



## Mandated Child Abuse Reporting

It is required that any person who enters into employment with Westlake Charter Schools must acknowledge that they are aware of the provisions of Sections 11164-11174.3 of the Penal Code regarding mandated reporting requirements as defined in this document. Mandated reporters must report suspected child maltreatment immediately when they have reasonable suspicion to believe that a child who is 17 years of age or younger and known to them in a professional or official capacity has been harmed or is in danger of being harmed – physically, sexually, or through neglect – and that a caregiver either committed the harm or should have taken steps to prevent the child from harm.

The Charter Schools shall provide training to all personnel regarding the obligations as mandatory reporters and the steps required to report suspected abuse.

### Procedures

#### Definition:

The following situations are reportable conditions: physical abuse; sexual abuse, sexual assault, sexual exploitation; child exploitation, child pornography, child prostitution; neglect; extreme corporal punishment resulting in injury; willful cruelty or unjustifiable punishment; abuse in out-of-home care; and/or mental suffering.

#### Mandated Reporters:

The following individuals are included as mandated reporters: child care custodians, which includes all public school employees (administrators, support staff, teachers, counselors, instructional assistants, custodians, etc.); licensed day care workers and administrators of community care facilities licensed to care for children; health practitioners; and child protective agencies.

#### When to Report:

A telephone report must be made immediately when the reporter observes a child in his/her professional capacity or within the scope of his/her employment and has knowledge of, or has reasonable suspicion that the child has been abused. A written report on a standard form must be sent within 36 hours after the telephone report has been made.



### Reporting Agencies:

The mandated reporter has a choice of reporting to the Police or Sheriff's Department, the Probation Department or a Child Welfare Agency. In addition, there are child abuse hotline numbers available. To make a telephone report, dial "0" and ask for "ZENITH 21234" or call 1-800-540-4000.

### Individual Responsibility:

Any individual who is named in the reporting law must report abuse. Immediate reporting to the Executive Director or Principal is recommended. If the individual confers with a superior and a decision is made that the superior will file the report, one report is sufficient.

### Anonymous Reporting:

Mandated reporters are required to give their names. Non-mandated reporters may report anonymously.

Child protective agencies and other individuals listed in Penal Code Section 11167.5 who have access to a reporter's identity are required to keep the mandated reporter's name confidential, unless a court orders the information disclosed or the reporter waives his/her confidentiality.

### Immunity:

Any legally mandated reporter has immunity when making a report. In the event a civil suit is filed against the reporter, reimbursement for fees incurred in the suit will occur up to \$50,000. In order to get reimbursement, a reporter must present a claim to the State Board of Control (Penal Code Section 11172).

No individual can be dismissed, disciplined or harassed for making a report of suspected child abuse.

### Liability:

Legally mandated reporters can be criminally liable for failing to report suspected abuse. The penalty for this misdemeanor is up to six months in a county jail, a fine of not more than \$1,000 or both. Mandated reporters can also be civilly liable for failure to report.