



Child Abuse Reporting Information Sheet

Child Abuse/Neglect is defined as:

- Physical injury/death inflicted by other than accidental means
- Neglect
- Sexual abuse
- Willful harm/injury of a child or endangering of the person or health of a child
- Unlawful corporal punishment

WHO: All SFUSD employees are mandated reporters of child abuse/neglect. Anyone who has reason to suspect child abuse or neglect is responsible for making a report to Children's Emergency Services (CES), also known as Child Protective Services (CPS), as soon as possible. The duty of the mandated reporter is to report suspected child abuse, **not to investigate**.

WHY:

- To ensure all SFUSD staff are aware of and are implementing Child Abuse Reporting requirements as stated by The CALIFORNIA CHILD ABUSE and NEGLECT REPORTING ACT (Penal Code, Article 2.5).
- To clarify what school staff can and cannot share with either Child Welfare Workers who are investigating a child abuse case, or with Court Appointed Attorneys who may arrive at the school site requesting information about a student.

HOW:

A. Reports:

Any employee who has reasonable suspicion that a child is being abused must call the CES/CPS reporting line.

- A **Verbal report** should be made by calling: (415) 558-2650 or (800) 856-5553
- A **Written report**, using "Suspected Child Abuse Report" form (SS8572-11166PC), must be submitted within 36 hours of the verbal report.
- Fax the report to 415-557-5351 (or send the written report to: Children's Emergency Services, P.O. Box 7988, San Francisco, CA 94120.)

*A duplicate copy is to remain at the school site in a locked confidential file cabinet centrally located in a secure place. **NEVER PLACE THE WRITTEN COPY IN THE STUDENT'S CUMULATIVE file, Synergy record, or the Wellness Program Office.** The site administrator's office is a logical place for the files.

- The mandated reporter may redact their name and signature from the copy of the report submitted to site administration, if the reporter does not wish to reveal his/her identity.
- If the report concerns alleged abuse by a District employee or student during the school day, the site administrator, in collaboration with HR and/or LEAD, should conduct an investigation of the allegations to the extent necessary to determine appropriate disciplinary or personnel action to ensure pupil safety.
- Community Partners providing services on a school site, who file a CPS report, hold or "own"

the report. However, as a courtesy, SFUSD requests our partners inform the Wellness Coordinator/other Support Services Staff who in turn will inform the site administrator.

- The reporting duties of mandated reporters are individual and cannot be delegated to another person. When 2 or more people have joint knowledge of suspected child abuse or neglect, one person may be selected by mutual assent to make and sign a single report.

B. Interviews:

- CPS workers may interview an alleged victim of child abuse or neglect at school during school hours.
- The CPS worker is required to offer the pupil the option of being interviewed in the presence of an adult employee selected by the pupil.
- The employee shall be present as moral support only and shall not participate in the interview and shall not reveal confidential information discussed in the interview.
- If the employee agrees to be present for the interview, it shall be held at a time during the school day that does not involve expense to the school. (Penal Code 11174.3(a)).

C. Legal update on child abuse investigations :

A Ninth Circuit case, *Greene v. Camreta* (9th Cir. 2009) 588 F.3d 1011, held that it was illegal for a CPS worker and law enforcement officer to jointly conduct an in-school interview of a suspected victim of child abuse without a warrant, court order, parental consent or exigent circumstances. Based on this case, the District has adopted a new protocol that you shall use when a CPS worker and/or a police officer seek to interview a child as part of their investigation into allegations of child abuse or neglect.

New Protocol: In order to interview the student about allegations of child abuse or neglect, the CPS worker or police officer must fill out the form “Child Abuse Investigation Form”, check one of the applicable boxes (court order or warrant, parental consent, or exigent circumstances), and must sign and date the form. Please keep a record of the form in a separate file. Do not place the form in the student’s cum folder.

D. Confidentiality:

CPS reports and the information contained therein are confidential and shall not be revealed except as provided by law (i.e., to make the report to CPS or to notify the site administrator). Revealing information about a CPS report may place the child in further danger if the person accused of the abuse/neglect learns of the report.

E. Resources

The following resources are available:

- “Suspected Child Abuse Report” form (SS-8572) is available in School Health Manual, section H, or at http://oag.ca.gov/sites/all/files/pdfs/childabuse/ss_8572.pdf
- “Child Abuse Investigation Form” can be found at <http://www.healthiersf.org/Forms/documents/TrainingonNewChildAbuseprotocol.pdf>
- The Nurse-of-the-Day at 242-2615, School Health Programs, for more information on child abuse or to consult on filing a report.
- An excellent resource, Minor Consent, Confidentiality and Child Abuse Reporting in California, can be found in the School Health Manual which is at your site and on the web at <http://www.healthiersf.org/resources/SHM-1213/Section%20H%20-%20Sensitive%20Issues-%20Confidentiality%20-%20Child%20Abuse%20Reporting.PDF>

More information on child abuse may be obtained by calling the Child Abuse Prevention Council at 668-0494