

BP 5818 CHILD ABUSE REPORTING

References:

Penal Code Sections 261, 264.1, 273a, 273d, 285, 286, 288, 288a, 289, 601, 647a, and 11164-11174.3;

Welfare and Institutions Code Sections 300 and 318;

Family Code Sections 7802, 7807, 7808, 7820-7829, 7890, and 7892

The Chancellor shall establish procedures related to the responsibility of employees, within the scope of employment or in their professional capacity, to report suspected abuse and neglect of minors present at any time on District property.

Date Adopted: August 21, 2007

Formerly: 3518

Business & Financial Services

AP 5818 CHILD ABUSE REPORTING

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The Riverside Community College District recognizes the responsibility of its staff, within the scope of employment or in their professional capacity, 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 faculty members, educational administrators, classified (includes confidential, hourly and temporary) staff, athletic coaches, athletic administrators or athletic directors (Penal Code Section 11165.7). Volunteers are not mandated reporters but are encouraged to obtain training in the identification and reporting of child abuse and to report suspected abuse or neglect of a child.

Child abuse is defined as physical abuse, neglect, sexual abuse, and/or emotional maltreatment of a person under the age of 18 years. 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 Sections 11165.1 – 11165.5).

“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 or her training and experience, to suspect child abuse” (Penal Code Section 11166(a)(1)).

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 or her identity to the employer (Penal Code Section 11166(i)(2)). However, a person who fails to make a required report is guilty of a misdemeanor punishable by up to six (6) months in jail and/or up to a \$1,000 fine (Penal Code Section 11172(e)).

Mandated reporters must report immediately (or as soon as possible) by phone any reasonable suspicion of child abuse to a police, sheriff or local child protective agency and follow up with a written report within 36 hours of receiving the information concerning the incident. Reports of child abuse may be made: with College Safety and Police 24-hour dispatch at:

951/222-8171

OR

Riverside County Child Protective Services
24-hour Hotline: (800) 442-4918
23119 Cottonwood Ave., Bldg B 2nd Floor
Moreno Valley, CA 92533

Child abuse reporting forms are available in the department of College Safety and Police. The written report may be mailed or submitted by facsimile (951) 413-5122 or electronic transmission (MandatedReporter@riversidedpss.org).

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)).

When the Dean of Student Services and/or the Chief of College Safety and Police, or designee, releases a minor pupil to a peace officer for the purpose of removing the minor from the campus, the District official shall take immediate steps to notify the parent or guardian regarding the release of the minor to the officer and regarding the place to which the minor is reportedly being taken (Education Code Section 87044), except when a minor has been taken into custody as a victim of suspected child abuse, as defined in Section 11165 of the Penal Code, or pursuant to Section 305 of the Welfare and Institutions Code. In those cases, the official shall provide the peace officer with the address and telephone number of the minor's parent or guardian.

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

Information relevant to the incident of child abuse may be given to an investigator from a child protective agency who is investigating the known or suspected cause of child abuse (Penal Code Section 11167(b)).

The Riverside Community College District shall provide a mandated reporter with a statement informing the employee that he or she is a mandated reporter and inform the employee of his or her reporting obligations under Penal Code Section 11166 and of his or her confidentiality rights under subdivision (d) of Penal Code Section 11167. The Riverside Community College District shall provide a copy of Penal Code Sections 11165.7, 11166, and 11167 to the employee. Prior to commencing his or her employment and as a prerequisite to that employment, the employee shall sign and return the statement to the District, and shall acknowledge a willingness to comply with the statutory provisions. The signed statements shall be retained by the District (Penal Code Section 11166.5).

The District will distribute this procedure to all employees.

Office of Primary Responsibility: College Safety and Police

Administrative Approval: August 27, 2007

Revised: March 25, 2013

Formerly: 3518