



AP 3518 Child Abuse Reporting

The District recognizes the responsibility of its employees to report to the appropriate agency when there is a reasonable suspicion that an abuse or neglect of a child may have occurred. As used in this procedure a child is defined as a person under the age of eighteen (18) years.

Child abuse is defined as physical abuse, neglect, sexual abuse, and/or emotional maltreatment. Child abuse includes 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 Section 11165).

“Reasonable suspicion” is defined as 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/her training and experience, to suspect child abuse” (Penal Code Section 11166(a)).

A child protective agency is a police or sheriff’s department, a county probation department, or a county welfare department. School district police or security departments are not child protective agencies (Penal Code Section 11165.9).

Mandated reporters include faculty, Child Development Center teachers and support staff, administrators, classified staff, and coaches. Volunteers are not mandated reporters, but are encouraged to report suspected abuse or neglect of a child.

Mandated reporters must report immediately any reasonable suspicion of child abuse to a local child protective agency and follow-up with a written report within 36 hours. The local child protective agencies for the District are: the San Bernardino County Children and Family Services Department, the San Bernardino County Sheriff’s Department, or local law enforcement. The written report may be mailed or submitted by facsimile or electronic transmission to:

Director, San Bernardino County Child Welfare Services Agency
385 North Arrowhead Avenue, 5th Floor
San Bernardino, CA 92425
24 Hour Reporting Hotline: 909-384-9233
FAX: 909-891-3545 or 909-892-3560

Child abuse reporting forms are available at the Campus Police Department and the Risk Management Office.



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In addition, a completed copy of the suspected child abuse report form will be submitted to the Campus Police Department within 36 hours. In any case where there is suspicion of immediate danger, mandated reporters must immediately contact Campus Police and local law enforcement.

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)).

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

When the Chief Student Services Officer 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 Penal Code Section 11165 or pursuant to Welfare and Institutions Code Section 305. 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 as a result of suspected abuse 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)).



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The District shall provide a mandated reporter with a statement informing the employee that he/she is a mandated reporter and inform the employee of his/her reporting obligations under Penal Code Section 11166 and of his/her confidentiality rights under subdivision (d) of Penal Code Section 11167. The District shall provide a copy of Penal Code Sections 11165.7, 11166, and 11167 to the employee. All employees identified as mandated reporters shall sign the mandated reporter statement and return the statement to the District. New employees identified as mandated reporters prior to commencing employment, as a prerequisite to that employment, shall sign the mandated reporter statement and return the statement to the District. The signed statements shall be retained by the District per Penal Code Section 11166.5.

The District will distribute this procedure to all employees.

References: Penal Code Sections 261, 264.1, 273a, 273d, 285, 286, 288, 288a, 289, 647a, and 11164-11174.3;
Welfare and Institutions Code Sections 300, 318, and 601;
Family Code Sections 7802, 7807, 7808, 7820-7829, 7890, and 7892

Approved: 12/17/13