
California State University Dominguez Hills Foundation Mandatory Reporting of Child Abuse and Youth Abuse Protection Policy and Procedure

The California Child Abuse and Neglect Reporting Act (CANRA) is intended to protect children from abuse and neglect. In accordance with Executive Order 1083 became a CSU policy on January 1, 2013, and was updated on July 21, 2017. CANRA sets forth legal obligations of persons who are “mandated reporters” of child abuse or neglect.

Policy

All California State University Dominguez Hills Foundation employees are designed as “mandated reports”. As a designated mandated reporter, employees are required to report suspected child abuse or neglect in their professional capacity or within the scope of one’s employment in which they observe or have knowledge of a person, under the age of 18 years, whom they know, or reasonably suspect has been the victim of child abuse or neglect.

Definition of Mandated Reports

A Mandated Reporter is defined as an individual required to report observed or suspected child abuse or neglect to designated law enforcement or social services agencies. (A child is defined as anyone under the age of 18 years.)

Employees (including volunteers and independent contractors) and administrators whose duties bring them into contact with children on a regular basis, or who supervise others with such duties, are Mandated Reporters. This includes:

- Individuals whose Foundation or University duties require direct contact and supervision of children. This may include faculty members or other academic employees who hire children under age 18 to assist with scholarship, research, or other academic activities as volunteers or interns.

Procedures

Supervisors, managers, Pls, and Deans of Foundation employees have the responsibility of notifying Foundation Human Resources of a position’s Mandated Reporter status. When new employees are hired, departments are responsible for completing the Sensitive Determination Form to collect information regarding the position’s proximity to minors. Should an existing employee take on job duties and responsibilities that place them in a Mandated Reporter role, Foundation Human Resources must be notified as soon as possible to ensure appropriate background screenings and trainings are conducted. Upon hire all Foundation employees are required to complete the following tasks initiated by Foundation Human Resources irrespective of position’s direct contact with minors are required to review and sign the Statement Acknowledging the Requirement to Report Child Abuse (“CNRA Acknowledgement Form”). The signed CNRA Acknowledgement Forms are retained in employee personnel files.

Departments utilizing Volunteers in support Foundation programs must ensure that each volunteer completes a Volunteer Application and submit it to Foundation HR for review and determination Mandated Reporter status. Volunteers working with minors in person are required to be live scanned and complete the Youth Abuse Training through Praesidium prior to beginning the volunteer assignment.

Departments utilizing Independent Contractors in support of Foundation programs must ensure that an Independent Contractor Request Form is completed and submitted to Foundation HR for review and approval. Independent Contractors working with minors in person are required to be live scanned prior to beginning the assignment.

Trainings

Mandated Reporter training is available online at CSU Learn or Target Solutions. Employees (volunteers or Independent Contractor) will be assigned the required training by Foundation Human Resources. Mandated reporters with direct access to minors will receive the General training and those with no direct access to minors will receive the Limited training. Training must be completed prior to beginning work with Foundation.

Youth Abuse Training

Supplemental Youth Abuse training is available through Praesidium and will only be assigned by Foundation Human Resources to Mandated Reporters with direct contact with minors as specified by the position. A Youth Abuse refresher course will be required every two years. Training must be completed within two weeks of hire date.

Courses:

1. Meet Sam
2. It Happened to Me
3. Keeping School Safe

Mandated Reporter Responsibilities

Mandated Reporters must immediately report observed or suspected child abuse or neglect. Each of the steps below must be followed:

- Contact the police or sheriff's department (including campus police); a county probation department (if designated by the county to receive mandated reports); or the county welfare department (Child Protective Services or CPS).
- Must complete Form SS8572 within 36 hours of receiving the information concerning the incident (form available online (http://ag.ca.gov/childabuse/pdf/ss_8572.pdf)). Send form fax or electronically transmit to the agency that was contacted by phone (Penal Code 11166 a).

Names and contact information for agencies that can accept reports are available online at the websites below:

California State University Police Departments (by campus): http://calstate.edu/strategic_initiatives/UPD/contacts.shtml

Child Protective Services (by county): http://www.hwcws.cahwnet.gov/coun tyinfo/co unty_contacts/hotline_munbers.asp

Sheriffs' Department (by county): <http://www.calsheriffs.org/sheriffs-offices.html>

Note: Reporting to a supervisor, a coworker, or other person is not a substitute for making a mandated report to one of the agencies listed above.

Abuse and Neglect that MUST be reported:

Physical abuse, meaning physical injury other than by accidental means inflicted on a child (Penal Code § 11165.6).

Sexual assault, including sex acts with a child, intentional masturbation in the presence of a child, child molestation, and lewd or lascivious acts with a child under 14 years of age or with a child under 16 years of age if the other person is at least ten years older than the child (Penal Code § 11165.1(a)(b)).

Sexual exploitation, including acts relating to child pornography, child prostitution, or performance of obscene sexual conduct by a child (Penal Code § 11165.1(c)).

Statutory rape involving sexual intercourse between a child under 16 years of age and a person 21 years of age or older, which is also a form of "sexual assault" (Penal Code § 11165.1(a)).

Neglect, meaning the negligent treatment or maltreatment of a child by a parent, guardian or caretaker under circumstances indicating harm or threatened harm to the child's health or welfare (Penal Code

§ 11165.2). One does not have to be physically present or witness the abuse to identify suspected cases of abuse, or even have definite proof that a child may be subject to child abuse or neglect.

Willful harming or injuring or endangering a child meaning a situation in which any person inflicts, or willfully causes or permits a child to suffer unjustifiable physical pain or mental suffering, or causes or permits a child to be placed in a situation in which the child or child's health is endangered (Penal Code

§ 11165.3).

Unlawful corporal punishment, meaning a situation in which any person willfully inflicts upon a child cruel and inhuman corporal punishment or a physical injury (Penal Code § 11165.4).

Immunity and Confidentiality of Reporter

Mandated Reporters cannot be held civilly or criminally liable for their reports. Instead, they enjoy immunity from prosecution for their reporting of suspected child abuse (Penal Code § 11172(a)). Both the identity of the person who reports and the report itself are confidential and disclosed only among appropriate agencies (Penal Code § 11167(d)).

Penalty for failing to report ABUSE or IMPEDING REPORT

A Mandated Reporter who fails to make a required report of abuse, or any administrator or supervisor who impedes or inhibits a report, is guilty of a misdemeanor punishable by up to six months in jail, a fine of \$1,000, or both (Penal Code Section 11166(c) and Section 11166.01(a)). Where the abuse results in death or great bodily injury, the Mandated Reporter who fails to make a required report or administrator or supervisor who impeded or inhibited the report is subject to punishment of up to one year in jail, a fine of \$5,000, or both (Penal Code Section 11166.01(b)).

Non-Emergency Contacts

If you have any questions regarding the policy and procedure please contact Alexis Granados, HR Assistant/Mandated Reporter Coordinator (agranados14@csudh.edu, [Tel:310-243-3101](tel:310-243-3101)) or Amanda Dodd, Chief Human Resources Officer (adodd@csudh.edu, [Tel:310-243-2373](tel:310-243-2373)).

Acknowledgment

I acknowledge being provided with the Mandatory Reporting of Child Abuse and Youth Abuse Protection Policy and Procedures. I acknowledge and understand my responsibility and legal obligation to report known or suspect child abuse or neglect.

Employee's Name: _____ Dept.: _____

Signature: _____ Date: _____