

Mandated Reporter Information Sheet

Who is a Mandated Reporter?

A mandated reporter is defined as “an administrator or employee of a public or private organization whose duties require contact and supervision of children.” (California Penal Code [CPC] 11165.7[a8])

Volunteers are not mandated reporters, but some agencies request their volunteers to assume the responsibility of mandated reporters regarding suspected child abuse and neglect. “Public and private organizations are encouraged to provide their volunteers whose duties require direct contact with and supervision of children with training in the identification and reporting of child abuse and neglect.” (CPC 11165.7[f]). Mandated reporters comprise approximately 70% of incoming reports to Child Protective Services and therefore play a vital role in helping keep children safe.

Mandated Reporters are:

- Public and Private School Teachers, Teacher Aides and Administrators
- Classified School Employees
- Childcare Providers
- Healthcare Providers
- Public Health Employees
- Paramedics and EMTs
- Dentists and Dental Hygienists
- Optometrists
- Mental Health and Counseling Professionals
- Coroners and Medical Examiners
- Clergy Members
- Law Enforcement Officers
- Fire Fighters
- Animal Control and Human Society Officers
- Probation and Parole Officers
- Public Assistance Workers
- Social Workers
- Child Protective Agency Employees
- Child Visitation Monitors
- Youth Camp and Recreation Program Employees
- Foster Parents
- Foster and Group Home Personnel
- Film and Video Processors
- CASA Workers
- Coaches and Coaching staff (however, Volunteers are not Mandated Reporters)

When to Report Child Abuse and Neglect

A mandated reporter is legally required to report that a child has been the victim of child abuse or neglect whenever he or she has “knowledge” or “reasonable suspicion” obtained “in his or her professional capacity or with in the scope of his or her employment.” The mandated reporter should make the report to the agency “immediately or as soon as practicably possible.” (CPC 11166[a]).

Reporting the information regarding knowledge or suspicion of child abuse and neglect to an employer, supervisor or coworker is not a substitute from making a report to Child Protective Service or Law Enforcement.

Immunity and Safeguards for Mandated Reporters

Mandated reporters are:

- Immune from civil and criminal liability (CPC 11172[a])
- Entitled to reasonable attorney fees and costs incurred in any action against him or her on the basis of making a report (CPC 11172[c1])
- Not legally required to inform the parents that a report has been filed
- Not liable for photographing the victim and submitting the photo with the report

Employers cannot impede or inhibit the reporter from making a report, nor sanction the reporter (CPC 11166[i1]). Employers are strongly encouraged to provide their employees who are mandated reporters with training of their duties to report.

Confidentiality for Mandated Reporters

The identity of the reporter shall remain confidential and disclosed only among agencies receiving or investigation the report with the exception of the following:

- A prosecutor in a criminal case
- County Counsel
- A licensing agency when out of home abuse is reasonably suspected
- When the person waives confidentiality
- Court order

A child protection agency cannot disclose the identity of a person making a report to that person’s employer except with that person’s consent or a court order (CPC 11167[d]).

Failure to Make a Suspected Child Abuse Report

Failure to report may result in being charged with a misdemeanor crime punishable by up to six months confinement in a county jail and/or by a fine of \$1000 (CPC 11166[c]). It may also result in being liable for damages in a civil suit and/or losing his or her license or credential. Intentional concealment or failure to report by the mandated reporter is a continuing offense until failure is discovered (CPC 11166[b]).

How to Make a Suspected Child Abuse or Neglect Report

There is a two-step reporting process:

Step 1 -requires the mandated reporter to make the report by telephone to the local child protection agency or law enforcement. The mandated reporter should be prepared to give the following information:

- Your name, business address and phone
- Name, age and present location of the child
- Family address, apartment number, zip code and phone number
- Specific details on the nature and extent of abuse (where & when, frequency, patterns, risk of further abuse, imminent danger to child)
- Domestic Violence history
- Criminal history
- Mental Health history
- Alcohol or Other Drug history
- Services or organizations the family is involved with
- Services family may benefit from
- Family strengths
- Any other information requested

Step 2 –requires that within 36 hours of receiving the information concerning the incident, a written report should be prepared and sent, faxed, or electronically transmitted. The mandated reporter may include any non-privileged documentary evidence that he or she possesses relating to the incident (CPC 11166[a]).

To file the Suspected Child Abuse Report Online see link for Mandated Reporter On-Line Report.

To file the Suspected Child Abuse Report by mail or fax print form from link and mail to County of Sacramento, P.O. Box 269057, Sacramento, CA 95826-9057 or fax to 916-874-4002.