

**SOUTH FLORIDA STATE COLLEGE
ADMINISTRATIVE PROCEDURES**

PROCEDURE NO. 5232

TITLE: MANDATORY REPORTING FOR CHILD/VULNERABLE ADULT ABUSE

BASED ON POLICY: 5.23 PROHIBITED DISCRIMINATION

OFFICE OF PRIMARY RESPONSIBILITY: VICE PRESIDENT FOR ADMINISTRATIVE SERVICES

I. Purpose:

To provide specific mandatory reporting obligation directions for individuals who have knowledge of suspected or reported abuse of either a child or vulnerable adult

II. Procedure

A. Definitions

For purposes of this procedure, applicable legal terminology is defined within Florida Statutes (F.S.) 39.01 and 415.102 including the following relevant terms:

1. Abandoned or Abandonment- a situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver, while being able, has made no significant contribution to the child's care and maintenance or has failed to establish or maintain a substantial and positive relationship with the child, or both.
2. Abuse (for a child victim)- any willful act or threatened act that results in any physical, mental, or sexual abuse, injury, or harm that causes, or is likely to cause, the child's physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.
3. Abuse (for a vulnerable adult victim)- any willful act or threatening act by a relative, caregiver, or household member which causes, or is likely to cause, significant impairment to a vulnerable adult's physical, mental, or emotional health. Abuse includes acts and omissions.

4. Neglect- repeated conduct or a single incident of carelessness which produces, or could reasonably be expected to result in, serious physical or psychological injury or a substantial risk of death. Neglect also means the failure of a caregiver to make a reasonable effort to protect a vulnerable adult from abuse, neglect, or exploitation by others.
5. Child or Youth- any unmarried person under the age of 18 years who has not been emancipated by order of the court.

B. Reporting obligations for child abuse

1. F.S. 39.201 requires any person (i.e., administrator, faculty, staff, coach, or volunteer) who knows, or has reasonable cause to suspect that a child is abused, abandoned, or neglected to immediately report such knowledge or suspicion to the Florida Department of Children and Family Services (DCF). In addition to this reporting obligation, F.S. 39.205(1), prohibits any person from knowingly and willfully preventing another person from meeting their reporting obligation to DCF.

Any person may contact law enforcement to make a report of suspected child abuse at any time; however, this does not negate their statutory obligation to report to DCF.

2. South Florida State College (SFSC) administrators

In addition to the mandatory reporting requirements stated in Section B(1) above, F.S. 39.205(3) requires College administrators, upon receiving information from faculty, staff, or other institution employees of known or suspected child abuse, abandonment, or neglect committed on College property, or during a College-sponsored event or function, to immediately report such knowledge or suspicion to DCF; and prohibits SFSC administrators from knowingly, or willfully preventing, another person from doing so.

3. Employees whose job responsibilities include confidential reporting and counseling (e.g., victim advocates, counselors, Title IX deputies, etc.) and who become aware of suspected child abuse must still comply with DCF reporting obligations but may be exempt from additional SFSC internal reporting. Should the suspected abuse of a child or student involve medical personnel contracted or employed by SFSC, the matter must be reported both internally and externally.
4. In the event a College employee/volunteer is uncertain as to whether there is a duty to report, the employee/volunteer should report the incident.

C. Reporting obligations for adult abuse

Any person who knows, or has reasonable cause to suspect, that a vulnerable adult has been or is being abused, neglected, or exploited shall immediately report such knowledge or suspicion to the Abuse Hotline.

D. Contact reporting information for the Florida Department of Children and Family Services (DCF):

1. Abuse Hotline telephone: 1-800-962-2873
2. Abuse Hotline fax: 1-800-914-0004
3. Florida Abuse Hotline website link: reportabuse.dcf.state.fl.us

E. SFSC internal reporting

If the abuse has been identified as either taking place on a College campus/center, a location under the control of the College, or at a College-sponsored activity/field trip, immediate notification should be reported to a College EA/EO coordinator so an investigation can be started.

EA/EO Employee Coordinator
Director, Human Resources
600 West College Dr.
Avon Park, FL 33825
Phone 863-784-7336

EA/EO Student Coordinator
Dean, Student Services
600 West College Dr.
Avon Park, FL 33825
Phone 863-784-7104

F. Immunity

Any person who makes a report in good faith to the Florida Abuse Hotline or a law enforcement agency regarding known or suspected child abuse, abandonment, or neglect, including sexual abuse, shall be immune from any civil or criminal liability.

G. Non-retaliation

SFSC prohibits discrimination against any individual because of a good faith reporting of abuse, abandonment, or neglect. Under Florida law, a person who makes an abuse, abandonment, or neglect report shall have a civil cause of action for compensatory and punitive damages against any person who causes detrimental changes in the employment status of such reporting person by reason of his or her making such report.

HISTORY: Adopted: 1/21/20

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Reviewed:

Revised: