



**COMPTON COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES POLICIES**

AR 8410 Child Abuse and Neglect Reporting

Issued: May 19, 2020

References:

Penal Code Sections 261, 264.1, 273a, 273d, 285, 286, 288, 288a, 289, 647a, and 11164-11174.3;
Welfare and Institutions Code Sections 300, 318, and 601;
Family Code Sections 7802, 7807, 7808, 7820-7829, 7890, and 7892
BP 8410 Child Abuse Reporting

The District recognizes the responsibility of its employees to report to the appropriate agency when there is a reasonable suspicion that abuse or neglect of a child may have occurred. For purposes of this procedure, a child is defined as a person under the age of 18.

Definition of Child Abuse or Neglect

“Child abuse” is defined as physical abuse, neglect, sexual abuse, and/or emotional maltreatment. This procedure addresses the sexual assault, sexual exploitation, and/or sexual abuse of a child; the willful cruelty or unjustifiable punishment of a child; incidents of corporal punishment or injury against a child; or abuse in out-of-home care. (Penal Code, Section 11165)

“Neglect” means the negligent treatment or maltreatment of a child by a person responsible for the child’s welfare under circumstances indicating harm or threatened harm to the child’s health or welfare. It includes the negligent failure of a person having the care or custody of a child to provide adequate food, clothing, shelter, medical care, or supervision such that the child’s health is endangered. (Penal Code, Section 11165.2)

Reasonable Suspicion

“Reasonable suspicion” occurs when “it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on his/her training and experience, to suspect child abuse or neglect.” (Penal Code, Section 11166(a)(1))

Mandated Reporters

Mandated reporters include faculty, educational administrators, and classified and confidential staff. Volunteers are not mandated reporters, but are encouraged to report suspected abuse or neglect of a child. (Penal Code, Section 11165.7)

Child Protective Agency

A child protective agency is a police or sheriff’s department, a county probation department, or a county welfare department. District/campus police or security departments are not child protective agencies (Penal Code Section 11165.9)

Reporting Child Abuse or Neglect

Mandated reporters must make an initial report by telephone to the child protective agency immediately or as soon as is practicably possible, and shall prepare and send, fax, or electronically transmit a written follow-up report within 36 hours of receiving the information concerning the incident. (Penal Code, Section 11166(a))

Mandated reporters shall make an initial report to:

The Department of Children and Family Services 24/7 Child Protection Hotline
at:

(800)-540-4000, telecommunication device for the deaf: (800) 272-6699

After making the initial report by telephone, mandated reporters must complete and submit the written follow-up report. Child abuse reporting forms are available at the following website:

<https://mandreptla.org/cars.web/>

Immunity and Failure to Report when Required

No mandated reporter who reports a known or suspected instance of child abuse shall be civilly or criminally liable for any report required or authorized by the Penal Code. Any person other than a child care custodian reporting a known or suspected instance of child abuse shall not incur any liability as a result of making any report of child abuse, unless it can be proven that a false report was made and the person knew that the report was false. (Penal Code Section 11172(a))

Any person not mandated by law to report suspected child abuse has immunity unless the report is proven to be false and the person reporting knows it is false, or the report is made with reckless disregard of the truth or falsity of the incident. (Penal Code Section 11172(a))

Reporting is an individual employee responsibility. An employee making a report cannot be required to disclose his/her identity to the employer. (Penal Code Section 11166(h)) However, a person who fails to make a required report is guilty of a misdemeanor punishable by up to six months in jail and/or up to a \$1,000 fine. (Penal Code Section 11166(c))

Obligation and Compliance Information Provided to Mandated Reporters

At the time of hiring, the District shall provide a mandated reporter with a statement informing the employee that he/she is a mandated reporter and inform the employee of his/her reporting obligations under Penal Code Section 11166 and of his/her confidentiality rights under subdivision (d) of Penal Code Section 11167. The District shall make available a copy of Penal Code Sections 11165.7, 11166, and 11167 to the employee. Prior to commencing his/her employment and as a prerequisite to that employment, employee shall sign and return the statement to the District. The signed statements shall be retained by the District (Penal Code Section 11166.5).

The District shall make this procedure available to all employees by posting on the District's website.