
UCLA Policy 136: Reporting Child Abuse and Neglect

Issuing Officer: Executive Vice Chancellor & Provost

Responsible Dept: Office of the Executive Vice Chancellor & Provost

Effective Date: August 4, 2014

Supersedes: New

- I. PURPOSE
- II. DEFINITIONS
- III. POLICY STATEMENT
- IV. ROLES & RESPONSIBILITIES
- V. PROTECTIONS FOR REPORTERS
- VI. REFERENCES
- VII. ATTACHMENTS

I. PURPOSE

This Policy implements the University's Policy on Reporting Child Abuse and Neglect (RCAN), effective July 1, 2013, by establishing internal reporting requirement for UCLA Mandated Reporters and the process for identifying UCLA Mandated Reporters in order to comply with the California Child Abuse and Neglect Reporting Act ("CANRA"), California Penal Code §11164-11174.3.

This Policy applies to the following:

- All UCLA Employees or Officials who are UCLA Mandated Reporters under this Policy or under CANRA; and all members of the University community who, though not UCLA Mandated Reporters, may observe, have knowledge of, or reasonably suspect Child Abuse or Neglect has occurred;
- Supervisors of UCLA Mandated Reporters; and
- Department heads and Senior Administrators, as defined herein.

II. DEFINITIONS

For the purposes of this Policy:

Child is any person under the age of 18 years.

Child Abuse or Neglect refers to any of the following:

- Physical injury of a Child inflicted by other than accidental means, but does not include "mutual affray" (e.g. fist fights) between minors;
- Sexual abuse, meaning sexual assault or sexual exploitation of a Child;
- Neglect, meaning negligent treatment, unjustified lack of treatment, or 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;
- Willful harming, injuring or endangering a Child, meaning a situation in which any person inflicts, or willfully causes or permits a Child to suffer unjustifiable physical pain or mental suffering, or causes or permits a Child to be placed in a situation in which the Child or Child's health is endangered; or
- Unlawful corporal punishment or injury willfully inflicted on a Child resulting in a traumatic condition.

For detailed definitions of what conduct might meet the definition of abuse or neglect under CANRA, see California Penal Code §11165.1-11165.6 (<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=11001-12000&file=11164-11174.3>).

Employee is any individual who receives compensation through the University's payroll system or holds a UCLA academic appointment.

Official (referred to as an “administrator” in CANRA) is any individual other than an Employee (e.g., an independent contractor or a volunteer) who supervises University activities, functions, or programs.

Senior Administrator is any Employee holding the title of Director or above, including, but not limited to the following: Chancellor, Vice Chancellors, Provosts, Vice Provosts, Deans, Associate or Assistant Vice Chancellors, Associate Deans, Assistant Deans, Department Chairs, Division Chiefs, Chief Executive Officers, Executive Directors, and Directors.

Student is any individual who is enrolled in or registered with any UCLA academic degree program or otherwise registered in any course.

UCLA Health is the Ronald Reagan UCLA Medical Center, Mattel Children’s Hospital UCLA, Santa Monica UCLA Medical Center & Orthopaedic Hospital, UCLA’s Resnick Neuropsychiatric Hospital, and the Licensed Clinics, David Geffen School of Medicine and UCLA Faculty Practice Group.

III. POLICY STATEMENT

In coordination with the appropriate human resources office, department heads shall identify in writing UCLA Mandated Reporters within their area of responsibility and notify UCLA Mandated Reporters of their responsibilities. UCLA Mandated Reporters, whether or not formally designated, are responsible for complying with CANRA and this Policy.

A UCLA Employee or Official or other position at UCLA who, by virtue of his or her licensure or profession has a duty to report under CANRA or who, within the scope of his or her employment or other position at UCLA, whose duties bring him or her into direct and regular contact with a Child, shall be considered a “UCLA Mandated Reporter” for the purposes of this Policy. Any UCLA Mandated Reporter, who observes, has actual knowledge of, or reasonably suspects Child Abuse or Neglect has occurred, shall report the matter externally as required by CANRA and report internally as required by this Policy.

All other members of the UCLA community who observe, have actual knowledge of, or reasonably suspect Child Abuse or Neglect on University premises, at an activity of or program conducted by the University, or perpetrated by University personnel are strongly encouraged to report the matter promptly, as set out in this Policy.

