



# **California Child Abuse & Neglect Reporting Act (CANRA) Mandated Reporter Training**



## Overview of Mandated Reporter Requirements Under CANRA

- **If you are receiving this training, you are a mandated reporter under the Child Abuse and Neglect Reporting Act.**
- **Supervisors Must Report Sexual Abuse**
  - Employees who directly supervise minors in the performance of their duties in the workplace are required to report knowledge or reasonable suspicion of child sexual abuse to the police or other authorities.
- **Human Resources Must Report Child Abuse and Neglect**
  - Human Resources professionals are required to report knowledge or reasonable suspicion of child abuse (including sexual abuse) or neglect to the police or other authorities.
- **Reporting can protect a child from abuse and neglect.**
- **A failure to report is a misdemeanor crime. You can be personally fined up to \$1,000, jailed for up to 6 months, or both.**



## Child Abuse and Neglect Identification

- **For Supervisors: What constitutes child sexual abuse?**
  - Sexual abuse means sexual assault or sexual exploitation and includes a variety of conduct such as rape (including statutory rape), sexual contact, and intentional touching of genitals or intimate parts.
- **For HR: What constitutes child abuse and neglect?**
  - Sexual abuse, as defined above
  - Physical abuse and neglect
  - The 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.
  - Physical injury or death inflicted by other than accidental means upon a child by another person
  - Does not include mutual fighting between minors



## Child Abuse and Neglect Identification - Examples

### •For Supervisors: What constitutes child sexual abuse?

- Example: a minor disclosing that they were the victim of a rape.
- Example: a minor under age 16 engaging in sexual intercourse with someone 21 or older.

### •For HR: What constitutes child abuse and neglect?

- Example: injuries that cause suspicion of abuse, such as bruising.
- Example: overhearing a conversation in which a minor mentions being “pretty sore today because dad laid into me for failing math.”

### •What if I’m not sure?

- You do not need to be certain that sexual abuse, child abuse or neglect has occurred to report it.
- If you are aware of facts that cause you to suspect sexual abuse (for supervisors), or child abuse or neglect (for HR), you must report it.
- Reach out to HR promptly if you need help determining whether to report



## **More About Reasonable Suspicion**

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- **A child does not have to directly disclose abuse to you for you to make a report of suspected child abuse.**
- **It is not your job to figure out what happened or investigate. Once you have reasonable cause to suspect child abuse, report it.**
- **You do not need proof that child abuse has occurred.**
- **If you are at all concerned about the possibility of child abuse or neglect, report it.**



## Child Abuse and Neglect Reporting – Where, When and How to Report

- **Where do I report?**

- Reports of suspected child abuse or neglect, including sexual abuse, shall be made to one of the following:
  - Any police department or sheriff's department
  - County probation department
  - County welfare department

- **When and how do I report?**

- If you know or reasonably suspect a child has been a victim of child abuse or neglect, make an initial report to the police immediately or as soon as reasonably practicable by telephone.
- Then submit a follow up written report within 36 hours via fax or electronic submission with information concerning the incident and any nonprivileged documents you possess related to the incident.



## Child Abuse and Neglect Reporting – Who Should Report

- **If more than one mandated reporter suspects sexual abuse, child abuse or neglect, the reporters can agree that a single person will make the report.**
  - The mandatory duty is not fulfilled unless the report is made.
  - If you know that the designated person failed to report, you must do so.
- **You have two options for making a report:**
  - Alert HR, and you can agree with HR as to who will make the report to the appropriate authorities.
    - *Pay attention to the timing – immediate telephone reporting is required.*
    - *Alerting HR **does not** fulfill your reporting requirement. If you cannot connect with HR in a timely manner, make the report yourself.*
  - Make the report yourself, consistent with this training, and alert HR.
    - You can alert HR directly; or
    - If you wish to remain anonymous, you can alert the Support Center via the hotline at: 800.837.3667, extension 1300



## Child Abuse and Neglect Reporting – What Information to Report

- **When you initially call, provide the following information:**
  - Your name, business address, and telephone number
  - The capacity that makes you a mandated reporter (i.e., direct supervisor of a minor or HR professional)
  - Information that gave rise to the knowledge or suspicion of child abuse or neglect
  - The source or sources of that information
  - If known, include the child's name, address, and present location as well as the names, addresses and phone numbers of the child's parents or guardians
  - If known, include the name, address, phone number and other relevant information about the person(s) who might have abused or neglected the child
  - Make a report even if you do not know all the information!
- **For the written report**
  - The report form is Department of Justice form BCIA 8572 and can be found at: [https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss\\_8572.pdf](https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss_8572.pdf)
  - Fill in the information requested and include pertinent nonprivileged documents/evidence when you submit the form. Submit within 36 hours.





## **Your Confidentiality Rights As A Mandated Reporter**

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- **The identity of a person who makes mandated reports of child abuse or neglect is confidential and only disclosed to agencies or individuals as specified by law.**
- **All persons are protected from civil and criminal liability if acting in good faith when reporting, cooperating in investigations, and testifying in proceedings as a result of a report.**
- **No agency or person with knowledge of your identity as a mandatory reporter will disclose your identity to your employer unless they have your consent, or by court order.**



## What Else Do I Need To Know?

- **Copies of California Penal Code sections 11165.7, 11166, and 11167 are being provided to you and can be found on Talent Reef.**
- **Upon completing this training, which is available on SharePoint, you are required to sign the California Mandated Reporter Statement, confirming that you will comply with these provisions.**
- **If you have any questions about your mandated reporter obligations, please follow up with HR.**