



Policy

**3518 Child Abuse Reporting**

The Board recognizes that employees have the obligation under law to report suspected child abuse and neglect of children and directs the Chancellor to establish and ensure procedures are in place related to the responsibility of employees, within the scope of employment or in their professional capacity, to report suspected abuse and neglect of children.

**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](#)

**Adopted:** May 9, 2012

**Revision Adopted:** July 12, 2017

**Last Reviewed:** July 12, 2017

**Administrative Procedure**

**3518 Child Abuse Reporting**

The District recognizes the responsibility of its employees to report to the appropriate agency when there is a reasonable suspicion that an abuse or neglect of a child may have occurred. Mandated reporters include those employees paid by the District. Volunteers are not mandated reporters, but are encouraged to report suspected abuse or neglect of a child.

As used in this procedure, “child” is defined as a person under the age of 18 years.

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; abuse in out-of-home care; and the severe and/or general neglect of a child (definitions contained in Penal Code Section [11165](#)).

“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” (Penal Code Section [11166\(a\)](#)).

A child protective agency is a police or sheriff’s department, a county probation department, or a county welfare department. The YCCD Campus Safety/Security department is not a child protective agency (Penal Code Section [11165.9](#)).

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 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 [11172\(e\)](#)).

Mandated reporters must report immediately any reasonable suspicion of child abuse to a local child protective agency and follow up with a written report within 36 hours. The written report may be mailed or submitted by electronic transmission to the following agencies, where child abuse reporting forms are also available:

**STANISLAUS**

Stanislaus County CWS Agency  
251 East Hackett Road  
Modesto, CA 95353  
**209-558-3665**  
**800-558-3665**  
[www.co.stanislaus.ca.us](http://www.co.stanislaus.ca.us)

**TUOLUMNE**

Tuolumne County CWS Agency

1 20075 Cedar Road North  
2 Sonora, CA 95370  
3 **209-533-5717** days  
4 **209-533-4357** after hours  
5 [www.tuolumnecounty.ca.gov](http://www.tuolumnecounty.ca.gov)

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7 **MERCED**

8 Merced County CWS Agency  
9 PO Box 112  
10 Merced, CA 95341  
11 **209-385-3104** days  
12 **209-722-9915** after hours  
13 [www.co.merced.ca.us](http://www.co.merced.ca.us)

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15 **SAN JOAQUIN**

16 San Joaquin County CWS Agency  
17 333 E Washington Street  
18 Stockton, CA 95202  
19 **209-468-1333**  
20 **209-468-1330**  
21 [www.sjgov.org](http://www.sjgov.org)

22  
23 **CALAVERAS**

24 Calaveras County CWS Agency  
25 509 E St. Charles Street  
26 San Andreas, CA 95249  
27 **209-754-6452** days  
28 **209-754-6500** after hours  
29 [www.co.calaveras.ca.us/cc/](http://www.co.calaveras.ca.us/cc/)

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

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37 When a District official releases a minor pupil to a peace officer for the purpose of removing the minor  
38 from the campus, the District official shall take immediate steps to notify the parent or guardian regarding  
39 the release of the minor to the officer, and regarding the place to which the minor is reportedly being  
40 taken (Education Code Section [87044](#)), except when a minor has been taken into custody as a victim of  
41 suspected child abuse, as defined in Penal Code Section [11165](#) or pursuant to Welfare and Institutions  
42 Code Section [305](#). In those cases, the official shall provide the peace officer with the address and  
43 telephone number of the minor's parent or guardian.

44  
45 Non-accidental physical injury is considered to be a health and safety emergency; and parental consent is  
46 not required for release of student information under the Family Education Rights and Privacy Act, or the  
47 California Student Records Act (Education Code Sections [76200 et seq.](#)).

1 Information relevant to the incident of child abuse may be given to an investigator from a child protective  
2 agency who is investigating the known or suspected cause of child abuse (Penal Code Section [11167\(b\)](#)).  
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4 The District shall provide a mandated reporter with a statement informing the employee that he/she is a  
5 mandated reporter and inform the employee of his/her reporting obligations under Penal Code Section  
6 [11166](#) and of his/her confidentiality rights under subdivision (d) of Penal Code Section [11167](#). The District  
7 shall provide a copy of Penal Code Sections [11165.7](#), [11166](#), and [11167](#) to the employee. Prior to  
8 commencing his/her employment and as a prerequisite to that employment, employee shall sign and  
9 return the statement to the District. The signed statements shall be retained by the District (Penal Code  
10 Section [11166.5](#)).  
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12 The District will make this procedure available to all employees.  
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14 **References:**

15 Penal Code Sections [261](#), [264.1](#), [273a](#), [273d](#), [285](#), [286](#), [288](#), [288a](#), [289](#), [647a](#), and [11164-11174.3](#);  
16 Welfare and Institutions Code Sections [300](#), [318](#), and [601](#); Family Code Sections [7802](#), [7807](#), [7808](#), [7820-](#)  
17 [7829](#), [7890](#), and [7892](#)  
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19 **Procedure Last Revised:** ~~May 9, 2012~~, July 12, 2017

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