for self-support because of a mental or physical incapacity and for whom treatment in a medical treatment facility is authorized as referenced in DoD Instruction 6400.01.

child abuse and/or neglect. Physical injury, sexual maltreatment, emotional maltreatment, deprivation of necessities, or combinations for a child by an individual responsible for the child's welfare under circumstances indicating that the child's welfare is harmed or threatened. The term encompasses both acts and omissions on the part of a responsible person.

Child Welfare Services (CWS). Child welfare services is protective services, including foster care, to ensure ongoing and active collaborative case management between the respective courts, child welfare services, foster care agencies, and FAP.

covered professional. A person who, while engaged in a professional capacity or activity described in accordance with Section 20341 Subsection (b) of Title 34, United States Code on Federal land or in a federally operated (or contracted) facility.

DoDEA teacher or other DoDEA school personnel. A staff member or volunteer in a military-sanctioned or sponsored school that serves grades prekindergarten through twelve. It includes staff members and volunteers in DoDEA schools. It does not include staff or volunteers in non-DoDEA schools located outside of the military installation, unless the program, service, or activity is military-sponsored or sanctioned as defined in accordance with Volume 2 of DoD Manual 6400.01.

extrafamilial allegation. An allegation of abuse where the alleged offender is unrelated to the victim by blood, law, or marriage. There are three DoD-specific sub-categories applicable to DoDEA: DoDEA teacher or other DoDEA school personnel, other DoD-sanctioned caregiver, non-DoD sanctioned caregiver.

FAC. The policy-making, coordinating, recommending, and overseeing body for the military installation FAP. This multi-disciplinary group serves as the advisory body to address child abuse and domestic abuse at the military installation.

FACAT. A multi-disciplinary team composed of specially trained and experienced individuals who are on-call to provide advice and assistance on cases of child abuse that involve DoD-sanctioned activities as defined in accordance with Volume 1 of DoD Manual 6400.01.

FAP. A program designed to address prevention, identification, evaluation, treatment, rehabilitation, follow-up, and reporting of family violence as defined in accordance with Volume 3 of DoD Manual 6400.01. The term “FAP” includes any “appropriate FAP Office” to include an office designated by the military installation as the FAP designee for purposes of receiving a report of child abuse or neglect (e.g., law enforcement desk and hospital emergency room).

IDC. A multi-disciplinary team formerly referred to as the Case Review Committee that consists of military installation level designated individuals tasked with determining whether a report of domestic abuse or child abuse meets the relevant DoD criteria for entry into the Service FAP Central Registry as a child abuse and domestic abuse incident as defined in accordance with Volume 2 of DoD Manual 6400.01.

intrafamilial allegation. An allegation of abuse or neglect where the alleged abuser is related to the victim by blood, law, or marriage.

mandated reporter. All military installation law enforcement personnel, physicians, nurses, social workers, school personnel, FAP and Child, Youth and School Services personnel, psychologists, and other medical personnel.

non-DoD sanctioned caregiver. A caregiver who is not sponsored or sanctioned by the DoD as defined in accordance with Volume 2 of DoD Manual 6400.01.

other DoD sanctioned caregiver. A staff member or volunteer of any military-sponsored or sanctioned program, service, youth program, or DoDEA school as defined in accordance with Volume 2 of DoD Manual 6400.01.

readjudication. The reevaluation of pertinent data in a background investigation, as well as any other available information that is relevant and reliable, to determine whether an individual is suitable or fit for work.

REFERENCES

- DoD Directive 5400.11, "DoD Privacy Program," October 29, 2014
- DoD Instruction 1402.05, "Background Checks on Individuals in DoD Child Care Services Programs," September 11, 2015, as amended
- DoD Instruction 6400.01, "Family Advocacy Program (FAP)," February 13, 2015, as amended
- DoD Instruction 6400.03, "Family Advocacy Command Assistance Team (FACAT)," April 25, 2014, as amended
- DoD Manual 6400.01, Volume 1, "Family Advocacy Program (FAP): FAP Standards," March 3, 2015, as amended
- DoD Manual 6400.01, Volume 2, "Family Advocacy Program (FAP): Child Abuse and Domestic Abuse Incident Reporting System," August 11, 2016
- DoD Manual 6400.01, Volume 3, "Family Advocacy Program (FAP): Clinical Case Staff Meeting (CCSM) and Incident Determination Committee (IDC)," August 11, 2016
- Public Law 114-328*, Section 575, "National Defense Authorization Act for Fiscal Year 2017," December 23, 2016
- United States Code, Title 34, Section 20341
- United States Code, Title 42, Chapter 132, Subchapter IV, Section 13031(b)