

Child Abuse Reporting Procedures

The following information will assist parents and guardians in determining whether or not child abuse has occurred and, if so, how to file a complaint of child abuse with local law enforcement. This information has been taken from the California Child Abuse and Neglect Reporting Act in the California *Penal Code* and from sections of the California *Education Code (EC)*.

What Actions May Constitute Child Abuse

Child abuse can be any of the following:

- A physical injury which is inflicted on a child by another person other than by accidental means.
- The sexual abuse, assault, or exploitation of a child.
 - The negligent 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, whether the harm or threatened harm is from acts or omissions on the part of the responsible person.
 - The willful infliction upon a child of any cruel or inhumane corporal punishment or any injury resulting in a traumatic condition.
 - The willful harming or injuring of a child or endangering of the person or the health of a child where the person responsible for the child's welfare is a licensee, administrator, or employee of any facility licensed to care for children or an administrator or employee of a public or private school or other institution or agency.

Child abuse does *not* include:

- A mutual fight between minors;
- An injury that is caused by the actions of a peace officer using reasonable and necessary force within the scope of his or her employment;
- An injury caused by any force that is reasonable and necessary for a person employed by or engaged in a school:
 1. To stop a disturbance threatening physical injury to people or damage to property;
 2. For purposes of self-defense;
 3. To obtain possession of weapons or other dangerous objects within control of a pupil; or
 4. To exercise the degree of control reasonably necessary to maintain order, protect property, protect the health and safety of pupils, and maintain proper and appropriate conditions conducive to learning.

How to File a Complaint of Child Abuse Committed at a School Site

Parents and guardians of pupils have the right to file a complaint against a school employee or other person that they suspect has engaged in abuse of a child at a school site. To file a complaint, the parent or guardian must file a formal report with an *appropriate* local law enforcement agency. An appropriate law enforcement agency may be one of the following:

- A Police or Sheriff's Department (*not* including a school district police department or school security department)
- A County Probation Department if designated by the county to receive child abuse reports, or
- A County Welfare Department/County Child Protective Services

The complaint may be filed over the telephone, in person, or in writing. A complaint may also be filed at the same time with your school district or county office of education. School districts and county offices of education, however, do *not* investigate child abuse allegations.

The local law enforcement agency is required to investigate all complaints.