A. Identification of UCLA Mandated Reporters

Each department head or designee shall identify job classifications and individual Employees and Officials who are UCLA Mandated Reporters. With respect to individual Employees and Officials that are UCLA Mandated Reporters, each department head or designee shall complete the “UCLA Mandated Reporter Identification Form” (Attachment A). Campus Human Resources and the Academic Personnel Office, in consultation with UCLA Office of Legal Affairs, shall assist department heads with this task. Department heads at UCLA Health are exempt from completing Attachment A and are subject to local procedures applicable to their areas of responsibility.

Department heads shall require UCLA Mandated Reporters to complete the “UCLA Mandated Reporter Acknowledgement Statement” (Attachment B), prior to and as a condition of employment, whether at time of initial hire or transfer to a new position. An existing UCLA Mandated Reporter who has not previously signed that form must do so within thirty (30) days of identification.

All Employees and Officials of UCLA Health are Mandated Reporters and shall complete the Mandated Reporter Acknowledgment Statement provided to them by the UCLA Health Human Resources Office.

Both the completed Identification Form and Acknowledgement Statement shall be submitted to the appropriate human resources representative and a copy retained in the Employee’s personnel or other appropriate department file.

B. UCLA Mandated Reporter Categories

UCLA Mandated Reporters include the following:

- Employees, Officials and other positions at UCLA, who by virtue of his or her licensure or profession has a duty to report under CANRA;

- Individuals, who within the scope of his or her employment or other position at UCLA, whose duties bring them into regular and direct contact with a Child (but not including faculty or instructors whose only contact with a Child is teaching a class);
- Researchers whose projects include a Child in activities that are on University premises, or at an activity or program conducted by the University;
- Law enforcement and public safety professionals, including University police officers, police department Employees, and fire marshals;
- Licensed healthcare professionals and residents/trainees/interns who are in training to become licensed healthcare professionals;
- Employees and Officials of UCLA Health;
- Teachers, aides, counselors, and administrators at K-12 schools, including, the UCLA Lab School;
- Licensees, contractors, caretakers, and administrators at preschools, community care, and child day care centers, including, but not limited to, the Krieger Center, Fernald Center, University Village Center, Infant Development Program, UCLA Westwood Child Care Center, and University Parents Nursery School;
- Administrators and counselors at day camps, summer camps, etc. where children attend, reside, or otherwise participate, including, the Lake Arrowhead Conference Center & Bruin Woods Family Resort;
- Coaches, trainers, managerial and professional staff, and assistants in University-sponsored athletic or recreational activities in which a Child participates, including the Department of Intercollegiate Athletics and UCLA Recreation & Campus Life;
- Employees or Officials engaged in theater and film production in which a Child participates;
- Direct supervisors of UCLA Mandated Reporters; and
- Employees or Officials who accompany Students, under 18, for educational or travel programs, including study abroad.

For a summary of Mandated Reporter categories, see Attachment C.

C. Child Abuse or Neglect Reporting Requirements

Any UCLA Mandated Reporter who observes, has actual knowledge of, or reasonably suspects that Child Abuse or Neglect has occurred, shall report the matter externally as required by CANRA and report internally as required by this Policy.

When two or more UCLA Mandated Reporters jointly have a duty to report a matter, the Reporters may agree among themselves whereby one of them is selected to make the telephone report and a single written external report and (if required) internal report. The selected UCLA Mandated Reporter shall provide copies of the reports to the other UCLA Mandated Reporters.

1. External Report

A UCLA Mandated Reporter shall report Child Abuse or Neglect to designated agencies immediately via telephone and then file a written report with the same agency as soon as possible but within 36 hours, as provided in the following table.

Failure to make the required external report may subject the UCLA Mandated Reporter to criminal penalties under CANRA.

