

## Child Abuse Reporting

### 323.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the mandatory reporting of suspected child abuse or neglect (Penal Code § 11165.7).

#### 323.1.1 DEFINITIONS

Definitions related to this policy include:

**Child** - Any person under the age of 18 years (Penal Code § 11165).

**Child abuse or neglect** - Includes the following:

- Physical injury or death inflicted by other than accidental means upon a child (Penal Code § 11165.6)
- Sexual abuse as defined in Penal Code § 11165.1
- Neglect as defined in Penal Code § 11165.2
- The willful harming or injuring of a child or endangering a child or the health of a child, as defined in Penal Code § 11165.3
- Unlawful corporal punishment or injury as defined in Penal Code § 11165.4

Child abuse or neglect does not include an altercation between minors (Penal Code § 11165.6).

### 323.2 POLICY

It is the policy of the Fresno County Fire Protection District to report suspected child abuse to local law enforcement.

### 323.3 MANDATED REPORTER REQUIREMENTS

All members of this district are responsible for the timely and proper reporting of suspected child abuse or neglect. Non-volunteer firefighters, paramedics, EMT I and II and other district members certified under Health and Safety Code Division 2.5 § 1797 et seq. are designated as mandated reporters (Penal Code § 11165.7).

A mandated reporter of this district who, in his/her professional capacity or scope of employment, has knowledge of or observes a child known or reasonably suspected to have been the victim of child abuse or neglect, shall notify law enforcement personnel by telephone as soon as practicable. The member shall then send or transmit a written follow-up report on the form provided by the law enforcement agency (Penal Code § 11168) within 36 hours of receiving the information concerning the incident (Penal Code § 11166(a)). A record of the written follow-up report should be retained.

Reports of suspected child abuse or neglect shall include the following information if known (Penal Code § 11167(a)):

- The name, business address and telephone number of the mandated reporter

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- The capacity that makes the person a mandated reporter
- The information that gave rise to the reasonable suspicion of child abuse or neglect and the source of that information
- The names, addresses and telephone numbers of the child's parents or guardians
- The name, address, telephone number and other relevant personal information about the persons who might have abused or neglected the child

District members with knowledge of, or who reasonably suspect that, a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage may make a report through a mandated reporter (Penal Code § 11166.05).

Failure to report an incident of known or reasonably suspected child abuse or neglect by a mandated reporter is a misdemeanor and may also result in discipline (Penal Code § 11166(c)).

### **323.4 MANDATED REPORTER STATEMENT**

Each mandated reporter of this district shall be provided with a copy of Penal Code § 11165.7, Penal Code § 11166 and Penal Code § 11167, and shall sign a statement acknowledging that he/she received the copies, is a mandated reporter and will comply with the mandatory reporting provisions (Penal Code § 11166.5). The District will retain the original signed statement consistent with the district's established records retention schedules.

### **323.5 CONFIDENTIALITY**

Reports of child abuse or neglect are to be confidential and may be disclosed only as provided in Penal Code § 11167.5.