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 such abuse, neglect or exploitation. For purposes of this policy, "child abuse, neglect or exploitation" will mean:

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. Committing or allowing to be committed any sexual offense against a child as defined in the criminal code, or intentionally touching, either directly or through the clothing, the genitals, anus or breasts of a child for other than hygiene, child care or health care purposes;
D. Committing acts which are cruel or inhumane regardless of observable injury. Such 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 injury to, or creating 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.

Child abuse can include abuse by another minor and so may be included in incidents of student misconduct.

When feasible, the district will provide community education programs for prospective parents, foster parents and adoptive parents on parenting skills and on the problems of child abuse and methods to avoid child abuse situations. The district will also encourage staff to participate in in-service programs that deal with the issues surrounding child abuse.

The superintendent will develop reporting procedures, including sample indicators of abuse and neglect, and will disseminate the procedures to all staff. The purpose is to identify and report as soon as possible to the proper authorities all evidence of child abuse or neglect. Staff will receive training regarding reporting obligations during their initial orientation and every three years after initial employment.

Classified and certified staff are legally responsible for reporting all suspected cases of child abuse and neglect. 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 will report such abuse or misconduct to the appropriate school administrator. The administrator will report 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. Under state law staff are free from liability for reporting instances of abuse or neglect and professional staff are criminally liable for failure to do so.

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

Cross References:

Policy 3226	Interviews and Interrogations of Students on School Premises
Policy 4265	Community Education
Policy 4310	Relations with the Law Enforcement, Child Protective Agencies, and the County Health Department

Legal References:

RCW	13.34.300	Relevance of failure to cause juvenile to attend school as evidence to neglect petition
RCW	26.44.020	Child abuse — 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	Community education provisions — Purposes
RCW	28A.620.020	Community education provisions — Restrictions Classes on parenting skills and child abuse prevention encouraged
RCW	43.43.830	Background checks — Access to children or vulnerable persons
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:

Policy News, April 2010	Child Abuse Interviews at Schools
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