

## CHILD ABUSE PREVENTION AND REPORTING

### Child Abuse Reporting

The Board of Education *is committed to supporting the safety and well-being of district students and desires to facilitate the prevention of and response to child abuse and neglect. The Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect.* ~~recognizes that the district has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse and neglect. The Superintendent or designee shall establish regulations for use by district employees in identifying and reporting such incidents.~~

*(cf. 0450 – Comprehensive Safety Plan)*

*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

*(cf. 5141.6 - School Health Services)*

*(cf. 6164.2 - Guidance/Counseling Services)*

### Child Abuse Prevention

*The district's instructional program shall include age-appropriate and culturally sensitive child abuse prevention curriculum. This curriculum shall explain students' right to live free of abuse, include instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, inform students of available support resources, and teach students how to obtain help and disclose incidents of abuse.*

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6143 - Courses of Study)*

*The district's program also may include age-appropriate curriculum in sexual abuse and sexual assault awareness and prevention. Upon written request of a student's parent/guardian, the student shall be excused from taking such instruction. (Education Code 51900.6)*

*The Superintendent or designee shall, to the extent feasible, seek to incorporate community resources into the district's child abuse prevention programs and may use these resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.*

~~District employees are obligated to report all known or suspected incidents of child abuse and neglect in accordance with law, Board policy and administrative regulation. Employees shall not investigate any suspected incidents but rather shall fully cooperate with agencies responsible for reporting, investigating and prosecuting cases of child abuse and neglect.~~

~~Parents/guardians may file a complaint against a district employee or other person whom they suspect has engaged in abuse of a child at a school site. The Superintendent or designee shall provide parents/guardians information about reporting procedures in accordance with law.~~

## CHILD ABUSE PREVENTION AND REPORTING (continued)

~~The Superintendent or designee shall provide training regarding the reporting duties of district employees mandated by law to report suspected child abuse and neglect.~~

~~In the event that training is not provided to the employees mandated to report child abuse and neglect, the Superintendent or designee shall report to the California Department of Education the reasons that such training is not provided. (Penal Code 11165.7)~~

### *Child Abuse Reporting*

*The Superintendent or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.*

*(cf. 4119.21/4219.21/4319.21 - Professional Standards)*

*(cf. 5145.7 - Sexual Harassment)*

*Procedures for reporting child abuse shall be included in the district and/or school comprehensive safety plan. (Education Code 32282)*

*(cf. 0450 - Comprehensive Safety Plan)*

*District employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.*

*The Superintendent or designee shall provide training regarding the duties of mandated reporters.*

### **Child Abuse Prevention**

~~The Board of Education recognizes the district's responsibility to educate students about the dangers of child abuse so that they will acquire the skills and techniques needed to identify unsafe situations and to react appropriately and promptly.~~

#### *Legal References:*

##### EDUCATION CODE

32280-32288 Comprehensive school safety plans

33195 Heritage schools, mandated reporters

33308.1 Guidelines on procedure for filing child abuse complaints

44252 Teacher credentialing

44690-44691 Staff development in the detection of child abuse and neglect

44691 Staff development in the detection of child abuse and neglect

44807 Duty concerning conduct of students

48906 Notification when student released to peace officer

48987 Dissemination of reporting guidelines to parents

49001 Prohibition of corporal punishment

51220.5 Parenting skills education

51900.6 Sexual abuse and sexual assault awareness and prevention

##### PENAL CODE

152.3 Duty to report murder, rape, or lewd or lascivious act

273a Willful cruelty or unjustifiable punishment of child; endangering life or health

**CHILD ABUSE PREVENTION AND REPORTING (continued)**

288 Definition of lewd or lascivious act requiring reporting  
 11164-11174.3 Child Abuse and Neglect Reporting Act, especially:  
WELFARE AND INSTITUTIONS CODE  
 15630-15637 Dependent adult abuse reporting  
CODE OF REGULATIONS, TITLE 5  
 4650 Filing complaints with CDE, special education students  
UNITED STATES CODE, TITLE 42  
 11434a McKinney-Vento Homeless Assistance Act; definitions  
COURT DECISIONS  
*Camreta v. Greene (2011) 131 S.Ct. 2020*