External Reports	Reporting Process
Designated Reporting Agencies	<p>Agencies designated under CANRA to receive such reports include local police (including UCLA Police Department) and sheriff's departments, county welfare departments, and Child Protective Services agencies (see http://www.cdss.ca.gov/cdssweb/PG20.htm for a current list of Child Protective Services hotlines across California).</p> <p>For Los Angeles County you may contact the Child Protection Hotline 24 hours a day, 7 days a week</p> <ul style="list-style-type: none"> • Toll-free within California, (800) 540-4000 • From outside California, (213) 639-4500 • TDD [Hearing impaired], (800) 272-6699
Reporting to UCLA Police Department	<p>For Child Abuse or Neglect incidents that occurred on campus or University owned property, the UCLA Police Department is a designated reporting agency and can be reached at (310) 825-1491.</p> <p>Note: A telephone report and follow-up written report to UCLA Police Department will satisfy this external reporting requirement.</p>
UCLA Health Employees & Officials	<p>The external reporting procedures for all Employees and Officials of UCLA Health are governed by the external reporting procedures of Hospital System Policy 1303 (http://www.mednet.ucla.edu/Policies/pdf/enterprise/HS1303.pdf).</p>
Written Report	<p>Within 36 hours after the initial telephone report, a written report shall be submitted to the same agency.</p> <p>The report may be completed on the designated California Attorney General Form 8572, which can be downloaded at http://ag.ca.gov/childabuse/pdf/ss_8572.pdf</p> <p>The written report shall include:</p> <ul style="list-style-type: none"> • Name, business address, and telephone number of the UCLA Mandated Reporter; • Capacity that makes the person a UCLA Mandated Reporter; • Information that gave rise to the reasonable suspicion of Child Abuse or Neglect and the source(s) of that information; • If known, information about the Child, including: the Child's name and address, present location, and, if applicable, school, grade, and class, and names, addresses, and telephone numbers of the Child's parents or guardians; and • If known, name, address, telephone number, and other relevant personal information about the individuals suspected of Child Abuse or Neglect. <p>An external report must be made even if some of the above information is unknown or uncertain at the time of report.</p>

2. The University Internal Report

In addition to an external report, a UCLA Mandated Reporter shall make an internal report to the University, subject to the exceptions in the table below.

Failure to make the required internal report may result in disciplinary action under University policies or, as applicable, collective bargaining agreements.

Internal Reports	Reporting Process
Designated Reporting Method	<p>The internal report shall be made promptly to one of the following:</p> <ul style="list-style-type: none"> • University Compliance Hotline at 800-403-4744 or www.universityofcalifornia.edu/hotline and may be made anonymously; or • Supervisor or Senior Administrator, who in turn shall report the matter immediately to the University Compliance Hotline. <p>Note: An external report to the UCLA Police Department does not satisfy this internal report requirement.</p>
Information to be Reported	<p>The internal report should include:</p> <ul style="list-style-type: none"> • Information that gave rise to the reasonable suspicion of Child Abuse or Neglect and the source(s) of that information; • If known, information about the Child, including: the Child's name and address, present location, and, if applicable, school, grade, and class, and names, addresses, and telephone numbers of the Child's parents or guardians; and • If known, name, address, telephone number, and other relevant personal information about the individuals suspected of Child Abuse or Neglect. <p>Internal reports to the University Compliance Hotline may be made anonymously, although they may include the name, business address and telephone number of the UCLA Mandated Reporter and capacity that makes the person a UCLA Mandated Reporter.</p> <p>You can satisfy the internal reporting duty by submitting a copy of your external report to your supervisor, Senior Administrator or the University Compliance Hotline.</p>
Exceptions to the University Internal Report	<p>This internal reporting duty does not apply to UCLA Mandated Reporters in the following healthcare-related circumstances:</p> <ul style="list-style-type: none"> • All Employees and Officials of UCLA Health, Ashe Center Student Health and Student Counseling and Psychological Services facilities, and Psychology Department and clinical services. However, such Mandated Reporters must comply with any internal reporting obligations required by their facilities' local policies or bylaws and any additional reporting obligations required by the California Department of Public Health, The Joint Commission, and other agencies and organizations. See UCLA Hospital System Policy 1303, Child Abuse – Management and Reporting of Suspected Cases. • Clinicians or staff in connection with the provision of mental health services through Faculty and Staff Assistance Programs; or • Victim advocates employed by or volunteering in campus resource or advocacy centers who observe or suspect Child Abuse or Neglect in connection with their confidential work as advocates.

3. Other State Reporting Requirements

The California Penal Code requires that any individual who has witnessed the murder of, rape of, or lewd or lascivious act upon a Child under 14 years must notify local law enforcement. Failure to so notify may result in criminal penalties.

4. Recommended Reporting By Non-Mandated Reporters

All other members of the UCLA community, who observe, have actual knowledge of, or reasonably suspect Child Abuse or Neglect on University premises, at an activity of or program conducted by the University, or perpetrated by University personnel are strongly encouraged to promptly report the matter as set out in this Policy.

IV. ROLES & RESPONSIBILITIES

A. Campus / UCLA Health Human Resources and the Academic Personnel Office

Campus Human Resources and the Academic Personnel Office in consultation with the Office of Legal Affairs will assist department heads in identifying UCLA Mandated Reporters.

UCLA Health Human Resources identifies all UCLA Health Employees and Officials as UCLA Mandated Reporters and will obtain the UCLA Health Mandated Reporter Acknowledgement Statement from their Employees and Officials.

B. Insurance and Risk Management (IRM)

In coordination with Campus and UCLA Health Human Resources and the Academic Personnel Office, IRM will communicate the availability of training obligations for UCLA Mandated Reporters and other members of the University community.

C. Department Heads

In consultation with Campus Human Resources or the Academic Personnel Office, department heads are responsible for:

1. Identifying Employees and Officials who are UCLA Mandated Reporters associated with the department, and completing the UCLA Mandated Reporter Identification Form;
2. Obtaining the UCLA Mandated Reporter Acknowledgement Statement from Employees who are UCLA Mandated Reporters associated with the department;
3. Providing UCLA Employees and Officials who are UCLA Mandated Reporters with a hard copy or web link to UCLA Policy 136 and CANRA sections 11165.7, 11166, and 11167; and
4. Ensuring that UCLA Mandated Reporter's training is made available to the department's UCLA Mandated Reporters.

D. Administrative Policies and Compliance Office

The Administrative Policies and Compliance Office will be responsible for forwarding in writing and within twenty-four (24) hours, University Compliance Hotline reports on Child Abuse and Neglect to the following:

1. UCLA Police Department Investigations Lieutenant and/or any external law enforcement authority, who will determine the appropriate action for further investigation and handling; and
2. UCLA Office of Legal Affairs or UCLA Health Office of Legal Affairs.

V. PROTECTIONS FOR REPORTERS

The University will defend and indemnify University Employees in any civil action arising from their good faith report of Child Abuse or Neglect required or encouraged under this Policy. CANRA provides immunity from liability and other protections to all UCLA Mandated Reporters of Child Abuse or Neglect. For other reporters, CANRA provides immunity unless it is determined that a false report was made and the individual knew the report was false or made with reckless disregard of the truth.

No one may impede or inhibit a UCLA Mandated Reporter's compliance with this Policy, or impose any sanction on any person for making a good-faith report under CANRA or this Policy. The University's Whistleblower Protection Policy, including provisions regarding retaliation, applies in this context.

VI. REFERENCES

1. Child Abuse and Neglect Reporting Act, California Penal Code "CANRA" §11164-11174.3
2. UC Reporting Child Abuse and Neglect Policy
3. UC Whistleblower Policy
4. UC Whistleblower Protection Policy
5. UC Compliance Hotline: 800-403-4744 or www.universityofcalifornia.edu/hotline

6. UCLA Hospital System Policy HS1303, Child Abuse – Management and Reporting of Suspected Cases

VII. ATTACHMENTS

- A. UCLA Mandated Reporter Identification Form
- B. UCLA Mandated Reporter Acknowledgement Statement
- C. Mandated Reporter Categories
- D. Frequently Asked Questions

Issuing Officer

/s/ Scott L. Waugh

Executive Vice Chancellor and Provost

**Questions concerning this Policy or procedure should be referred to
the Responsible Department listed at the top of this document.**

UCLA Mandated Reporter Identification Form

Departments must submit this completed form to the appropriate human resources representative on behalf of any UCLA Employee or Official who is a “UCLA Mandated Reporter” (see UCLA Policy 136) and retain a copy in the Employee’s personnel or other appropriate department file. Departments of UCLA Health are exempt from completing this form.

An individual identified, as a UCLA Mandated Reporter shall be given a hardcopy of or web link to UCLA Policy 136 and must sign and return the UCLA Mandated Reporter Acknowledgement Statement (See UCLA Policy 136, Attachment B) to the department, which will forward the signed acknowledgement to the appropriate human resources representative.

UCLA Mandated Reporter’s Name _____ ID# _____

- UCLA Employee (is any individual who receives compensation through the University’s payroll system or holds a UCLA academic appointment).
- UCLA Official (referred to as an “administrator” in CANRA) is any individual, other than an Employee, an independent contractor or a volunteer) who supervises University activities, functions or programs).

