

ADMINISTRATIVE REGULATION 4019

SOUTH ORANGE COUNTY
COMMUNITY COLLEGE DISTRICT

HUMAN RESOURCES

ELDER AND DEPENDENT ADULT ABUSE REPORTING

I. PURPOSE AND SCOPE

This administrative regulation is to provide direction and understanding in the prevention, detection, and intervention regarding incidents of elder and dependent adult abuse. It is the policy of the South Orange County Community College District to treat reports of abuse as high priority criminal activity that is to be fully investigated regardless of the relationship between the victim and the suspect(s).

II. DEFINITIONS

A. Dependent Adult

Any person, residing in this state, between the ages of 18 and 64 years, who has physical or mental limitations that restrict their ability to carry out normal activities or to protect their rights including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age, and is admitted as an inpatient to a 24-hour health facility.

B. Elder

Any person, residing in this state, 65 years of age or older.

C. Financial Abuse

A situation in which any person who has the care or custody of, or who stands in a position of trust to, an elder or a dependent adult, takes, secretes, or appropriates the victim's money or property for any use or purpose not in the due and lawful execution of their trust.

D. Abuse of an Elder or a Dependent Adult

Physical abuse, sexual abuse, neglect, self-neglect, financial abuse, abandonment, isolation or other treatment with resulting physical harm, pain, mental suffering, or the deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering.

E. Adult Protective Services Agency

Pursuant to the provisions of Section 10600 of the Welfare and Institutions Code, the Department of Social Services is designated as the single state agency bearing responsibility for supervising or administering directly, by delegation, or through contracts, adult protective services programs in the State of California.

F. Neglect

The negligent failure of any person having the care or custody of an elder or a dependent adult to exercise that degree of care that a reasonable person in a like position would exercise. Neglect includes sexual abuse, but is not limited to, all of the following:

1. Failure to assist in personal hygiene, or in the provision of food, clothing, or shelter.
2. Failure to provide medical care for physical and mental health needs. No person shall be deemed neglected or abused for the sole reason that they voluntarily rely on treatment by spiritual means through prayer alone instead of medical treatment.

III. MANDATORY REPORTING DUTY

Mandated reporters include faculty, District administration, and classified staff. Volunteers are not mandated reporters, but are encouraged to report suspected abuse. "Any employee who has observed an incident that reasonably appears to be physical abuse, observed a physical injury where the nature of the injury, its location on the body, or the repetition of the injury clearly indicates that physical abuse has occurred or is told by an elder or dependent adult that they have experienced behavior constituting physical abuse shall report the known or suspected instance of abuse by telephone immediately or as soon as possible, and by written report sent within two working days."

IV. ELDER OR DEPENDENT ADULT – ABUSE REPORTING

Every allegation of elder abuse shall be documented. When documenting elder/dependent abuse cases the following information should also be included in the report:

- Current location of the victim
- Victim’s condition/nature and extent of injuries, neglect or loss
- Names of agencies and personnel requested and on scene

Reporting of cases of elder/dependent abuse is confidential. Mandated reporters are to fill out forms SOC 341 (refer to website address below) and turn it into the respective Police Department at their college.

V. FORM SOC 341

<https://www.cdss.ca.gov/inforesources/Forms-Brochures/Forms-Alphabetic-List/Q-T>

References:

Welfare and Institution Code 15600-15675; 15610 et. seq. 15750-15776

Penal Code § 368; 11174.4, 11174.9

Health and Safety Code §§ 1250, 1250.2, and 1250.3