

## **Child Abuse, Neglect, and Exploitation Prevention**

Child abuse, neglect, and exploitation are violations of children's human rights and an obstacle to their educational development. The board directs that staff will be alert for any evidence of child abuse, neglect, or exploitation.

In any case of suspected child abuse, an immediate oral report must be made by telephone or otherwise to the proper law enforcement agency or the department of social and health services pursuant RCW 26.44. Upon request, oral reports will be followed by a report in writing. Such reports must contain the following information, if known:

- (1) The name, address, and age of the child;
- (2) The name and address of the child's parents, stepparents, guardians, or other persons having custody of the child;
- (3) The nature and extent of the alleged injury or injuries;
- (4) The nature and extent of the alleged neglect;
- (5) The nature and extent of the alleged sexual abuse;
- (6) Any evidence of previous injuries, including their nature and extent; and
- (7) Any other information that may be helpful in establishing the cause of the child's death, injury, or injuries and the identity of the alleged perpetrator or perpetrators.

The superintendent will develop internal and external reporting procedures and provide them to all staff on an annual basis. The purpose is to identify and timely report all evidence of child abuse, neglect, or exploitation to the proper authorities. Staff will receive annual training regarding reporting obligations.

All staff are responsible for reporting all suspected cases of child abuse, neglect, and exploitation to the proper authorities and/or the appropriate school administrator. Under state law, staff are free from liability for reporting a reasonable suspicion of child abuse, neglect, or exploitation. However, failing to report the incident may result in criminal liability regardless of whether the authorities determine the incident is provable in a subsequent legal proceeding.

Staff need not verify a report that a child has been abused, neglected, or exploited. Any conditions or information that may be reasonably related to child abuse, neglect, or exploitation should be reported. Legal authorities have the responsibility for investigating each case and taking appropriate action under the circumstances.

For purposes of this policy, the term "child" means anyone under the age of 18 and/or any current student of the district, including home-schooled students or any other person classified as a student in the district's database.

"Child abuse, neglect, or exploitation" means:

- A. Inflicting physical injury on a child by other than accidental means, causing death, disfigurement, skin bruising, impairment of physical or emotional health, or loss or impairment of any bodily function;
- B. Creating a substantial risk of physical harm to a child's bodily functioning;
- C. Attempting, committing, or allowing any sexual offense against a child as defined in the criminal code. This definition also includes any communications with a child for immoral purposes or viewing, possessing, or distributing any sexually explicit images of a child. It also includes intentionally contacting, directly or through the clothing, the genitals, anus, or breasts of a child unless the contact is necessary for the child's hygiene or health care. This also includes a child's intentional or coerced contact with anyone's genitals, anus, or breasts;
- D. Committing acts that are cruel or inhumane regardless of observable injury. These acts may include, but are not limited to, instances of extreme discipline demonstrating a disregard of a child's pain or mental suffering;
- E. Assaulting or criminally mistreating a child as defined by the criminal code;

- F. Failing to provide food, shelter, clothing, supervision, or health care necessary to a child's health or safety;
- G. Engaging in actions or omissions resulting in a substantial risk to the physical or mental health or development of a child; or
- H. Failing to take reasonable steps to prevent the occurrence of the preceding actions.

Children (including other students), family members, and any other adult can engage in child abuse, neglect, or exploitation. This may include incidents of student on student misconduct. Staff should report all incidents of abuse regardless of the age of the person who engages in it promptly to a school or district administrator.

Subject to the definition above, staff should not focus on a person's mental status to determine if she or he has committed child abuse, neglect, or exploitation. The law governing mandated reporting does not allow for exceptions for people with medical conditions that may mitigate the intent for committing child abuse, neglect, or exploitation.

Legal References:                   RCW 13.34.300 Relevance of failure to cause juvenile to attend school as evidence to neglect petition  
   RCW 26.44.020 Definitions  
   RCW 26.44.030 Reports — Duty and authority to make — Duty of receiving agency — Duty to notify — Case planning and consultation — Penalty for unauthorized exchange of information — Filing dependency petitions — Investigations — Interviews of children — Records — Risk assessment process  
   RCW 28A.320.160 Alleged sexual misconduct by school employee — Parental notification — Information on public records act  
   RCW 28A.400.317 Physical abuse or sexual misconduct by school employees — Duty to report — Training  
   RCW 28A.620.010 Purposes  
   RCW28A.620.020 Restrictions — Classes on parenting skills and child abuse prevention encouraged  
   RCW 43.43.830 Background checks — Access to children or vulnerable persons - Definitions  
   WAC 388-15-009 What is child abuse or neglect?  
   AGO 1987, No. 9 Children — Child Abuse — Reporting by School Officials — Alleged Abuse by Student

Management Resources:       2015 - June Policy Issue  
   2010 - April Issue  
   Policy News, February 2007 Physical Abuse and Sexual Misconduct Notice Requirements  
   Policy News, June 1999 23% of districts out-of-compliance on child abuse policies

Adoption Date: January 12, 2011  
 Classification: **Priority**  
 Revised Dates: March 28, 2018