Job Title _____ Supervising Department _____

The individual is a UCLA Mandated Reporter because she or he (check all that apply):

- is an Employee or Official or other position at UCLA, who by virtue of his or her licensure, has a duty to report under CANRA
- who within the scope of his or her employment or other position at UCLA, has duties that bring them into direct and regular contact with a child, who is under 18 (but not including faculty or instructors, whose only contact with a child is teaching a class)
- is a researcher whose projects include a child in activities that are on University premises, or at an activity, or program conducted or overseen by the University
- is a law enforcement or public safety professional, including University police officers and police department Employees and fire marshals
- is a licensed healthcare professional or resident/trainee/intern who is in training to become a licensed healthcare professional
- is a teacher, aide, counselor, or administrator at K-12 schools, including the UCLA Lab School and Geffen Academy
- is a licensee, contractor, caretaker, or administrator at a preschool, community care, or child day care center, including, but not limited to, the Krieger Center, Fernald Center, University Village Center, Infant Development Program, UCLA Westwood Child Care Center, and University Parents Nursery School
- is an administrator or counselor at a day camp, summer camp, etc. where children attend, reside, or otherwise participate, including the Lake Arrowhead Conference Center & Bruin Woods Family Resort
- is a coach, trainer, managerial or professional staff, or assistant in University-sponsored athletic or recreational activities in which a child participates, including the Department of Intercollegiate Athletics or UCLA Recreation & Campus Life
- is an Employee or Official engaged in theater and film production in which a child participates
- directly supervises UCLA Mandated Reporters
- is an Employee or Official, including faculty, who accompany students, under 18, for educational or travel programs, including study abroad
- other reason (explain):

Department head or designee completing this form:

Name of Department head or designee Job Title

Department

Signature of Department Head or Designee Date

UCLA Mandated Reporter Acknowledgement Statement

You have been given this form to sign because you have been identified as a “UCLA Mandated Reporter” of child abuse or neglect under California law or UCLA Policy 136 (which contains a summary of mandated reporter categories in its Attachment C). Submit the signed form to your department; your department will forward it to your human resources representative, who will keep the copy in your personnel or other appropriate department file. You should keep a copy of this form for your records. Employees, volunteers, contractors and interns of UCLA Health should contact UCLA Health Human Resources for the UCLA Health Acknowledgement Form and procedures.

WHEN IS REPORTING CHILD ABUSE REQUIRED?

Any UCLA Mandated Reporter, who observes, has actual knowledge of, or reasonably suspects child abuse or neglect has occurred, shall report the matter externally as required by CANRA and report internally as required by UCLA Policy 136.

A UCLA employee or official or other position at UCLA who, by virtue of his or her licensure or profession has a duty to report under CANRA or who, within the scope of his or her employment or other position at UCLA, whose duties bring them into direct and regular contact with a child, shall be considered a “UCLA Mandated Reporter.”

WHAT ABUSE MUST BE REPORTED?

For detailed definitions of reportable conduct, please see the definitions in California Penal Code §11165.1-11165.6 (<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=11001-12000&file=11164-11174.3>).

- *Physical injury* inflicted by other than accidental means, but does not include “mutual affray” (e.g. fist fights) between minors. [CANRA § 11165.6]
- *Sexual abuse* meaning sexual assault or sexual exploitation of a child. [CANRA § 11165.1]
- *Neglect* meaning the negligent treatment, unjustified lack of 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. [CANRA § 11165.3]
- *Willful harming or injuring or endangering a child* meaning a situation in which any person inflicts, or willfully causes or permits a child to suffer unjustifiable physical pain or mental suffering, or causes or permits a child to be placed in a situation in which the child or child’s health is endangered. [CANRA § 11165.3]
- *Unlawful corporal punishment or injury* willfully inflicted on a child and resulting in a traumatic condition. [CANRA § 11165.4]

HOW SHOULD CHILD ABUSE BE REPORTED?

1. External Reports. Per California law, reports of suspected child abuse or neglect must be made externally to any police department or sheriff’s department, county probation department (if designated by the county to receive such reports), or county welfare department. UCLA Police Department accepts such reports. For more information, see UCLA Policy 136, Section III.C.
2. Internal Reports. Per University Policy, anyone who is required to make an external report must additionally make an internal report, except UCLA Health Mandated Reporters and other health care professionals. For more information, including exceptions, see UCLA Policy 136, Section III.C.

IMMUNITY AND CONFIDENTIALITY OF REPORTER AND OF CHILD ABUSE REPORTS

UCLA Mandated Reporters have immunity from criminal and civil liability for reporting as required or authorized by law. Reports are confidential and may be disclosed only to specified persons and agencies; the identity of a UCLA Mandated Reporter is confidential and disclosed only among agencies receiving or investigating reports and other designated agencies. Any violation of the confidentiality required by CANRA is a misdemeanor punishable by imprisonment, fine, or both.

