

MANDATED REPORTING



EXHIBIT B

COMMUNITY SERVICES DEPARTMENT
SERVICE PROVIDER AGREEMENT

ACKNOWLEDGMENT OF MANDATED REPORTING REQUIREMENTS, RECEIPT OF TRAINING, AND RECEIPT OF PENAL CODE STATUSES

A mandated reporter is an individual who is obligated by law to report suspected cases of child abuse and neglect. In general, any individual who, in the ordinary course of their employment, has contact with children is a mandated reporter. Mandated reporters include childcare workers, teachers and coaches. ([California Penal Code § 11165.7.](#))

If your job duties as an employee or an independent Service Provider contracted by City of San Bruno include contact with children, you are a Mandated Reporter. Prior to commencing services and as a prerequisite of that contracted service, California law requires that you sign a statement to the effect that you have knowledge of the provisions of the Mandated Reporter Law, and will comply with those provisions. ([California Penal Code § 11166.5.](#))

The following are your Mandated Reporter responsibilities under California law. You are also being provided with a separate informational document that includes the text of the California Mandated Reporter Law and contact information for Child Abuse and Neglect Reporting for the County of San Mateo. Please review this information carefully and acknowledge your receipt and understanding where indicated. ***If you have questions or concerns about this form or your Mandated Reporter responsibilities, please contact Human Resources, Risk Management or your Supervisor.***

I understand that:

- By virtue of my service as an independent Service Provider contracted by the City of San Bruno, and because my services requires me to have contact with children and/or vulnerable adults participants, I am a Mandated Reporter as defined by [California Penal Code §11165.7](#) and/or [Elder Abuse and Dependent Adult Civil Protection Act](#) .
- The following situations trigger mandatory reports: a) Physical Abuse (willful harming of a child); b) Sexual Abuse including sexual assault, child exploitation, pornography, and trafficking; c) Severe or General Neglect; and d) Extreme Corporal Punishment (resulting in injury). ([Cal. Pen. Code § 11165](#) et seq.) I further understand that I may, but am not required to, report suspected Emotional Abuse. ([Cal. Pen. Code § 11165.05.](#))
- If I reasonably suspect that a child is being abused, I must immediately make a telephone report. I must follow up with a written report within 36 hours. This report may be made to local law enforcement, or County Sheriff's Department, Probation Department or Child Welfare Agency. ([Cal. Pen. Code § 11166\(a\).](#))
- If I reasonably suspect that a child is being abused, I may consult with my supervisor or management. My supervisor and I may agree to file a joint report, but I understand that even if my supervisor disagrees with me, if I reasonably suspect that a child is being abused, I must make a report. ([Cal. Pen. Code § 11166\(h\).](#))
- I am not required to, but I may, share information about suspected abuse with my supervisor or management.
- When I make a mandated report, I will be required to give my name. However, my identity will be kept confidential unless I either consent to disclosure or if disclosure is made pursuant to a court order. Further, agencies investigating the mandated report may disclose my identity to one another. ([Cal. Pen. Code §11167\(d\).](#))

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- The following agencies and individuals receiving or investigating mandated reports may disclose my identity to one another:
 - Prosecutors in a criminal prosecution or in an action initiated under section [602 of the Welfare and Institutions Code](#) arising from alleged child abuse;
 - Counsel appointed pursuant to subdivision (c) of [Section 317 of the Welfare and Institutions Code](#);
 - The county counsel or prosecutor in a proceeding under [Part 4 \(commencing with Section 7800\) of Division 12 of the Family Code or Section 300](#) of the Welfare and Institutions Code;
 - A licensing agency when abuse or neglect in out-of-home care is reasonably suspected. ([Cal. Pen. Code § 11167.5.](#))
- I may not be disciplined, dismissed, retaliated against, discriminated against or harassed for making a mandated report of reasonably suspected child abuse.
- As a Mandated Reporter, I have civil and criminal immunity when making a report. ([Cal. Pen. Code § 11172.](#))
- As a Mandated Reporter, **it is a misdemeanor to fail to comply with Mandated Reporting laws and I can be held criminally liable for failing to report suspected abuse.** The penalty for this is up to six months in County jail, a fine of not more than \$1000, or both. I further understand I could be civilly liable for failure to report. ([Cal. Pen. Code § 11166\(c.\)](#))

I have been provided with a copy of California Penal Code sections 11164-11174.3 (Mandated Reporter Law).

I understand that I am a legally Mandated Reporter. I am aware of, understand my responsibilities under the Mandated Reporter laws of this state, and am willing and able to comply. I understand that a copy of this Acknowledgement will be kept in my personnel file.

City of San Bruno

Community Services Department

251 City Park Way, San Bruno, CA 94066

(650) 616-7180

(Signature)

Date