

PENSACOLA STATE COLLEGE
MANUAL OF PROCEDURES

Procedure Title:	Child Abuse Reporting	<u>Number</u> 142
Related Policy:	Operation of Pensacola State College Public Safety Department 6Hx20-7.001	<u>Page</u> Page 1 of 3

I. Purpose & Intent

To ensure the safety and well-being of minors on Pensacola State College campuses, and in compliance with Sections 39.201 and 39.205, Florida Statutes, and State Board of Education Rule 6A-14.099, Florida Administrative Code, the College restates and establishes the following immediate reporting obligations with regard to known or suspected child abuse.

II. Definitions

In accordance with Rule 6A-14.099, Florida Administrative Code, and for purposes of this Procedure, applicable terms are defined as follows:

- A. "Abuse," "Abandonment," "Neglect," "Caregiver," and "Child" are defined as set forth in Section 39.01, Florida Statutes.
1. "Abuse" means 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.
 2. "Abandoned" or "abandonment" means 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.
 3. "Child" means any unmarried person under the age of 18 years who has not been emancipated by order of the court.
 4. "Neglect" occurs when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child's physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly impaired.
- B. The term "Administrator" means the following high level personnel who have been assigned the responsibilities of college-wide or campus-wide academic or administrative functions, who serve Pensacola State College with the title of: President; Vice President; Associate Vice President; Senior Dean; Dean; Campus Dean; Chief Information Officer; Executive Director of

Institutional Equity and Student Conduct; Title IX Coordinator; Director of Human Resources; Director of Student Conduct; Athletic Director; and Chief of Police.

- C. The term “Law Enforcement Agency” means the unit of the College which is vested with the authority to bear arms and make arrests, and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic or highway laws of the state. The Pensacola State College Police Department is the unit with the appropriate authority and responsibility to comply with this procedure.

III. Reporting Obligations

- A. **Any Person.** Section 39.201, Florida Statutes, requires any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected, to report such knowledge or suspicion to the Florida Department of Children and Families (DCF). In addition to this reporting obligation, Section 39.205(1), Florida Statutes, prohibits any person from knowingly and willfully preventing another person from meeting their reporting obligation to DCF. Any person may contact local law enforcement authorities to make a report of suspected child abuse at any time; however, this does not negate their statutory obligation to first report to DCF.
- B. **Pensacola State College “Administrators.”** In addition to the mandates set forth in Sections 39.201 and 39.205, Florida Statutes, (described in Section III.A. above) which apply to any person; Section 39.205(3), Florida Statutes, requires College Administrators (as defined above), 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 report such knowledge or suspicion to DCF; and prohibits College Administrators from knowingly and willfully preventing another person from doing so. In addition to the statutorily-required reporting to DCF, if the suspected abuser is a College student, employee or volunteer, then the abuse should be reported to the College’s Executive Director of Institutional Equity and Student Conduct.

IV. Sanctions for Non-Compliance

A. **State Level Sanctions for Non-Compliance**

Florida State Board of Education sanctions for non-reporting or non-compliance are codified in Section 39.205, Florida Statutes, and establish specific sanctions and processes for a review of an allegation of non-compliance and include a possible sanction of a fine of \$1 million for each such failure to be assessed against the College in the event the SBOE determines that a College Administrator knowingly and willfully failed to report known or suspected child abuse, abandonment, or neglect to DCF. A person who is required to report known or suspected child abuse, abandonment, or neglect and who knowingly and willfully fails to do so, or who knowingly and willfully prevents another person from doing so, commits a felony of the third degree, punishable as provided in Sections 775.082, 775.083, or 775.084, Florida Statutes, which includes up to 5 years imprisonment and a \$5,000 fine. Details concerning the SBOE review and appeal process are codified in SBOE Rule 6A-14.099.

B. **College Sanctions for Non-Compliance**

Any employee who fails to comply with this Procedure will be subject to the applicable penalties as described above. In addition, as this Procedure is more inclusive and is specific to the College, the College may impose additional direct penalties in accordance with College policies and procedures up to suspension and termination from employment.

V. **Immunity**

Any College Administrator or employee who makes a report in good faith to the Florida Abuse Hotline or law enforcement agency regarding known or suspected child abuse, abandonment, or neglect, including sexual abuse, shall be immune from any civil or criminal liability. (Section 39.203 Florida Statutes)

VI. **Non-Retaliation**

The College prohibits retaliation against any individual because of a good faith report of child abuse, abandonment, or neglect. In accordance with Section 39.203, Florida Statutes, a person who makes a child abuse, abandonment, or neglect report shall have a civil cause of action for appropriate 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.

VII. **Related Statutes, Rules, and DCF Contact Information**

Section 39.01, Florida Statutes.
Section 39.201, Florida Statutes.
Section 39.203, Florida Statutes.
Section 39.205 Florida Statutes.
Rule 6A-14.099, Florida Administrative Code

For reference, the contact information for DCF is provided below:
Florida Department of Children and Families (DCF)
Telephone: 1-800-962-2873
Fax: 1-800-914-0004 (Advisable to retain receipt of fax transmission)

Web Address for Florida Abuse Hotline:
<https://www.myflfamilies.com/service-programs/abuse-hotline/report-online.shtml>

Online Reporting Form:
<https://reportabuse.dcf.state.fl.us/Child/ChildForm.aspx>

Responsible Official: President

President's Signature:



Date: 09/11/2025