PENALTY FOR FAILURE TO REPORT CHILD ABUSE

A UCLA Mandated Reporter found guilty of failing to make a report required under CANRA is punishable by up to six months in jail, a fine of \$1000, or both. A UCLA Mandated Reporter who fails to report child abuse or neglect, as required by UCLA Policy 136, may also be subject to disciplinary action under University policies or, as applicable, collective bargaining agreements.

ACKNOWLEDGEMENT OF RESPONSIBILITY

I acknowledge my responsibility to report known or suspected child abuse or neglect in compliance with CANRA and University Policy. My employer has provided me with a hardcopy of or web link to UCLA Policy 136, Reporting Child Abuse and Neglect and web link to CANRA sections 11165.7, 11166 and 11167 (<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=11001-12000&file=11164-11174.3>).

Signature

Printed Name

Date

Mandated Reporter Categories in CANRA

Type of Entity or Profession	Affected Individuals
postsecondary institutions (as of January 1, 2013)	<ul style="list-style-type: none"> - an employee or administrator 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 - an athletic coach, including, but not limited to, an assistant coach or a graduate assistant involved in coaching, at public or private postsecondary institutions
public or private schools	teachers, instructional aides, teacher's aides, teacher's assistants, classified employees, administrative officers and supervisors of child welfare attendance, and certified pupil personnel employees, administrators or presenters of or counselors in child abuse prevention programs
community care or child day care facilities	licensees, administrators, and employees
day camps	administrators
private youth centers, youth recreation programs, youth organizations	administrators or employees
health care professionals	all licensed health professionals and certain trainees and interns, including: physicians, psychiatrists, psychologists, dentists (and residents and interns), pharmacists, podiatrists, chiropractors, licensed nurses, dental hygienists, optometrists, marriage and family therapists (and trainees and interns), clinical social workers, professional clinical counselors (and trainees and interns); certified EMTs, paramedics, and other emergency technicians; registered psychological assistants; alcohol and drug counselors; coroners, medical examiners, and others who perform autopsies
law enforcement and public safety professionals	employees of any police department, county sheriff's department, county probation department, or county welfare department; peace officers; firefighters; district attorney investigators, inspectors, local child support agency caseworkers (unless the investigator, inspector or caseworker is working with certain attorneys to represent the children); social workers; probation officers, parole officers; employees of school district police or security departments; animal control and human society officers
clergy	priests, ministers, rabbis, religious practitioners, or similar functionaries of any church, temple, or recognized denomination or organization; and their respective records custodians
any public or private organization	administrators or employees whose duties require direct contact and supervision of children
child care institutions	employees (including, but not limited to, foster parents, group home personnel, personnel of residential care facilities)
State Department of Education County Offices of Education	employees whose duties bring them into contact with children on a regular basis
State Department of Social Services (and county contractors)	licensing workers and licensing evaluators
Head Start Program	teachers
commercial photography and filmmaking	commercial film and photographic print processors (including anyone who develops exposed photographic film into negatives, slides, or prints, or who makes prints from negatives or slides, for compensation, as well as their employees), excluding public agencies
miscellaneous	public assistance workers; state and county public health employees who treat minors for VD or other conditions; compensated child visitation monitors; employees or volunteers of Court Appointed Special Advocate program; certain custodial officers; supportive services providers delivering services to children under the Welfare & Institutions Code

Frequently Asked Questions

1. Which University personnel are likely to be UCLA Mandated Reporters under the Child Abuse and Neglect Reporting Act (“CANRA” or “the Act”)?

A complete list of Mandated Reporters with detailed definitions is in Cal. Penal Code § 11165.7. For a summary, see UCLA Policy 136, Attachment C: Mandated Reporter Categories. For additional guidance, contact the appropriate human resources representative, who may consult with the Office of Legal Affairs.

2. Are faculty, graduate student researchers (GSRs) or teaching assistants (TAs) UCLA Mandated Reporters?

Although faculty, GSRs, or TAs are not typically “teachers” under CANRA (even when students under the age of 18 enroll in their classes), some may be UCLA Mandated Reporters under other provisions of the Act:

- a. Physicians, nurses, and other health professionals.
- b. Faculty members and other academic personnel who have responsibility for instruction at the preschool, elementary, or high school level, e.g., those who teach high school seminars or who serve as mentors in on-campus high school internship programs.
- c. Individuals whose University duties require direct contact *and* supervision of children, e.g., faculty members who hire children under age 18 to assist with scholarship, research, or other academic activities as volunteers or interns.
- d. Employees (including faculty members, GSRs, TAs and other academic personnel) and officials whose duties bring them into direct contact with children on a regular basis, or who supervise others with such duties.

