

Employee Reporting Requirements

Precautions for Northshore School District employees Regarding physical abuse and sexual misconduct

Employee Reporting Requirements on Physical Abuse or Sexual Misconduct

The Northshore School District believes that it is critically important to provide a safe educational and work environment for students and staff.

All staff members should be aware that Washington State Law requires the reporting of physical abuse or sexual misconduct of a student by an employee.

Requirements Under Washington State Law and School District Policy

School Employees have a legal obligation to report suspected abuse of children and students. Two Washington laws apply to Northshore staff.

First, certificated employees and registered nurses are required to report suspected abuse or neglect of a child by anyone to Child Protective Services or the proper law enforcement agency. *RCW 26.44.030*

Second, employees, regardless of their assignments, are required to report to administrators suspected physical abuse or sexual misconduct toward a student by a Northshore employee. *RCW 28A.400.317*



In addition, employees are expected to report to administrators conduct that violates the District's policy against sexual harassment. The administrator must report to the proper law enforcement agency if he/she has reason to believe that the misconduct or abuse has occurred.

The administrator must notify the student's parents within 48 hours of receiving a report of sexual misconduct by an employee. This is true if the student is a "victim, target or recipient of the misconduct."

The District must annually inform parents of their rights under the Public Records Act. *RCW 42.56*

What Should Northshore Employees Report to the Administrator?

This list of examples is not intended to be exhaustive, but to describe the types of conduct that are to be reported to administration.

Contact the appropriate administrator if you suspect any of the following:

- Any sexual contact by a Northshore employee to a student, such as the intentional touching of sexual or other intimate parts of a student, except as necessary to attend to the hygienic or health needs of the student.
- Sexual advances made to a student by a Northshore employee, whether verbal, written, or physical, including demands of sexual favors.
- Unwelcome, offensive, or sexually suggestive comments, gestures, or jokes, or remarks of a sexual nature about a student's or staff member's appearance, gender, or conduct.
- Showing sexually explicit publications, electronic media, or illustrations.
- Repeatedly looking at another person in a way that makes them feel uncomfortable such as leering or staring.
- Intentionally inflicting or attempting to inflict injury on a student.

- Using physical force in excess of what is necessary to restrain a student from harming themselves or others.
- Sexual harassment of another person, whether students or staff, as defined in Northshore's Sexual Harassment Board Policy, No. 5013.

If certain behavior you observe makes you uncomfortable, discuss it with the appropriate administrator to see if it is reportable.

For more information contact: Northshore Human Resources Department at (425) 408-7601, Doug Hale, Executive Director, at (425) 408-7605 or Abel Ghirmai, Director, at (425) 408-7622.

Washington State Legislature Revised Code of Washington (RCW)

RCW 28A.400.317

Physical abuse or sexual misconduct by school employees—Duty to report—Training.

- (1) A certificated or classified school employee who has knowledge or reasonable cause to believe that a student has been a victim of physical abuse or sexual misconduct by another school employee, shall report such abuse or misconduct to the appropriate school administrator. The school administrator shall cause a report to be made to the proper law enforcement agency if he or she has reasonable cause to believe that the misconduct or abuse has occurred as required under RCW 26.44.030. During the process of making a reasonable cause determination, the school administrator shall contact all parties involved in the complaint.
- (2) Certificated and classified school employees shall receive training regarding their reporting obligations under state law in their orientation training when hired and then every three years thereafter. The training required under this subsection shall take place within existing training programs and related resources.
- (3) Nothing in this section changes any of the duties established under RCW 26.44.030 [2004 c 135 § 1.]