

California Mandatory Reporting Requirements Regarding Children

Who Must Report?

Teachers;
 Instructional aides;
 Teacher's aides or teacher's assistants employed by any public or private school;
 Classified employees of any public school;
 Administrative officers or supervisors of child welfare and attendance, or certificated pupil personnel employees of any public or private school;
 Administrators of a public or private day camp;
 Administrators or employees of a public or private youth center, youth recreation program, or youth organization;
 Administrators or employees of a public or private organization whose duties require direct contact and supervision of children;
 Any employee of a county office of education or the California Department of Education, whose duties bring the employee into contact with children on a regular basis.
 Licensees, administrators, or an employees of a licensed community care or child day care facility;
 Head Start program teachers;
 Licensing workers or licensing evaluators employed by a licensing agency;
 Public assistance workers;
 Employees of a child care institution, including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities;
 Social workers, probation officers, or parole officers;
 Employees of a school district police or security department.
 Any person who is an administrator or presenter of, or a counselor in, a child abuse prevention program in any public or private school.
 District attorney investigators, inspectors, or local child support agency caseworkers (except in certain limited circumstances);
 Peace officers;
 Firefighters, except for volunteer firefighters;
 Physicians, surgeons, psychiatrists, psychologists, dentists, residents, interns, podiatrists, chiropractors, licensed nurses, dental hygienists, optometrists, marriages, family and child counselors, and clinical social workers;
 Any emergency medical technicians I or II, paramedics, or other persons;
 Psychological assistants;
 Marriage, family, and child therapist trainees;
 Unlicensed marriage, family, and child therapist interns;
 State or county public health employees who treats a minor for venereal disease or any other condition;
 Coroners;

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	<p>Medical examiners, or any other persons who performs autopsies; Commercial film and photographic print processors; Child visitation monitors; Animal control officers or humane society officers; Clergy members; Any custodian of records of a clergy member; Any employee of any police department, county sheriff's department, county probation department, or county welfare department; Employees or volunteers of a Court Appointed Special Advocate program; Custodial officers; and Any person providing services to a minor child.</p>
<i>Standard of Knowledge</i>	<p>"[K]nowledge of or observ[ing] a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect." "'[R]easonable 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 or her training and experience, to suspect child abuse or neglect." The pregnancy of a minor does not, in and of itself, constitute a basis for a reasonable suspicion of sexual abuse.</p>
<i>Definition of Applicable Victim</i>	<p>Child means a person under the age of 18.</p>
<i>Reports Made To</i>	<p>Reports should be made to any police department or sheriff's department, not including a school district police or security department, county probation department, or the county welfare department.</p>
<i>Contents of Report</i>	<p>Reports must include the following:</p> <ul style="list-style-type: none"> • Name, business address, and telephone number of the mandated reporter; • The capacity that makes the person a mandated reporter; and • The information that gave rise to the reasonable suspicion of child abuse or neglect and the source or sources of that information. <p>If a report is made, the following information, if known, shall also be included in the report:</p> <ul style="list-style-type: none"> • The child's name, address, present location, and, if applicable, school, grade, and class; • The names, addresses, and telephone numbers of the child's parents or

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	<p>guardians; and</p> <ul style="list-style-type: none"> The name, address, telephone number, and other relevant personal information about the person or persons who might have abused or neglected the child. <p>The mandated reporter may include with the report any non-privileged documentary evidence the mandated reporter possesses relating to the incident.</p>
<i>Timing/Other Procedures</i>	<p>An initial report must be made immediately or as soon as is practicably possible by telephone. The mandated reporter must also prepare and send, fax, or electronically transmit a written follow-up report within 36 hours of receiving the information concerning the incident.</p> <p>If, after reasonable efforts, a mandated reporter is unable to submit an initial report by telephone, he or she shall immediately or as soon as is practicably possible, by fax or electronic transmission, make a one-time automated written report on the form prescribed by the Department of Justice, and shall also be available to respond to a telephone follow-up call by the agency with which he or she filed the report. A mandated reporter who files a one-time automated written report because he or she was unable to submit an initial report by telephone is not required to submit a written follow-up report.</p>
<i>Other</i>	<p>Any mandated reporter who fails to report an incident of known or reasonably suspected child abuse or neglect is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by a fine of \$1,000 or both.</p> <p>The identity of all persons who submit reports will be confidential and disclosed only in certain limited circumstances, including for purposes of criminal prosecution.</p>
<i>Source/Applicable Statute(s)</i>	Child Abuse and Neglect Reporting Act, Cal. Penal Code §§ 11164 <i>et seq.</i>