The law does not define “duties” or “regular basis”. Questions about whether a particular individual is a UCLA Mandated Reporter should be directed to the appropriate human resources representative.

3. I’m not a UCLA Mandated Reporter under CANRA or UCLA Policy 136, but I saw an adult who seemed to be touching a child inappropriately. What should I do?

- a. Separate from CANRA, the California Penal Code requires *any person* who reasonably believes he or she has observed murder, rape, or certain lewd or lascivious acts where the victim is a child under the age of 14 years to notify a peace officer (such as a campus or community police officer or a county sheriff). This reporting mandate applies whether or not the witness is a mandated reporter and regardless of his or her affiliation with the University.
- b. All members of the UCLA community who are not UCLA Mandated Reporters but who observe, have actual knowledge of, or reasonably suspect child abuse or neglect on University premises, at an official activity of or program conducted by the University, or perpetrated by University personnel are strongly encouraged to promptly report the matter as set out in this Policy.

4. What is a “reasonable suspicion”?

CANRA defines “Reasonable suspicion” to mean that it is objectively reasonable for a person, based upon the facts and drawing on his or her training and experience, to suspect child abuse or neglect. It does not require certainty that child abuse or neglect has occurred, nor a specific medical indication of abuse or neglect.

5. What type of conduct is reportable?

For detailed definitions of reportable conduct, please see the definitions in California Penal Code §11165.1-11165.6 (<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=11001-12000&file=11164-11174.3>).

- *Physical injury* inflicted by other than accidental means other than a mutual affray between minors (fist fights). [CANRA § 11165.6]

- *Sexual abuse*, meaning sexual assault or sexual exploitation of a child. [CANRA § 11165.1]
- *Neglect*, meaning the negligent treatment, unjustified lack of 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. [CANRA § 11165.3]
- *Willful harming or injuring or endangering a child*, meaning a situation in which any person inflicts, or willfully causes or permits a child to suffer unjustifiable physical pain or mental suffering, or causes or permits a child to be placed in a situation in which the child or child's health is endangered. [CANRA § 11165.3]
- *Unlawful corporal punishment or injury* willfully inflicted on a child and resulting in a traumatic condition. [CANRA § 11165.4]

The pregnancy of a minor does not in and of itself constitute a basis for reasonable suspicion of sexual abuse.

The following may also be reported: Serious emotional damage or substantial risk of serious emotional damage, evidenced by states of being or behavior including but not limited to severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others.

For detailed definitions of reportable conduct, please see the definitions in California Penal Code §11165.1-11165.6 (<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=11001-12000&file=11164-11174.3>). Additional helpful information is available through the Los Angeles County Department of Public Health website (<http://publichealth.lacounty.gov/mch/cpsp/CACChildAbuseRpt.pdf>).

Note: The duty to report child abuse or neglect supersedes a licensed health professional's duty to maintain the confidentiality of communications with his or her patients (*e.g.*, the physician-patient or psychotherapist-patient privilege).

6. What information must a UCLA Mandated Reporter report?

A. The **external** report, pursuant to CANRA shall include:

- name, business address, and telephone number of the UCLA Mandated Reporter;
- status that makes the person a UCLA Mandated Reporter; and
- the information supporting the reasonable suspicion of child abuse or neglect and the source(s) of that information.

The following, if known, shall also be included:

- child's name, address, present location;
- if applicable school, grade, and class;
- names, addresses, and phone numbers of the child's parents or guardians; and
- other relevant personal information about the person (s) who may have abused or neglected the child.

B. The **internal** report, pursuant to University policy, shall include:

- Information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information;

The following, if known, should also be included:

- information about the child, including: the child's name and address, present location, and, if applicable, school, grade, and class;
- names, addresses, and telephone numbers of the child's parents or guardians; and
- name, address, telephone number, and other relevant personal information about the individuals suspected of child abuse or neglect.

A report must be made even if some of the above information is unknown or uncertain at the time of the report.

Internal reports to the University Compliance Hotline may be made anonymously, although they may include the name, business address and telephone number of the UCLA Mandated Reporter and capacity that makes the person a UCLA Mandated Reporter.

You can satisfy the internal reporting duty by submitting a copy of your external report to your supervisor, senior administrator or the University Compliance Hotline.

For reporting procedures and exceptions, see UCLA Policy 136, Section III. C.

