CSU Executive Order 1083, “Mandatory Reporting of Child Abuse and Neglect,” became effective on January 1, 2013. A link to this Executive Order is set forth below.

CSU EO 1083 provides direction on implementing the “California Child Abuse and Neglect Reporting Act” (“CANRA”) (Penal Code §§ 11164-11174.3), which is intended to protect children from abuse and neglect. In September 2012, the Governor signed into law amendments to CANRA, which also became effective January 1, 2013. CSU EO 1083 establishes who is a mandated reporter within the CSU, identifies the responsibilities of mandated reporters, and provides forms and training resources for mandated reporters. Set forth below is a summary of several key elements in CSU EO 1083. More information will be provided in the week ahead about the responsibilities of each University employee under CSU EO 1083, and a separate email will be sent to faculty next week. Please email childreporting@fullerton.edu with any questions you may have about CSU EO 1083 or its implementation.

http://www.calstate.edu/eo/EO-1083.html

I. PERSONS WHO ARE REQUIRED TO REPORT

All University employees are designated mandated reporters. As designated mandated reporters, all employees are required to report suspected child abuse or neglect.

II. WHEN REPORTING IS REQUIRED

Whenever an employee, in his/her professional capacity or within the scope of his/her employment, has knowledge of or observes a child (i.e., a person under the age of 18 years) whom the employee knows, or reasonably suspects, to have been the victim of child abuse or neglect, the employee must report the incident. An employee should reasonably suspect child abuse or neglect whenever "it is objectively reasonable...to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on his or her training and experience, to suspect child abuse or neglect." Facts upon which a reasonable suspicion may arise do not have to have been witnessed by the employee, but rather can be learned from other sources.

III. ABUSE THAT MUST BE REPORTED

Employees must report the following types of abuse or neglect:

- **Physical injury** inflicted by other than accidental means on a child
- **Sexual abuse** meaning sexual assault or sexual exploitation of a child
- **Neglect** meaning the negligent treatment or maltreatment of a child by a parent or caretaker under circumstances indicating harm or threatened harm to the child's health or welfare

- **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

- **Unlawful corporal punishment** or injury willfully inflicted upon a child and resulting in a traumatic condition

**IV. WHAT IS NOT CHILD ABUSE?**

The following is not child abuse for reporting purposes:

- Corporal punishment that is not cruel or inhumane or does not result in a traumatic condition

- Injuries caused by two children fighting during a mutual altercation

- An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his or her employment

- Reasonable and necessary force used by public school officials to quell a disturbance threatening physical injury to person or damage to property

- Voluntary sexual conduct between minors

- Not receiving medical treatment for religious reasons

- An informed and appropriate medical decision made by a parent or guardian after consultation with a physician who has examined the child

**V. PROCEDURE FOR REPORTING**

Employees must report suspected child abuse or neglect:

- **Immediately, or as soon as practically possible:** Contact University Police by dialing either 911 or extension 2515.

- **Within 36 hours of receiving the information concerning the incident:** Complete Form SS 8572 (Attachment D to CSU EO 1083) and send, fax (extension 5416), or electronically transmit it to University Police. Form SS 8572 is also available online at: [http://ag.ca.gov/childabuse/pdf/ss_8572.pdf](http://ag.ca.gov/childabuse/pdf/ss_8572.pdf). Instructions for completing the form are available online at: [http://oag.ca.gov/sites/all/files/pdfs/childabuse/8572_instruct.pdf](http://oag.ca.gov/sites/all/files/pdfs/childabuse/8572_instruct.pdf).

**Note:** In case of an emergency or if a crime is in progress, employees should always immediately call University Police or 911.
At the time of the phone call to University Police, the employee must provide the following information, if known:

- Name, business address, and telephone number of the employee

- Child's name, address, and present location

- Names, addresses, and telephone numbers of the child's parents or guardians

- Source of information that led to the suspicion of child abuse

- Name, address, telephone number, and other personal information of person(s) who might have abused the child

The employee is not excused from making a report where some of this information is not known or is uncertain. The University encourages employees to also report suspected child abuse or neglect to their supervisors. However, reporting to a supervisor, a coworker, or some other person is not a substitute for making a mandated report to the agencies listed above.

**VI. IMMUNITY AND CONFIDENTIALITY OF REPORTER**

Mandated reporters are not civilly or criminally liable for their reports. The identity of the person who reports and the report are confidential and disclosed only among appropriate agencies.

**VII. PENALTY FOR FAILURE TO REPORT ABUSE OR IMPEDING REPORT**

A mandated reporter who fails to make a required report, or any administrator or supervisor who impedes or inhibits a report, is guilty of a misdemeanor punishable by up to six months in jail, a fine of $1,000, or both. Where the abuse results in death or great bodily injury, the mandated reporter or administrator or supervisor who impeded or inhibited the report shall be punished by up to one year in jail, a fine of $5,000, or both.

It is not anticipated that a failure to make a required report would form an independent basis for employee discipline, but any final determination on this issue will be made by the campus president on a case-by-case basis, taking into account all the circumstances of the case and the position held by the employee.