



MANDATED REPORTING POLICY

Background:

The City Manager directed staff to prepare a comprehensive Mandated Reporting Policy to ensure that all appropriate city employees are aware of their obligations under the California Child Abuse and Reporting Act (Penal Code Section 11164-11174.3).

Purpose:

The Child Abuse and Reporting Act (CANRA), Penal Code 11164-11174.3 is designed to protect victims of child abuse and neglect by imposing a “mandatory reporting requirement on those whose professions bring them into contact with children.” It is the policy of the City to comply with its obligations under CANRA, to require all City employees who are mandated reporters make the required reports to child protection or law enforcement agencies, and more broadly to encourage all City employees to observe, have actual knowledge of, or reasonably suspect child abuse or neglect at a City facility or perpetrated by City personnel to promptly report the concern. To that end, this policy:

- Identifies City employees who are mandated reporters under CANRA
- Establishes the procedure for notifying employees of their CANRA responsibilities.
- Requires training for mandated reporters to ensure that applicable employees have access to the information needed to fulfill their mandated child abuse reporting obligations.
- Requires posting of mandated reporting procedures in a location readily accessible to all employees Police, Parks and Landscape Maintenance and Recreation.

Policy:

Mandated Reporters. CANRA section 1165.7 defines “mandated reporter” to include an administrator of a public day camp, an administrator or employee of a public youth center, youth recreation program, or youth organization, an administrator of a public organization whose duties require direct contact with children, and any employee of a police department. All city employees that perform as “child care custodians” are mandated child abuse reporters:

- All police department employees
- Recreation Manager, Recreation Technician, Senior Recreation Leader, drop in school program employees, summer camp employees
- Facilities Maintenance Workers, Parks Maintenance Workers
- Any other positions identified by the City Manager whose duties bring them into contact with children or supervision of children

Reporting Obligations

External Reporting: All mandated reporters must report observed or reasonably suspected child abuse or neglect to the local law enforcement agency (police or sheriff's department) or the county welfare department (Child Protective Services). Initial external reports must be made immediately by telephone followed by a write report within 36 hours. The written report must include certain specific information specified in Section 11167 (a) of CANRA, including:

- The name, business address and telephone number of the mandated reporter;
- The capacity that makes the person a mandated reporter;
- The information that gave rise to the reasonable suspicion of child abuse or neglect;
- The source of that information;
- The child's name (if known);
- The child's address and present location (if known);
- The name, address, and telephone number of the child's parent or guardian (if known)
- The names, addresses, telephone number and other relevant personal information about the person who might have abused or neglected the child (if known)
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The written report may be submitted on form SS 8572, available online at http://ag.ca.gov/childabuse/pdf/ss_8572.pdf (reporting instructions are available at http://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/8572_instruct.pdf?)

Failure to make a mandated external report required under CANRA may result in criminal penalties.

Internal Reporting: Under this regulation, mandated reporters must also promptly report observed or reasonably suspected child abuse or neglect to their supervisor, manager or director, or to the Human Resources Administrator. The internal reports may be made anonymously. Supervisors who receive these internal reports should promptly forward the report to the Human Resources Administrator.

An internal report does not substitute for a Mandated Reporter's required external reports under CANRA or other applicable laws.

Other City Employees

City employees, officials and volunteers who are not otherwise Mandated Reporters required to make external reports are nevertheless required to report observed or suspected child abuse or neglect to their supervisor, manager, or director or to the Human Resources Administrator.

Notification to Mandated Reporters

Upon hire or a new term of employment with the City, employees who are identified as mandated reporters will be given information about their CANRA obligations as follows:

- A document that addresses frequently asked questions regarding CANRA reporting and
- Copies of selected sections of Penal CODE 11165.7, 11166 ad 1167

Acknowledgment

Employees who are identified as mandated reporters must sign an acknowledgement of their mandated reporter obligations. The acknowledgment will be kept in the employee's personnel file.

Mandatory Training

Employees designated as mandated reporters must complete training in mandated reporting upon hire. The required training will be as directed by the Human Resources Administrator, or his or her designee.

NOTE: Mandated reporters must comply with the reporting duties imposed by CANRA whether or not they have received training from the City of any third party.

Posting Requirements

Information regarding how to report suspected child abuse or neglect will be posted in the Recreation office in a location easily accessible by and visible to all employees.

Disciplinary Action

Failure to make a mandated report under this Policy may result in disciplinary action up to and including termination in accordance with City Personnel Policy.

No Retaliation

No City employee or official may impede or inhibit a mandated reporter's duties, nor impose any sanction on any person making a good-faith report under CANRA or under this Policy. No retaliation against anyone for making a good-faith report under this Policy or CANRA will be tolerated. Retaliation against any good-faith reporter will be handled in accordance with City policies and procedures prohibiting harassment, discrimination, and retaliation.

Indemnification and Immunity

The City will, consistent with applicable law, defend and indemnify City employees in any civil action arising from a good faith report of child abuse or neglect required or encouraged under this policy. CANRA provides immunity from liability and other protections to mandated reporters.