

SUMMARY

CHILD ABUSE REPORTING REQUIREMENTS

Section 11166 of the Penal Code requires that any child care custodian, medical practitioner or employee of a child protective agency who has knowledge of or observes a child in his/her professional capacity or within the scope of his/her employment whom he/she knows or reasonably suspects has been the victim of child abuse, to report the known or suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone and to prepare and send a written report thereof within 36 hours of receiving the information concerning the incident. **“Child Care Custodian”** includes teachers, paraprofessionals, and administrators.

Reasonable Suspicion

Reasonable Suspicion that 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.

If you or the employee is wondering or thinking for the child or parent (second guessing), call in the report because this meets the reasonable suspicion criteria and let the experts decide.

Duty to Report

Certificated and classified employees trained in child abuse identification and 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 24 hours. The reporting duties are individual and cannot be delegated to another individual except under the circumstances set forth in Penal Code 11166. All employees sign a Child Abuse Reporting Procedures form at the time of hire. By signing this form, they acknowledge that they understand their requirements as a mandated reporter.

When reporting a suspected case of child abuse, an administrator can call it in, but it is the teacher or classified employee who is responsible. An agreement must be made as to who is officially reporting the incident.

PROCEDURE FOR REPORTING

1. Contact the Santa Clara County Social Services Agency: Child Protective Services. Call them at **683-0601**.
2. Follow the instructions they give to you.
3. In a confidential log, write down the name of official you contacted, the date, time, and any instructions or advice they have given to you.
4. Fill out the Suspected Child Abuse Report and distribute it to the parties indicated at the bottom of the form. Make sure you fill it out thoroughly. You can start filling out this form while you are speaking with the authorities.

IMPORTANT: Please hand-deliver the completed form to the Director of Curriculum and Instruction within 24 hours of the CPS report

PARENT NOTIFICATION

- When you are requested by the Child Protective Services or Police **NOT** to contact the parent, you must follow their direction.
- If a child is removed from school by authorities, you must complete the Removal of Student Form.
- Immediately call the Director of Curriculum and Instruction to inform the district about the incident.
- Hand-deliver the written Child Abuse Report and Removal of Student Form to the Director of Curriculum and Instruction at the district office within the 24 hour timeline.
- If requested to do so by Protective Services, hold the child until the Protective Services agent arrives. If you think that Protective Services will not arrive prior to the parent, call
 - **Morgan Hill Police Department** (most schools) at **779-2104**; or
 - **San Jose Police Department** (Murphy and Los Paseos) at **277-8911 or 277-8900 (non emergency)**; or
 - **Sheriff's Department** (San Martin/Gwinn) at **683-2681**

and ask for an officer to be sent to the school. In addition, contact the Director of Curriculum and Instruction at 201-6075 (ext. 51075) to inform the district of your situation.

HELPFUL HINTS

- Review the Child Abuse Reporting Procedures Board Policy and Administrative Regulations 5141.4 with all certificated and classified employees.
- When dealing with parents/guardians, do not discuss what specifically was reported but do tell them who you made the report to and how they can contact them.
- Call the Director of Curriculum and Instruction at 201-6075 (or ext. 51075) to obtain advice as you go through this process or prior to making the initial call if you have questions.