



## **Policy on Reporting Child Abuse and Neglect**

### **Overview**

The California Child Abuse and Neglect Reporting Act (“CANRA”), Penal Code Sections 11164 *et seq.*, designates certain positions at Santa Clara University to be Mandated Reporters of known or suspected child abuse or neglect. The University requires all University employees who are Mandated Reporters under the CANRA to report known or suspected child abuse or neglect as required by the law and this Policy.

The University also requires all employees and volunteers (whether or not they are Mandated Reporters under the CANRA) to immediately report any known or suspected child abuse or neglect that occurs on campus, in any off-campus University building or property, or in connection with any University-related program or activity in a manner consistent with this Policy.

### **Definitions**

- A “child” is a person under the age of 18 years.
- “Child abuse or neglect” is defined in California Penal Code Section 11165.5 and includes physical injury or death inflicted by other than accidental means upon a child by another person, sexual abuse, negligent treatment or the 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, the willful harming or injuring of a child or the endangering of the person or health of a child, and unlawful corporal punishment or injury.
- A “Mandated Reporter” is any University employee who is required by the CANRA to report known or suspected child abuse or neglect. For a complete list of those categories of employees who are Mandated Reporters under the CANRA, please see [California Penal Code Section 11165.7](#). Attachment A includes examples of roles identified in CANRA that may be applicable to the University.

### **Reporting Requirements for Mandated Reporters**

A Mandated Reporter must make a report whenever the Mandated Reporter, in their professional capacity or within the scope of their employment, has knowledge of or observes a child whom the Mandated Reporter knows or reasonably suspects has been a victim of child abuse or neglect. The report shall be made as follows:

- Immediately, or as soon as practicably possible, a report must be made by telephone to the Santa Clara County Child Abuse and Neglect 24-hour Hotline at 1-833-SCC-KIDS (833-722-5437).
- Immediately, or as soon as practicably possible, a report must be made by telephone to the University's Campus Safety Services at (408) 554-4441 and by email to [campussafety@scu.edu](mailto:campussafety@scu.edu).
- Within 36 hours of receiving information concerning the incident, a written report on [California Form SS8572](#) Suspected Child Abuse Report) must be submitted to the County of Santa Clara Department of Family and Children's Services.

While the reporting duties are the responsibility of the Mandated Reporter, Campus Safety Services is available to assist the Mandated Reporter with making the required telephonic and written reports. Note that making a report to the University is not a substitute for making the reports mandated by the CANRA.

### **Reporting Requirements for all University Employees and Volunteers (Regardless of Mandated Reporter Status)**

In addition, the University expects all employees and volunteers (regardless of Mandated Reporter status) to report any known or suspected child abuse or neglect that occurs on campus, in any off-campus University building or property, or in connection with any University-related program or activity. The report shall be made immediately, or as soon as practicably possible, by telephone to the University's Campus Safety Services at (408) 554-4441 and by email to [campussafety@scu.edu](mailto:campussafety@scu.edu).

### **No Retaliation**

The University prohibits retaliation against any person because they have reported known or suspected child abuse or neglect as required by the CANRA or this Policy.

### **Failure to Comply**

Failure to comply with the requirements of this Policy may result in corrective action, up to and including termination of employment. A Mandated Reporter who fails to comply with the requirements of the CANRA also may be subject to criminal penalties.

(July 14, 2024)

## **Attachment A**

For a complete list of Mandated Reporters under the California Child Abuse and Neglect Reporting Act, please see California Penal Code Section 11165.7. The following are examples of positions that may be applicable to Santa Clara University:

- A teacher.
- An instructional aide.
- A teacher's aide or teacher's assistant employed by a public or private school.
- An administrator of a public or private day camp.
- An administrator or employee of a public or private organization whose duties require direct contact and supervision of children.
- A licensee, an administrator, or an employee of a licensed community care of child daycare facility.
- An employee of a school security department.
- A physician and surgeon, psychiatrist, psychologist, dentist, resident, intern, podiatrist, chiropractor, licensed nurse, dental hygienist, optometrist, marriage and family therapist, clinical social worker, professional clinical counselor, or any other person who is currently licensed under Division 2 (commencing with Section 500) of the Business and Professions Code.
- A clergy member, meaning a priest minister, rabbi, religious practitioner, or similar functionary of a church, temple, or recognized denomination or organization.
- An employee or administrator of a public or private postsecondary educational institution, whose duties bring the administrator or employee into contact with children on a regular basis, or who supervises those whose duties bring the administrator or employee into contact with children on a regular basis, as to child abuse or neglect occurring on that institution's premises or at an official activity of, or program conducted by, the institution.
- Any athletic coach, including, but not limited to, an assistant coach or a graduate assistant involved in coaching, at public or private postsecondary educational institutions.