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS  
*Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve*  
*Health Framework for California Public Schools, Kindergarten Through Grade Twelve*  
CDE LEGAL ADVISORIES  
~~0514.93 Guidelines for parents to report suspected child abuse by school district employees or other persons against a pupil at school site~~  
WEB SITES  
*California Attorney General's Office, Suspected Child Abuse Report Form:*  
[http://www.ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://www.ag.ca.gov/childabuse/pdf/ss_8572.pdf)  
*California Attorney General's Office, Crime and Violence Prevention Center:* <http://safestate.org>  
*California Department of Education, Safe Schools:* <http://www.cde.ca.gov/ls/ss>  
*California Department of Social Services, Children and Family Services Division:*  
<http://www.childsworld.ca.gov>  
*U.S. Department of Health and Human Services, National Clearinghouse on Child Abuse and Neglect Information:* <http://nccaneh.aef.hhs.gov>  
*U.S. Department of Health and Human Services, Child Welfare Information Gateway:*  
<http://www.childwelfare.gov/can>

*Policy amended: May 29, 2020*

*Policy amended: March 19, 2009*

*Policy adopted: June 7, 2001*

## CHILD ABUSE PREVENTION AND REPORTING

### ~~Duty to Report~~

~~All employees trained in child abuse reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.~~

### Definitions

*Child abuse or neglect includes the following: (Penal Code 11165.5, 11165.6)*

1. ~~“Child Abuse” includes the following:~~
  - a. ~~A physical injury or death inflicted by other than accidental means on a child by another person~~
1. *A physical injury or death inflicted by other than accidental means on a child by another person*
- b. ~~Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1~~
2. *Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1*
- c. ~~Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody~~
3. *Neglect of a child as defined in Penal Code 11165.2*
- d. ~~Unlawful corporal punishment or injury resulting in a traumatic condition~~
4. *Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3*
- e. ~~Neglect of a child or abuse in out-of-home care as defined in Penal Code 11165.2~~
5. *Unlawful corporal punishment or injury as defined in Penal Code 11165.4*

*(cf. 4119.21/4219.21/4319.21 - Professional Standards)*

*(cf. 5145.7 - Sexual Harassment)*

**CHILD ABUSE PREVENTION AND REPORTING (continued)**

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)

*(cf. 3515.3 - District Police/Security Department)*

3. An injury resulting from the exercise by a teacher, assistant principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the student (Education Code 49001)

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

*(cf. 5144 - Discipline)*

*(cf. 6159.4 - Behavioral Interventions for Special Education Students)*

5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student (Education Code 49001)

*(cf. 6142.7 - Physical Education and Activity)*

*(cf. 6145.2 - Athletic Competition)*

**6. Homelessness or classification as an unaccompanied minor (Penal Code 11165.15)**

2. ~~“Mandated Reporters” are those people defined by law as “child care custodians,” “health practitioners,” “child visitation monitors” and “employees of a child protective agency.” Mandated reporters include virtually all school employees. The following school personnel are required to report:~~

~~Teachers, administrators, supervisors of child welfare and attendance, certificated~~

**CHILD ABUSE PREVENTION AND REPORTING (continued)**

~~student personnel employees, employees of a child care institution, headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.~~

3. ~~“Child Protective Agencies” are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.~~
4. ~~“Reasonable Suspicion” means that 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 11166)~~

*Mandated reporters include, but are not limited to, teachers; instructional aides; teacher's aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; athletic coaches, administrators, and directors; administrators and employees of a licensed child day care facility; Head Start teachers; district police or security officers; licensed nurses or health care providers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7)*

*Reasonable suspicion means that it is objectively reasonable for a person to entertain 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 or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)*

**Reportable Offenses**

A mandated reporter shall make a report using the procedures provided below whenever, in his/her professional capacity or within the scope of his/her employment, he/she has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. (Penal Code 11166)

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code 11166.05, 11167)

Any *district employee who* ~~person~~ shall notify a peace officer if he/she reasonably believes that

## CHILD ABUSE PREVENTION AND REPORTING (continued)

he/she has observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury, ~~where the~~ *against a* victim *who* is a child under age 14 *shall notify a peace officer*. (Penal Code 152.3, 288)

