

MANDATED REPORTER FOR CHILD ABUSE POLICY

(Approved by the Board of Trustees 6-18-08)

Purpose

With concern for the total well-being of each student, the GVCS Board of Trustees directs the employees of GVCS to report known or suspected incidences of child abuse in accordance with state law. GVCS employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

Reporting Child Abuse

This policy applies to all certificated employees of GVCS and any other employees designated by law as a "child care custodian" or "health practitioner" as defined by state law.

The principal or designee shall develop and implement regulations for identifying and reporting child abuse.

The principal or designee shall provide training in child abuse identification and reporting for all certificated personnel.

The principal or designee shall also provide training in the duties of child abuse identification and reporting to Subject Specialists, Waldorf Kindergarten Specialists and other classified employees and any other employees designated by law as a "child care custodian" or "health practitioner" as defined by state law.

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights.

Duty to Report

Certificated employees 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 36 hours. The reporting duties are individual and cannot be delegated to another individual.

Definitions

1. "Child Abuse," as defined by law and for purposes of this regulation, includes the following:
 - a. Physical abuse resulting in a non-accidental physical injury.
 - b. Physical neglect, including both severe and general neglect, resulting in negligent treatment or maltreatment of a child.



- c. Sexual abuse including both sexual assault and sexual exploitation.
 - d. Emotional abuse and emotional deprivation including willful cruelty or unjustifiable punishment.
 - e. Severe corporal punishment.
2. "Mandated Reporters" are those people defined by law as "child care custodians," "medical practitioners" and "non-medical practitioners" and include virtually all school employees. The following school personnel are required to report:

Teachers, principal, and supervisors of child welfare and attendance, certificated student personnel employees, subject specialists, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

3. "Child Protective Agencies" are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.
4. "Reasonable Suspicion" means that 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.

Child Abuse Reporting Guidelines

Certificated personnel who suspect child abuse must report according to the child abuse reporting laws. If you know, observe, or reasonably suspect that a student has been a victim of physical or sexual abuse or neglect, you are required to report. (You may, but are not required to report on incidents of mental and/or emotional abuse or neglect.)

You Are Required To:

1. Report by telephone immediately to any of the following numbers:

In-Family Abuse (including live-in boyfriend or girlfriend)

Child Protective Services - 875-5437

Third Party Abuse (i.e., neighbor, babysitter, school employee) in the event that an employee of the school is known or suspected to be a perpetrator of child abuse, standard reporting procedures must be followed. Report to law enforcement agency where abuse occurred (i.e., grandma's house within city limits-report to police.)

Sheriff - Patrol Officer - 874-5115



GOLDEN VALLEY
CHARTER SCHOOLS

Child Abuse Bureau - 874-5191

Police - Patrol Officer - 264-5471

Sexual Assault/Child Abuse Division - 264-5771

2. Submit a written Suspected Child Abuse Report on PC form 11166 within 36 hours of knowledge, observation, or reasonable suspicion that a student has been the victim of abuse. Report forms can be downloaded from www.sacdhhs.com. Fill in the form completely giving both your work address and telephone number. Write in the name of the person to whom you spoke. Teachers may confer and ask support from the principal and/or other colleagues who have been trained.

a. Keep a copy of the report for your protection in a confidential file. Do not file or record in student's record.

b. Send a copy of the report to the agency to which you reported by telephone.

CPS - 3701 Branch Center Road, Sacramento, 95827

Sheriff - 711 G Street, Sacramento, 95814

Police - 813 6th Street, Sacramento, 95814

c. Notify the principal of the report.

DO NOT NOTIFY SUSPECTED ABUSER AND OR PARENT/ GUARDIAN. This is the responsibility of law enforcement or CPS.

There is no liability if you file a report that proves to be incorrect. Failure to report could result in imprisonment for up to six months, a fine of up to \$1,000, or both. Reporting forms may be obtained from the office file or www.sacdhhs.com.

3. Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the principal or designee as soon as possible after the initial verbal report by telephone.

The principal or designee so notified shall provide the mandated reporter with any assistance necessary to ensure that the verbal or written reporting procedures are carried out according to state law and school regulations. If requested by the mandated reporter, the principal may assist in the completion and filing of these forms.

If the mandated reporter does not disclose his/her identity to the Principal or designee, he/she shall at least provide or mail a copy of the written report to the school without his/her signature or name.

Storage and Access to Completed Child Abuse Forms



1. A copy of the completed child abuse report form shall be kept at the school
2. The copy of the completed report form shall be stored in a locking file cabinet in a location normally set aside for keeping records of a confidential or sensitive nature.
3. Report forms shall be held for a period of seven years from the date of the report.
4. Completed child abuse report forms shall not become part of the cumulative record and shall not be transferred.
5. Access to report forms by school personnel shall be limited to those needing to show proof that the report was made and to those who are engaged in gathering statistical data regarding child abuse. Those gathering statistical data shall not reveal the name, address, telephone number or any other data that might lead to identification of any individual named on the report form. Data gathering shall be limited to month and year the report was filed, reason for report (e.g., child abuse, child neglect, sexual abuse), and age or grade of the child. No information shall be kept by the school regarding the disposition of the report.
6. An access log shall be kept in the locking file cabinet in which completed child abuse reporting forms are stored. Any person seeking access to child abuse reporting forms is required to first receive permission from the principal or designee of the school. Upon receiving permission for access to the completed child abuse report(s) based on the conditions cited herein, any person seeking access shall record on the access log his/her name, the date the report(s) were reviewed, the purpose for access, his/her title, and the specific report(s) reviewed.

Legal Responsibility and Liability

1. Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.
2. A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report.
3. When two or more persons who are required to report jointly, have knowledge of suspected instance of child abuse, and when there is agreement among them, the telephone report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.
4. The duty to report child abuse is an individual duty and no principal may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.



Victim Interviews

When a law enforcement and/or Child Protective Services (CPS) worker comes on a school campus to interview a student as part of an investigation of physical abuse, sexual abuse, and/or neglect, it is strongly advised that you follow these steps. The appropriate/recommended steps are in a checklist format for your convenience.

1. Meet and greet CPS worker/officer; introduce yourself to them using your title.
2. Check ID and ask for business card.
3. Respond to questions from worker/officer regarding student(s).
4. Make arrangements for worker/officer to interview student. The child must be presented the option of being interviewed in private or selecting an adult who is a member of the school staff to be present at the interview. Reassure the student that the worker/officer is there to help them. The worker/officer will inform student of their right. (Required by law to do so.)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. If a staff member is present during the interview, they must be prepared to leave if it facilitates the interview. The CPS worker/officer will conduct the interview according to their best judgment--listen to them! The purpose of the staff person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible; however, the member of the staff so elected shall not participate in the interview unless the worker requests the staff person's participation.
2. Request feedback from law enforcement and/or Children's Protective Services.
3. After the conclusion of the interview, assess student's ability to return to class.
4. Do not notify parents/guardians until you have cleared it with the worker/officer.

Release of Child to Peace Officer

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse, the Principal or designee shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian.

It is the responsibility of the peace officer to notify the parent/guardian of the situation.

When School Employees are Accused of Child Abuse



Regardless of who child abusers may be, the major responsibilities of mandated reporters are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring reporting of suspected abuse to the proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Parents/guardians or members of the public accusing school employees of child abuse should be made aware of the ramifications of making false reports and should be provided with information regarding child abuse and child abuse reporting.

Pending the outcome of an investigation by a child protective agency and prior to the filing of formal charges, the employee may be subject to reassignment or a paid leave of absence.

Disciplinary action resulting from the filing of formal charges or upon conviction shall be in accordance with school policies and regulations. The Principal or designee should consult with legal counsel in implementing either suspension or dismissal.