

Department of Speech, Language, and Hearing Sciences
Norma S. and Ray R. Rees Speech, Language, Hearing Clinic
California State University East Bay

Policy Statement

MANDATORY REPORTING OF CHILD ABUSE

The California Child Abuse and Neglect Reporting Act, California Penal Code §§ 11164-11174.3 ("CANRA" or the "Act") identifies student clinicians as Mandated Reporters of child abuse or neglect due to their status as trainees in the speech pathology graduate program. From CSU Policy ID 6596436:

A Mandated Reporter 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." (Penal Code § 11166(a)). Facts upon which a reasonable suspicion may arise do not have to have been witnessed by the Mandated Reporter but can be learned from other sources.

Clinicians who suspect child abuse or neglect should discuss the concern at the very first available opportunity with their Clinical Supervisor. The Clinical Supervisor must inform the Clinic Director, or designee in his/her absence, who will work with the clinician to follow reporting guidelines as outlined below.

TO MAKE A REPORT

1. **Step One: Immediately, or as soon as practically possible, contact by phone one of the following:**
 - a. a police or sheriff's department (including campus police but not including a school district police or security department);
 - b. a county probation department (if designated by the county to receive mandated reports); **or**
 - c. the county welfare department (Child Protected Services or CPS).
2. **Step Two: Within 36 hours of receiving the information concerning the incident:**
 - a. Complete Form SS 8572 (included as Attachment E; [Form SS 8572](#) and [instructions for completing the form](#) are also available at the State of California Department of Justice website; **and**
 - b. send, fax, or electronically transmit it to the agency that was contacted by phone (Penal Code § 11166(a))

ABUSE AND NEGLECT THAT MUST BE REPORTED

- **Physical abuse**, meaning physical injury other than by accidental means inflicted on a child (Penal Code § 11165.6).
- **Sexual assault**, including sex acts with a child, intentional masturbation in the presence of a child, child molestation, and lewd or lascivious acts with a child under 14 years of age or

with a child under 16 years of age if the other person is at least ten years older than the child (Penal Code § 11165.1(a)(b)).

- **Sexual exploitation**, including acts relating to child pornography, child prostitution, or performances involving obscene sexual conduct by a child (Penal Code § 11165.1(c)).
- **Statutory rape** involving sexual intercourse between a child under 16 years of age and a person 21 years of age or older, which is also a form of “sexual assault” (Penal Code § 11165.1(a)).
- **Neglect**, meaning the negligent treatment or maltreatment of a child by a parent, guardian or caretaker under circumstances indicating harm or threatened harm to the child’s health or welfare (Penal Code § 11165.2).
- **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 (Penal Code § 11165.3).
- **Unlawful corporal punishment**, meaning a situation in which any person willfully inflicts upon a child cruel and inhuman corporal punishment or a physical injury (Penal Code § 11165.4).

Please see the following link for additional details:

<https://calstate.policystat.com/policy/6596436/latest/#autoid-w3e4j>

Students must sign and submit Attachment “D” from the above link: “Statement Acknowledging Requirement To Report Child Abuse And Neglect”. Please submit as instructed by clinical staff.