



OFFICE OF THE PRESIDENT
1111 Franklin Street, 11th Floor
Oakland, California 94607-5200

November 24, 2020

COUNCIL OF VICE CHANCELLORS
ACADEMIC COUNCIL CHAIR MARY GAUVAIN
VICE PROVOSTS – ACADEMIC PERSONNEL
CHIEF HUMAN RESOURCES OFFICERS

**Re: Management Consultation of Draft Revised Presidential Policy
Reporting Child Abuse and Neglect**

Dear Colleagues:

Enclosed for management consultation are proposed technical revisions to Presidential Policy - Reporting Child Abuse and Neglect.

The proposed technical revisions to the Presidential Policy - Reporting Child Abuse and Neglect reflect changes made to comply with Assembly Bill 1963 (AB 1963), which goes into effect January 1, 2021. AB 1963 expands the definition of mandated reporters and imposes a training requirement for certain mandated reporters, as described below.

Child Abuse and Neglect Reporting Act (CANRA).

New categories of mandated reporters under CANRA (*Cal. Penal Code §11165.7*) now include:

- A human resource employee of a business subject to the California Fair Employment and Housing Act (“FEHA”) that employs minors. For purposes of the amendment, a “human resource employee” is defined as an employee who has been designated by the employer to accept any complaints of misconduct as required by FEHA. (Gov’t Code section 12940, et. seq.)
- An adult person whose duties require direct contact with and supervision of minors in the performance of the minors’ duties in the workplace of a business subject to FEHA. Nothing in the revised statute modifies or limits the person’s duty to report known or suspected child abuse or neglect when the person is acting in some other capacity that would otherwise make the person a mandated reporter.

In addition, a new training requirement under CANRA requires employers to provide these new categories of mandated reporters with training in the duties imposed, including training in child abuse and neglect identification and reporting.

Please note that this request is for management consultation only. Management consultation is a voluntary internal review and consultation process with academic administrators and other interested constituents, intended to solicit general comments about the proposal. Academic Senate leadership is included in this stage of consultation, but we do not expect that the draft

policy will be disseminated broadly to divisional Senates or committees. The draft policies are available online on the [Academic Personnel and Programs website](#).

We would appreciate receiving your comments by **December 14, 2020**. Comments from the Academic Senate and campus academic administrators should be directed to ADV-VPCARLSON-SA@ucop.edu. Questions relating to academic personnel should be directed to Tiffany Wilson at Tiffany.Wilson@ucop.edu or (510) 587-6456. Questions or comments relating to staff employees should be submitted to Abby Norris at Abigail.Norris@ucop.edu.

Sincerely,



Susan Carlson
Vice Provost
Academic Personnel and Programs



Cheryl Lloyd
Interim Vice President
Systemwide Human Resources

Enclosures:

1. Proposed Revised Draft Presidential Policy - Reporting Child Abuse and Neglect
 - a. Clean copy
 - b. Redline copy

cc: President Drake

Chancellors
Laboratory Director Witherell
Provost and Executive Vice President Brown
Executive Vice President and Chief Operating Officer Nava
Senior Vice President and Chief Compliance Officer Bustamante
Assistant Vice Provosts/Vice Chancellors/Directors - Academic Personnel
Deputy General Counsel Woodall
Academic Council Vice Chair Horowitz
Associate Vice Provost Lee
Executive Director Baxter
Executive Director Chester
Chief of Staff and Executive Director Henderson
Chief of Staff Levintov
Chief of Staff Peterson
Senior Counsel Chin
Director Grant
Director Hairston
Director Sykes
Manager Smith
HR Manager Crosson
Policy Specialist Norris
Analyst Ha
Analyst Wilson