

CHILD ABUSE REPORTING

WHO SHOULD REPORT:

Mandated reporters are defined as individuals who, within the scope of their jobs, must by law report their suspicion of child abuse to a child protective agency. Mandated reporters include all school level personnel.

CHILD ABUSE IS:

- A physical injury that is inflicted by other than accidental means on a child by another person
- Sexual abuse or molestation
- Willful cruelty
- Unjustifiable punishment
- Neglect, including failure to provide food, shelter or proper hygiene
- Unlawful corporal punishment or injury

HOW TO REPORT:

- Complete the suspected Child Abuse Fax Report and fax to the designated number or
- Call CPS hotline immediately 858-560-2191 or (800) 344-6000
- Followed by (within 36 hours) - submit form SS 8572 Suspected Child Abuse Report — https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss_8572.pdf? Fax to right fax # at 858-467-0412 or
- Send to: Child Welfare Services/Hotline 6950 Levant St. San Diego, CA 92111 or
- Send through the web-based system called the MRA (Mandated Reporter Application)

CONFIDENTIALITY:

- Mandated reports are confidential and may be disclosed only among agencies receiving, investigating and prosecuting.
- Any violation of confidentiality is a misdemeanor punishable by imprisonment in a county jail not to exceed six months, by a fine of five hundred dollars (\$500), or by both imprisonment and fine.
- **Do not discuss the details and information with your colleagues, except as suggested by District policy.**
- **Do not investigate the situation with the child or on your own. Leave it to CPS or law enforcement.**
- A mandated reporter cannot be required to disclose his/her identity to their employee.
- Do not tell the parent about the report, even if you do not suspect that the parent is responsible.
- Deflect parental contact. Parents sometimes guess who was responsible for reporting. Tell the parent that you cannot discuss it.
- If the police or a child protective worker discloses to anyone that you made a report, call their supervisor.

Suspected Child Abuse Report

(Required under Penal Code Sections 11166 and 11168)

Instructions

Please use "FAX" Report Monday through Friday, 8:00 a.m. to 5:00 p.m. only. Call the CPS Hotline at all other times, including holidays. Do not send the SS8472 if you have faxed this form.

- A. Do not use "FAX" Report if you have already telephoned the report to the CPS Hotline. Submit the standard "Suspected Child Abuse Report," Form SS8572.
- B. The "FAX" Report is intended to save you and the CS Hotline time. If you feel it is essential to talk to a social worker, please call the Hotline instead of using the "FAX" Report.
- C. Please complete every space on the "FAX" Report.
- D. Please type or print legibly in black ink to avoid a time-consuming callback.
- E. **"Narrative" #7** – Complete information in this area is essential. Please comment as fully and specifically as you can regarding the physical abuse, sexual abuse, emotional abuse, neglect or other abuse you are reporting.
 - a. State how and when the information in this report was received by you or your facility.
 - b. Who has observed the abuse?
 - c. Describe any physical injuries, including marks or bruises.
 - d. How often or how long has the abuse occurred (give dates, if available).
 - e. Does the alleged perpetrator continue to have access to the child?
 - f. Is the child presently in danger?
 - g. Include medical impressions and/or diagnosis, if available, and name of the examining physician.
 - h. Do behaviors or circumstances suggest any danger to an investigating social worker?
 - i. If necessary, please continue narrative on an additional sheet of paper, identifying the minor and indicating it is page 2 of referral.

Reporting Responsibilities

- A. No child care custodian or health practitioner reporting a suspected instance of child abuse shall be civilly or criminally liable for any report required or authorized by this article (California Penal Code Article 2.5). Any other person reporting a suspected instance of child abuse shall not incur civil or criminal liability as a result of any report authorized by this section unless it can be proved that a false report was made and the person knew or should have known that the report was false.

- B. Any child care custodian, health practitioner, or employee of a child protective agency (CPS) who has knowledge of or observes a child in his or her professional capacity or within the scope of his other employment whom he or she reasonably suspects has been the victim of child abuse shall report such suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone and shall prepare and send a written report thereof within 36 hours of receiving the information concerning the incident. The “FAX” Report will meet this requirement.
- C. Any child care custodian, health practitioner, or employee of a child protective agency who has knowledge of or who reasonably suspects that mental suffering has been inflicted on a child or its emotional well-being is endangered in any other way, may report such suspected instances of child abuse to a child protective agency. Infliction of willful and unjustifiable mental suffering must be reported.

Definitions

- A. **“Child care custodian”** means a teacher, administrative officer, supervisor of child welfare and attendance, or certificated pupil personnel employee of any public or private school; an administrator of a public or private day camp; a licensee, an administrator, or an employee of a community care facility licensed to care for children; Head Start teacher, a licensing worker or licensing evaluator, public assistance worker; an employee of a child care institution including, but not limited to foster parents, group home personnel and personnel or residential care facilities; a social worker or a probation officer or any person who is an administrator or presenter of, or a counselor in, a child abuse presentation program in any public or private school.
- B. **“Health practitioner”** means a physician and surgeon, psychiatrist, psychologist, dentist, resident, intern, podiatrist, chiropractor, licensed nurse, dental hygienist, marriage, family, and child counselor, or any other person who is currently licensed under Division 2 (commencing with Section 500) of the Business and Professions Code, any emergency medical technician I or II, paramedic, a person certified pursuant to Division 2.5 (commencing with Section 1797) of the health and Safety code, a counselor trainee, as defined in subdivision (c) of Section 49803 of the Business and Professions code, an unlicensed marriage, family and child counselor intern registered under Section 4980.44 of the Business and Professions code, a state or county public health employee who treats a minor for venereal disease or any other condition, a coroner, or a religious practitioner who diagnoses, examines, or treats children.
- C. **“Child protective agency” (CPA)** means a police or sheriff’s department, a county probation department, or a county welfare department.