7. When must an external report be made?

A UCLA Mandated Reporter must make an initial external report immediately by telephone; and must submit a written report as soon as possible but within 36 hours. For more information, see UCLA Policy 136, Section III. C.

8. If two or more UCLA Mandated Reporters jointly have knowledge of a known or suspected child abuse or neglect, should they all make a separate report?

No, when two or more UCLA Mandated Reporters jointly have a duty to report a matter, the Reporters may agree among themselves whereby one of them is selected to make the telephone report and a single written external report and (if required) internal report. The selected UCLA Mandated Reporter shall provide copies of the reports to the other UCLA Mandated Reporters.

9. Does the Act require background checks?

No, CANRA does not require background checks; however, such checks are required by other policies. For a list of University positions subject to background check requirements, see *System wide Guidelines on Designating Critical Positions* (PPSM 21)

(<http://policy.ucop.edu/doc/4010394/PPSM-21>).

The University's sexual misconduct and molestation insurance may not provide coverage if the individual involved was not appropriately fingerprinted and/or did not undergo the appropriate background checks.

10. What if I am working for the University in another state or outside the United States?

CANRA is a California law. Child abuse or neglect identification and reporting laws vary by state, although they tend to impose similar requirements. Information about state laws on child abuse and neglect can be found at http://www.childwelfare.gov/systemwide/laws_policies/state/can/. Employees who would like information on child abuse and neglect reporting laws of another state or those that pertain to their international activities should contact their local Office of Legal Affairs to obtain advice.

11. Do I have to report suspected child abuse or neglect to my supervisor or the UC hotline?

If you have a duty to make an external report you also must make an internal report to your supervisor or the University Compliance Hotline (which accepts anonymous reports), unless you are within the following exception:

All employees and officials of UCLA Health at University owned or operated hospitals, clinics, or other health care facilities, including student health and psychological services facilities, or other psychology clinical services are exempt from this internal reporting obligation, but must comply with any reporting obligations required by their facilities' local policies. See UCLA Policy 136, Section III.C.

12. We rent our facilities to individuals and organizations that operate programs for children such as conferences, retreats, and day camps. Does the policy apply in those situations?

CANRA applies to any Mandated Reporter and to any employer (such as an independent camp that rents University facilities) of Mandated Reporters. The University policy applies to University personnel who provide services to those camps. For example, a University employee who provides food services at a camp and who regularly comes into contact with campers who are children is a UCLA Mandated Reporter under UCLA Policy 136, as is her or his immediate supervisor. Otherwise, food service employees do not interact with children on a regular basis and thus are not required to be identified as mandated reporters. A volunteer who runs a retreat program for children on behalf of the University is also a UCLA Mandated Reporter (an "Official" under UCLA Policy 136).

University administrators who are responsible for managing facility rentals for camps or other programs that may bring children onto campus facilities should comply with any campus contracting standards requiring such renters to conduct background checks, comply with CANRA, and promptly report any observed or suspected abuse to appropriate authorities.

13. What happens if a UCLA Mandated Reporter refuses to sign an acknowledgement form?

Signing the acknowledgement form is a condition of employment, or continued employment, and failure to sign the form may result in revocation of an offer of employment or disciplinary action up to and including dismissal.

14. What happens if I don't make a mandatory report?

Violation of CANRA may result in criminal penalties including fines, imprisonment, or both. Violation of University Policy may result in disciplinary action consistent with applicable University personnel policies and collective bargaining agreements.

15. Where can I find additional information and resources?

- California Attorney General Child Abuse Index (<http://oag.ca.gov/childabuse>), Forms (<http://oag.ca.gov/childabuse/forms#doj>), and Background Check Information (<http://oag.ca.gov/fingerprints>)
- Bureau of Medi-Cal Fraud & Elder Abuse (<http://oag.ca.gov/bmfea>)
- CDSS Child Abuse Mandated Reporter Training Project (<http://mandatedreporterca.com>)
- CDC Guide to Preventing Child Abuse Within Youth-Serving Organizations (<http://www.cdc.gov/violenceprevention/pub/preventingchildabuse.html>)
- California Attorney General Citizen's Guide to Preventing & Reporting Elder Abuse (http://ag.ca.gov/bmfea/pdfs/citizens_guide.pdf) and Child Abuse Prevention and Treatment Act factsheet (<https://www.childwelfare.gov/pubs/factsheets/about.cfm>)
- Clery Act (<http://www.cleryact.info>)