### Responsibility for Reporting

The reporting duties of mandated reporters are individual and cannot be delegated to another person. (Penal Code 11166)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (Penal Code 11166)

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. (Penal Code 11166)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom he/she knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

*(cf. 1240 - Volunteer Assistance)*

### Reporting Procedures

- ~~1. To report known or suspected child abuse, any employee (as defined above) shall report by telephone to the local child protective agency.~~

#### *1. Initial Telephone Report*

*Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11165.9, 11166)*

Child Protective Services  
23119 Cottonwood Avenue, Building B *A*  
Moreno Valley, CA 92553-9661  
(800) 442-4918

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~~The telephone report must be made immediately, or as soon as practically possible, upon suspicion. This report will include:~~

- ~~a. The name of the person making the report~~
- ~~b. The name of the child~~
- ~~c. The present location of the child~~
- ~~d. The nature and extent of any injury~~
- ~~e. Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse~~

When the verbal *initial telephone* report is made, the mandated reporter shall note the name of the official contacted, the date and time contacted and any instructions or ~~advise~~ *advice* received.

**2. Written Report**

- ~~2. Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).~~

*Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall then prepare and either send, fax, or electronically submit to the appropriate agency a written follow-up report, which includes a completed Department of Justice form (DOJ SS 8572). (Penal Code 11166, 11168)*

*The Department of Justice form may be obtained from the district office or other appropriate agencies, such as the county probation or welfare department or the police or sheriff's department.*

*Reports of suspected child abuse or neglect shall include, if known: (Penal Code 11167)*

- a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter*
- b. The child's name and address, present location, and, where applicable, school, grade, and class*
- c. The names, addresses, and telephone numbers of the child's parents/guardians*

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- d. The name, address, telephone number, and other relevant personal information about the person who might have abused or neglected the child*
- e. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information*

*The mandated reporter shall make a report even if some of this information is not known or is uncertain to him/her. (Penal Code 11167)*

*The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, any information relevant to an incident of child abuse or neglect or to a report made for serious emotional damage pursuant to Penal Code 11166.05. (Penal Code 11167)*

~~Mandated reporters may obtain copies of the above form either from the district or the local child protective agency.~~

~~Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.~~

- ~~3. Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone.~~

~~Administrators so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing these forms.~~

~~The mandated reporter shall not be required to disclose his/her identity to the principal. (Penal Code 11166)~~

~~He/she may provide or mail a copy of the written report to the principal, Superintendent or designee without his/her signature or name.~~

~~Reporting the information to an employer, supervisor, principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)~~

**3. Internal Reporting**

## CHILD ABUSE PREVENTION AND REPORTING (continued)

*The mandated reporter shall not be required to disclose his/her identity to his/her supervisor, the principal, or the Superintendent or designee. (Penal Code 11166)*

*However, employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required, to notify the principal as soon as possible after the initial telephone report to the appropriate agency. When so notified, the principal shall inform the Superintendent or designee.*

*The principal so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing the necessary forms.*

*Reporting the information to an employer, supervisor, principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)*

### Legal Responsibility and Liability

- ~~1. — Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.~~
- ~~2. — If a mandated reporter fails to report an instance of child abuse which he/she knows to exist or reasonably should know to exist, he/she is guilty of a misdemeanor punishable by confinement in jail for up to six months, a fine of up to \$1,000, or both. The mandated reporter may also be held civilly liable for damages resulting from any injury to the child after a failure to report.~~
- ~~3. — When two or more persons who are required to report have joint knowledge of a suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person. However, if any person knows or should know that the designated person fails to make the report, that person then has a duty to do so.~~
- ~~4. — The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.~~

### Training

~~Training of mandated reporters shall include child abuse and neglect identification and mandated~~

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~~reporting. (Penal Code 11165.7)~~

~~Training shall also include guidance in the appropriate discipline of students, physical contact with students, and maintenance of ethical relationships with students to avoid actions that may be misinterpreted as child abuse.~~

