



SUMMARY of CHILD ABUSE REPORTING LAW
Penal Code Section 11116
Reporting Child Abuse and Neglect
Mandated Reporter

California mandated reporters of child abuse include

- Child Care Custodians-which includes child care programs, after school programs, infant programs, respite programs, school programs, Regional Center Case Managers,
- Health Care practitioners including dentists, register dental hygienists, and registered dental assistance,
- Designated employees of local law enforcement
- Employees of child protective agencies
- Firefighters
- Animal Control Officers
- Humane Society Officers
- Photographic Film Processors

Any "direct care professional" (person employed to work directly with a regional center consumer) must report abuse or neglect to the proper authorities, under penalty of law.

IF YOU:

- **Observe an incident that reasonably appears to be abuse/neglect; Unlawful Punishment or Injury; Willful Cruelty or Unjustifiable Punishment of a Child or**
- **Observe a physical injury/neglect which clearly indicates that abuse/neglect; Unlawful Punishment or Injury; Willful Cruelty or Unjustifiable Punishment of a Child has occurred; or**
- **Are told by a regional center consumer that he/she has experienced behavior constituting abuse/neglect; Unlawful Punishment or Injury; willful Cruelty or Unjustifiable Punishment of a Child**

You are required to report immediately by telephone and within 36 hours in writing using the Social Services Form SS 8572, for each incident and each victim of suspected abuse.

YOU MUST REPORT THE KNOWN OF SUSPECTED ABUSE TO:

- **Child Protective Services and/or law enforcement**
- **Community Care Licensing (for any child in residential care, or attending a licensed child care/after school or infant program)**
- **Health Care Licensing for any child living in an ICF**

California mandated reporters are provided immunity from civil and criminal liability as a result of making a required or authorized report of known or suspected abuse/neglect

Failure to report as required is a misdemeanor, punishable by up to six months in county jail, by a fine of not more than \$1,000, or by both a fine and imprisonment.

The identity of reporters is confidential and is disclosed only to authorized agencies. Violation of this confidentiality is also a misdemeanor, punishable by up to six months in the county jail, a fine of not more than \$500, or by both a fine and imprisonment.

It is not sufficient to simply report to your supervisor or administrator, although internal procedures for reporting to such persons may be established as long as they are consistent with YOUR OBLIGATION to report to outside authorities.

Always notify the regional center case manager when you have made a report, and follow the regional center's procedures on Special Incident Reporting.

Statutory Rape and Adolescent Abuse Reporting

Age of Victim	Report of Abuse Required if:
Under 18 (14-17 years)	1. Physical abuse (including abuse by a dating partner). 2. Rape, sexual assault, or sexual abuse of any kind.
Under 14 (14 or 15 years)	1. Consensual sexual intercourse with a partner 21 years or older (statutory rape). 2. Consensual sexual activity of any kind with a partner 10 or more years older.
Under 14 (13 or less years)	All of the Above

The following situations do **not** require reporting:

1. Consensual sexual activity between minors under 14 years who are of "like age".
2. Consensual sexual activity between minors aged 14-17 and partners aged 14-20.

Note: There is no law that health care providers or other professionals who work with adolescents to ask the age of a child's sexual partner(s).



I hereby acknowledge I have read and received a copy of the foregoing provisions of Section 11116 of The Penal Code and affirm that I will comply with its provisions.

Employee Name (Print)

Employee Signature

Date