

**CHILD ABUSE AND NEGLECT**

## 1. Definition

As used in these regulations:

- a. “Child abuse” means a physical injury which is inflicted by other than accidental means upon a child by another, sexual abuse (including sexual assault and sexual exploitation of a child), willful cruelty or unjustifiable punishment of a child, willful infliction of cruel or inhuman corporal punishment or injury resulting in a traumatic condition to the child, or negligent treatment or maltreatment of a child by a person responsible for the child’s welfare, under circumstances indicating harm or threatened harm to the child’s health or welfare.
- b. “Child care custodian” means a teacher, administrative officer, supervisor of child welfare and attendance, or certificated pupil personnel employee of any public or private school
- c. “Child protective agency” means a police or sheriff’s department, a county probation department, or a county welfare department.
- d. “Willful cruelty or unjustifiable punishment of a child” means a situation where any person willfully causes or permits any child to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, or having the care or custody of any child, willfully causes or permits the person or health of the child to be endangered.
- e. “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 or her training and experience, to suspect child abuse.
- f. “Child protective agency” means a police or sheriff’s department, a county probation department, or a county welfare department.

## 2. Procedures for Reporting Abuse

Any school or school district employee who, while in their professional capacity or within the scope of their employment, has knowledge of, or reasonably suspects, that a child has been the victim of child abuse, shall immediately or as soon as practically possible report the known or suspected instance of abuse to the School Resource Officer (SRO) or to the Orange County Child Abuse Registry [(714)940-1000] or Los Angeles County Child Abuse hotline [(800) 540-4000], depending upon where the victim lives.

1. A telephone report shall be made immediately or as soon as it is practically possible. These reports shall be made to either to the School Resource Officer (SRO) or to the Orange County or Los Angeles County Social Services Agency, Adult Abuse

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Registry (depending on where the dependent adult lives), or to a local law enforcement agency.

- a. School Resource Officer (SRO): Employee must speak with the SRO personally, leaving a phone or email message is not sufficient.

Buena Park High School	(714) 992-8737
Fullerton Union High School	(714) 626-3909
La Habra High School	(562) 266-5071
La Vista/La Sierra High Schools	(714) 447-5533
Sonora High School	(562) 266-2009
Sunny Hills High School	(714) 626-4253
Troy High School	(714) 626-4488
- b. Orange County Adult Abuse Registry  
(714) 940-1000
- c. Los Angeles County Adult Abuse Registry  
(800) 540-4000

The reporting duties under the Penal Code are individual. When two or more persons jointly have knowledge of a known or suspected instance of child abuse, they must each make the required reports, unless there is an agreement among them that one of them will make the telephone report and thereafter submit a written report on behalf of both or all of the persons required by the Penal Code to report known or suspected instances of child abuse. A telephone report shall be made as soon as practically possible.

A school or school District employee who has or develops a “reasonable suspicion” of child abuse shall, upon the development of such suspicion, do the following:

- a. Report the suspected child abuse to the site administrator;
- b. Determine the appropriate (SRO, Orange County Child Abuse Registry, or the Los Angeles County Child Abuse hotline) child protective agency to be contacted and contact said agency by telephone as soon as possible;
- c. Provide the following information to the child protective agency:
  1. The name of the person making the report;
  2. The name of the child involved;
  3. The present location of the child;
  4. The nature and extent of the injury or other observations upon which the suspicion of abuse are founded;
  5. Any other information requested by the child protection agency, including the information which led the reporting person to suspect an incidence of child abuse.

- d. Cooperate with the child protective agency and any investigator thereof in investigating the incidence of child abuse.

### 3. Due Process

Child abuse reports required by Section 11166 of the Penal Code shall be confidential and may not be disclosed except as provided by Section 11167.5. Any violation of the confidentiality of the reports is a misdemeanor.

No child care custodian who reports a known or suspected instance of child abuse shall be civilly or criminally liable for any report required by Section 11166 of the Penal Code. Any child care custodian who, pursuant to a request from a child protective agency, provides the requesting agency with access to the victim of a known or suspected instance of child abuse shall not incur civil or criminal liability as a result of providing that access.

Any person who enters into employment on or after January 1, 1985, as a “child care custodian” (as that term is defined in Section 11165(h), Penal Code) shall, prior to commencing his or her employment, sign a statement on a form provided by the district stating that he or she has knowledge of the provisions of Section 11166, Penal Code, and will comply with its provisions.

Any person who fails to report immediately or as soon as practically possible an instance of child abuse, which he or she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and may be punished by confinement in the county jail for up to six months or by a fine not to exceed \$1,000, or both.

Reference: Penal Code Sections 11165-11172; Welfare and Institutions Code Section 300

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