

“No Excuse for Child Abuse”

April is child abuse prevention month and serves as a reminder for everyone to make child abuse prevention a priority. All staff and faculty who interact with minors within the education system are mandated reporters. A mandated reporter is typically a person who, because of his/her profession, is legally required to report any suspicions of neglect or abuse (physical, emotional or sexual) to the appropriate authorities. This includes educators and all school faculty, as well as, medical and law enforcement professionals. This spotlight focuses on the mandated reporter responsibilities.

Who should report?

- ❖ The person who has reasonable suspicion must file the report.
- ❖ The report cannot be delegated to someone else, not even to a supervisor, but you should keep any supervisor informed, unless they are the suspected abuser.

Am I liable if I make a report and it is not substantiated?

- ❖ No. Persons making a report in good faith are protected from liability. You are only to report reasonable suspicions based upon your observations and are not encouraged to conduct your own investigations.
- ❖ FAILURE to report, though, can lead to civil and criminal liability.
 - *Penal Codes §§ 11166(c), 11166.01(b); this includes jail time and or a fine.*

What is considered reporting?

- ❖ Make an initial report by telephone immediately, or as soon as practicably possible. By law, contacts can include the local police department, sheriff's office, or the county welfare department (i.e. Child Protective Services, Department of Children and Family Services, etc.)
 - *Penal Code § 11165.9.*
- ❖ Prepare a written follow-up report.
 - Use the California Attorney General's form SS 8572.
 - Submit the report by fax or electronic transmission within 36 hours.

What information do I need?

- ❖ Child's name, address and age.
- ❖ Parent/guardian's name and address.
- ❖ Reason for making the report.
 - Additional helpful information: perpetrator's name; observable signs or what the child disclosed to you.

What happens next?

- ❖ California law requires that the investigating agency inform the mandated reporter of the results of the investigation and any action taken once the investigation or disposition is complete.



For more information regarding best practices for child abuse prevention, please contact an ASCIP risk services consultant or visit the website at <http://ascip.org/risk-services/child-abuse-prevention-resources/>. Additionally, ASCIP offers an on-line training module titled **Smarter Adults – Safer Children: Preventing Child Sexual Abuse** and a refresher module to assist the district in continuing education for all school personnel.