

Policy Change	<input checked="" type="checkbox"/>	Subject Matter Area Review	<input checked="" type="checkbox"/>
Procedure Change	<input checked="" type="checkbox"/>	Constituency Group Review	<input checked="" type="checkbox"/>
New Policy	<input type="checkbox"/>	District Council	<input type="checkbox"/>
New Procedure	<input type="checkbox"/>	Board 1 st Reading	<input type="checkbox"/>
		Board 2 nd Reading	<input type="checkbox"/>

KEY:
BOLD= new language
~~strikethrough=~~ delete language

Comments:

Referred to:

Edited:
9/21/16

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Yosemite Community College District Policies and Administrative Procedures

No. 3518

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Policy

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3518 Child Abuse Reporting

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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 children.

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~~The Chancellor shall ensure that all employees are informed of their reporting responsibilities and indicate their willingness to comply with these codes.~~

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References:

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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](#).

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Adopted: May 9, 2012

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Last Reviewed:

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Administrative Procedure

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. **Mandated reporters include those employees paid by the District or volunteers with the District.** ~~All employees are mandated reporters.~~ Volunteers are not mandated reporters, but are encouraged to report suspected abuse or neglect of a child.

As used in this procedure, “child” is defined as a person under the age of 18 years.

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

“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/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. The YCCD Campus Safety/Security department is not a child protective agency (Penal Code Section 11165.9).

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)).

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 written report may be mailed or submitted by **facsimile or** electronic transmission to the following agencies, where child abuse reporting forms are also available:

STANISLAUS

Stanislaus County CWS Agency
251 East Hackett Road
Modesto, CA 95353
209-558-3665
800-558-3665
www.co.stanislaus.ca.us

TUOLUMNE

1 Tuolumne County CWS Agency
2 20075 Cedar Road North
3 Sonora, CA 95370
4 **209-533-5717** days
5 **209-533-4357** after hours
6 www.tuolumnecounty.ca.gov

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8 **MERCED**

9 Merced County CWS Agency
10 PO Box 112
11 Merced, CA 95341
12 **209-385-3104** days
13 **209-722-9915** after hours
14 www.co.merced.ca.us

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16 **SAN JOAQUIN**

17 San Joaquin County CWS Agency
18 333 E Washington Street
19 Stockton, CA 95202
20 **209-468-1333**
21 **209-468-1330**
22 www.sjgov.org

23
24 **CALAVERAS**

25 Calaveras County CWS Agency
26 509 E St. Charles Street
27 San Andreas, CA 95249
28 **209-754-6452** days
29 **209-754-6500** after hours
30 www.co.calaveras.ca.us/cc/

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32 No mandated reporter who reports a known or suspected instance of child abuse shall be civilly or
33 criminally liable for any report required or authorized by the Penal Code. Any person other than a child
34 care custodian reporting a known or suspected instance of child abuse shall not incur any liability as a
35 result of making any report of child abuse, unless it can be proven that a false report was made and the
36 person knew that the report was false. (Penal Code Section 11172(a)).

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

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

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2 Information relevant to the incident of child abuse may be given to an investigator from a child protective
3 agency who is investigating the known or suspected cause of child abuse (Penal Code Section 11167(b)).
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5 The District shall provide a mandated reporter with a statement informing the employee that he/she is a
6 mandated reporter and inform the employee of his/her reporting obligations under Penal Code Section
7 11166 and of his/her confidentiality rights under subdivision (d) of Penal Code Section 11167. The District
8 shall provide a copy of Penal Code Sections 11165.7, 11166, and 11167 to the employee. Prior to
9 commencing his/her employment and as a prerequisite to that employment, employee shall sign and
10 return the statement to the District. The signed statements shall be retained by the District (Penal Code
11 Section 11166.5).
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13 The District will ~~distribute~~ **make** this procedure **available** to all employees.
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15 **References:**

16 Penal Code Sections [261](#), [264.1](#), [273a](#), [273d](#), [285](#), [286](#), [288](#), [288a](#), [289](#), [647a](#), and [11164-11174.3](#);
17 Welfare and Institutions Code Sections [300](#), [318](#), and [601](#); Family Code Sections [7802](#), [7807](#), [7808](#), [7820-](#)
18 [7829](#), [7890](#), and [7892](#).
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20 **Procedure Last Revised:** May 9, 2012

21 **Last Reviewed:**