

## Frequently Asked Questions

### *Who is considered a "child"?*

“Child” means a person under the age of 18. Emancipation does not alter the responsibility for reporting abuse of a minor under the California Penal Code.

### *What is child abuse?*

Generally, it is non-accidental, physical injury inflicted on a child by another person. This may include sexual assault, molestation, or exploitation.

### *What is child neglect?*

Child neglect is a situation where there is inadequate provision of food, clothing, shelter and supervision of the child. Their health is endangered even though no physical injury has occurred.

### *Is what I'm seeing really child abuse?*

A good rule to follow is WHEN IN DOUBT, REPORT. The law does not require you to prove your suspicions only report them.

### *What if I make a mistake in reporting?*

If you make a reasonable error in reporting, you have complete immunity from criminal or civil liability. However, you are liable if you fail to report a reasonable suspicion of abuse. Therefore, it is better to err in the direction of over-reporting than under-reporting.

### *Do I need to do anything more after completing the District's reporting procedure?*

No. Do not conduct your own investigation or contact the alleged abuser.

### *Can I be called into court to testify?*

Yes, this is a possibility even though the majority of cases do not go to court. Any employee who has followed District policy in reporting will receive legal defense through the District.

### *What can happen if I don't file a report?*

An employee who fails to report a suspicion of abuse can be found guilty of a misdemeanor which is punishable by up to 6 months in County Jail or a fine of up to \$1,000 or both. There is also the possibility of personal civil liability with the expense of subsequent damage claims. Professional credentials may be revoked.

## Mandated Reporting



### Jefferson School District

1219 Whispering Wind Drive  
Tracy, CA 95377  
(209) 836-3388 • (209) 836-2930 fax

## Jefferson School District

### How do I report child abuse?

If you suspect that a child has been abused or neglected:

First make a telephone report to the Child Protective Services (CPS) Hotline at 209-468-1333.

During the phone call, ask the official for their name and what fax number to use to file the written report. (You'll need their name to complete the written report.)

Within 36 hours, file a written report. Download a copy of the "Suspected Child Abuse Report" on our website or at the link below:

[ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://ag.ca.gov/childabuse/pdf/ss_8572.pdf)

Fill it out and print a copy to be faxed. Fax the report to the fax number you were given by CPS.

Save a copy for yourself.

### What should be reported to Children's Services?

Child abuse and neglect comes in many forms and can be an act or an omission that harms a child.

**Physical abuse** is defined as non-accidental physical trauma or injury by a parent or caretaker on a child. It also includes a parent's or a caregiver's failure to protect a child from another person who perpetrates physical abuse on a child. In its most severe form, physical abuse causes great bodily harm or death.

**Sexual Abuse** includes penetration or external touching of a child's intimate parts, oral sex with a child, indecent exposure, using a child for prostitution, the manufacturing of child pornography, or any other sexual act performed in a child's presence for sexual gratification. Child sexual abuse also includes the willful failure of a parent or caretaker to make reasonable efforts to stop child sexual abuse by another person.

**Emotional Abuse** includes, but is not limited to, verbal assaults, ignoring and indifference or constant family conflict.

**Neglect** includes any situation where a child does not receive proper care and/or is exposed to hazardous conditions such as drugs, domestic violence, or other issues which threaten the safety and well being of the child.

### Step One: Report to Principal

*Your principal is there to support you through this process. This does not alleviate the mandated reporter from making a report. However, when two or more individuals have information, one person can be selected to make the call.*

### Step Two: Phone CPS Immediately 209-468-1333

### Step Three: Follow with Form

*Forms are required to be faxed within 36 hours to Child Protective Services. CPS will give you the fax number during the call.*

### Remember:

- The reporting duties of mandated reporters are individual and cannot be delegated to another person. *(Penal Code 11166).*
- No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. *(Penal Code 11166)*