

Reporter Responsibility and Sample Employee Form (P.C. 11166) Child Abuse and Neglect Reporting Law

Definitions

- Types of Abuse:** The following situations are reportable conditions:
Physical abuse
Sexual abuse
Child exploitation, child pornography and child prostitution
General and Severe Neglect
Extreme corporal punishment resulting in injury
Willful cruelty or unjustifiable punishment
- Who Reports:** The following individuals are legally mandated reporters:
Health practitioners
Childcare custodians, teachers
Commercial film or photographic print processors in specified instances
Child protective agencies
Clergy
Child visitation monitor
Firefighters
Animal control personnel
Humane Society

Reporting

When to Report: A telephone report must be made immediately when the reporter observes a child in his/her professional capacity or within the scope of his/her employment and has knowledge of, or has reasonable suspicion that the child has been abused. A written report, on a standard form, must be sent within 36 hours after the telephone report has been made.

To Whom Do You Report: You must report all suspected cases of child abuse to your county's Child Protective Services Agency.

Individual Responsibility: Any individual who is named in the reporting law must report abuse. If the individual confers with a superior and a decision is made that the superior file the report, one report is sufficient. However if the superior disagrees, or for some other reason does not make the report then the individual with the original suspicion must report.

Anonymous Reporting: Mandated reporters are required to give their names. Non-mandated reporters may report anonymously. Child protective agencies are required to keep the mandated reporter's name confidential, and disclosed only between child protective agencies, or to the district attorney in a criminal prosecution.

Legal

Immunity: Any legally mandated reporter has immunity when making a report. In the event a civil suit is filed against the reporter, reimbursement for fees incurred in the suit will occur up to \$50,000. No individual can be dismissed, disciplined, or harassed for making a report of suspected child abuse.

Liability: Legally mandated reporters can be criminally liable for failing to report suspected abuse. The penalty for this misdemeanor is up to six months in county jail, a fine of not more than \$1,000 or both. Mandated reporters can also be civilly liable for failure to report.

Notification Regarding Abuse: You are not legally required to notify the parents that you are making a report; however, it is often beneficial to let the parents know you are reporting for the benefit of a future relationship.

I understand that I am a legally mandated reporter. I have clarified any information listed above which I did not understand and am now aware of my reporting responsibilities and am willing to comply. I have also requested an explanation of reporting policies within this agency and understand them as well.

Employee's Name

Witness or Supervisor

Date