~~(cf. 4119.21/4219.21/4319.21—Professional Standards)~~

~~(cf. 4131—Staff Development)~~

~~(cf. 4231—Staff Development)~~

~~(cf. 4331—Staff Development)~~

~~(cf. 5145.7—Sexual Harassment)~~

*Within the first six weeks of each school year, the Superintendent or designee shall provide training on mandated reporting requirements to district employees and persons working on their behalf who are mandated reporters. Any school personnel hired during the school year shall receive such training within the first six weeks of employment. (Education Code 44691; Penal Code 11165.7)*

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

*The Superintendent or designee shall use the online training module provided by the California Department of Social Services. (Education Code 44691)*

*The training shall include, but not necessarily be limited to, training in identification and reporting of child abuse and neglect. In addition, the training shall include information that failure to report an incident of known or reasonably suspected child abuse or neglect as required by law is a misdemeanor punishable by imprisonment and/or a fine as specified. (Education Code 44691; Penal Code 11165.7)*

*The Superintendent or designee shall obtain and retain proof of each mandated reporter's completion of the training. (Education Code 44691)*

*In addition, at least once every three years, school personnel may receive training in the prevention of child abuse, including sexual abuse, on school grounds, by school personnel, or in school-sponsored programs. (Education Code 44691)*

**Victim Interviews *by Social Services***

~~Upon request, a child protective agency representative may interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)~~

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*Whenever the Department of Social Services or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The Superintendent or designee shall give the student the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the student. (Penal Code 11174.3)*

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the
2. child and enable him/her to be as comfortable as possible.
3. The selected person shall not participate in the interview.
4. The selected person shall not discuss the facts or circumstances of the case with the child.
5. The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code 11174.3)

### **Release of Child to Peace Officer or Child Protective Services Agent**

When a child is released to a peace officer ~~or child protective services agent~~ and taken into custody as a victim of suspected child abuse *or neglect*, the Superintendent or designee and/or principal shall not notify the parent/guardian, ~~as required in other instances of removal of a child from school~~, but rather shall provide the peace officer or agent with the address and telephone number of the child's parent/guardian. ~~It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation.~~ (Education Code 48906)

~~Peace officers and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.~~

*(cf. 5145.11 – Questioning and Apprehension)*

### **~~When School Employees are Accused of Child Abuse~~**

~~Regardless of who child abusers may be, the major responsibilities of mandated reporters are to~~

**CHILD ABUSE PREVENTION AND REPORTING (continued)**

~~1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to the proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.~~

~~Pending the outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid administrative leave.~~

~~Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee may seek legal counsel in connection with either the suspension or dismissal of the employee.~~

~~(cf. 4117.4 - Dismissal)~~

~~(cf. 4118 - Suspension/Disciplinary Action)~~

~~(cf. 4218 - Dismissal/Suspension/Disciplinary Action)~~

**Parent/Guardian Complaints**

Upon request, the Superintendent or designee shall provide parents/guardians with *procedures for reporting* a copy of the district's administrative regulation that describes how to report suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is other than English, such procedures shall be in their primary language and, when communicating orally regarding those procedures, an interpreter shall be provided.

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person, or in writing with any appropriate agency identified above under "Reporting Procedures." If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. The employee also is obligated pursuant to Penal Code 11166 to file a report himself/herself using the procedures described above for mandated reporters.

*(cf. 1312.1 - Complaints Concerning District Employees)*

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5 CCR 4650.

*(cf. 1312.3 - Uniform Complaint Procedures)*

**Notifications**

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The Superintendent or designee shall provide to all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, of their reporting obligations under Penal Code 11166, and of their confidentiality rights under Penal Code 11167. The district shall also provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

Before beginning employment, *any person who will be a mandated reporter by virtue of his/her position* employees shall sign the statement indicating that *they he/she has* have knowledge of the reporting obligations under Penal Code 11166 and ~~that they~~ will comply with those provisions. The signed statements shall be retained by the Superintendent or designee. (Penal Code 11166.5)

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions Code 15630-15637.

*The Superintendent or designee also shall notify all employees that:*

- 1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his/her professional capacity or outside the scope of his/her employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)*
- 2. If a mandated reporter fails to timely report an incident of known or reasonably suspected child abuse or neglect, he/she may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166)*
- 3. No employee shall be subject to any sanction by the district for making a report unless it can be shown that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11166)*

*Regulation amended: May 29, 2020*

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