

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 shall be alert for any evidence of such abuse, neglect or exploitation. For purposes of this policy, "child abuse, neglect, or exploitation" shall 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.
- 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 shall also encourage staff to participate in in-service programs that deal with the issues surrounding child abuse.

The superintendent shall develop reporting procedures, including sample indicators of abuse and neglect, and shall 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 shall 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, and all staff are required to by the district. 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 administrator shall 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: Board Policy 4310 Relations with the Law Enforcement and Child Protective Agencies
3226 Interviews and Interrogations of Students on School Premises
- Legal References: RCW 13.34.300 Failure to cause juvenile to attend school as evidence under neglect petition
26.44.020 Child abuse--Definitions
26.44.030 Reports--Duty and authority to make--Duty of receiving agency
28A.620.010 Community education provisions-- Purposes
28A.620.020 Community education provisions-- Restrictions
43.43.830(6) Background checks--Access to children or vulnerable persons
28A.320.160 Alleged sexual misconduct by school employee – parental notification – Information on public records act.
28A.400.317 Physical abuse or sexual misconduct by school employees – Duty to Report – Training.
- WAC 388-15-009 Definition of child abuse, neglect or exploitation
AGO 1987, No. 9 Children--Child Abuse--Reporting by School Officials--Alleged Abuse by Student
- Management Resources: 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

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Grandview School District

Child Abuse and Neglect Prevention

All professional school personnel are required to report to law enforcement or children's protective services concerning suspected child abuse and neglect. The report shall be made at the first opportunity, and in no case longer than forty-eight (48) hours after there is reasonable cause to believe that abuse or neglect has occurred. Any school staff member who knowingly fails to do so shall be guilty of a gross misdemeanor. Any school staff member who in good faith reports such suspected abuse or neglect shall be immune from civil or criminal liability.

When any member of the school staff has reasonable cause to believe that a child has experienced non-accidental physical injury, sexual abuse, sexual exploitation, negligent treatment or maltreatment, said person shall report such incident to his or her principal or designee. (The school nurse or counselor should be consulted as a professional resource with special skills, insight and experience in abuse and neglect cases.) An oral report shall then be made to law enforcement or child protective services. This report may be made by the staff member initiating the report or the building principal, or designee. In cases when it may take longer than forty-eight (48) hours to determine if reasonable cause exists, a call to the agency should be made within the first forty-eight (48) hours alerting the agency that school personnel are in the process of making the "reasonable cause" determination. Child Protective Services has the responsibility for determining the fact of child abuse or neglect. Any doubt about the child's condition shall be resolved in favor of making the report.

The oral report shall be made by telephone or otherwise to the agency and, upon request, shall be followed by a report in writing. Such reports shall contain the following information, if available, on the District form, "Child Abuse and Neglect Report":

- 1) The name, address and age of the child or adult dependent person;
- 2) The name and address of the child's parents, stepparents, guardians or other persons having custody of the child, or the residence of the adult dependent person;
- 3) The nature and extent of the suspected abuse or neglect;
- 4) Any evidence of previous abuse;
- 5) Any other information which may be helpful in establishing the cause of the child's or adult dependent person's death, injury or injuries, and the identity of the perpetrator or perpetrators accused of inflicting the abuse.

The agency representative normally will contact the parents or legal guardian, and the referral source will be kept confidential unless the referral source relinquishes confidentiality. The principal and school personnel shall cooperate with Child Protective Services (CPS) and law enforcement officials in providing an appropriate setting during school hours to interview a child or adult dependent person suspected of being a victim of abuse or neglect.

When a student, identified as a victim of suspected child abuse or neglect, is interviewed on school premises by CPS workers or law enforcement agents, a staff member appointed by the principal may be in attendance for such interview. If the child objects to any third party present, the child's wishes shall prevail. The most appropriate staff member to witness such an interview is the person with whom the child is most comfortable.

In the event CPS workers or law enforcement agents elect to remove a suspected victim of child abuse from the school, school officials shall secure a protective custody statement showing where the student will be taken. School officials will notify the parent or guardian and the District Superintendent's office as soon as possible, with the exception that when the parent or guardian is considered a suspect in the alleged child abuse or neglect, the notification of the parent or the guardian may be delegated by the responsible school official to the agents taking custody of the student.

ABUSE INDICATORS

I. Physical Abuse Indicators:

- 1) bilateral bruises, extensive bruises, bruises of different ages, patterns of bruises caused by a particular instrument (belt buckle, wire, straight edge, coat hanger, etc.)
- 2) burn patterns consistent with forced immersion in a hot liquid (a distinct boundary line where the burn stops), burn patterns consistent with a spattering by hot liquids, patterns caused by a particular kind of implementation (electric iron, etc.) or instrument (circular cigarette burns, etc.)
- 3) lacerations, welts, abrasions
- 4) injuries inconsistent with information offered by the child
- 5) injuries inconsistent with the child's age
- 6) injuries that regularly appear after absence or vacation

II. Emotional Abuse Indicators:

- 7) lags in physical development
- 8) extreme behavior disorder
- 9) fearfulness of adults or authority figures
- 10) revelations of highly inappropriate adult behavior, i.e., being enclosed in a dark closet, forced to drink or eat inedible items

III. Sexual Abuse Indicators:

Sexual abuse, whether physical injuries are sustained or not, is any act or acts involving sexual molestation or exploitation, including but not limited to, incest, rape, carnal knowledge, sodomy or unnatural or perverted sexual practices. Indicators include:

- 11) child having difficulty sitting down
- 12) child refusing to change into gym clothes (when he/she has been willing to change in the past)
- 13) venereal disease in a child of any age
- 14) evidence of physical trauma or bleeding to the oral, genital or anal areas
- 15) child running away from home and not giving any specific complaint about what is wrong at home
- 16) pregnancy at 11 or 12 with no history of peer socialization

NEGLECT INDICATORS

IV. Physical Neglect Indicators:

- 17) lack of basic needs (food, clothing, shelter)
- 18) inadequate supervision (unattended)
- 19) lack of essential health care and high incidence of illness
- 20) poor hygiene on a regular basis
- 21) inappropriate clothing in inclement weather
- 22) abandonment

V. Some Behavioral Indicators of Abuse

- 23) wary of adult contact.
- 24) frightened of parents.
- 25) afraid to go home.
- 26) habitually truant or late to school
- 27) arrives at school early and remains after school later than other students.
- 28) wary of physical contact by adults.
- 29) shows evidence of overall poor care.
- 30) parents describe child as "difficult" or "bad".
- 31) inappropriately dressed for the weather—no coat or shoes in cold weather or long sleeves and high necklines in hot weather (possibly hiding marks of abuse).
- 32) exhibits behavioral extremes: crying often or never, unusually aggressive or withdrawn and fearful.

Behavioral indicators in and of themselves do not prove abuse has occurred. Together with other indicators they may warrant a referral.

Child abuse as defined by the statutes can be inflicted “by any person” and may include student-on-student abuse. These cases also require reporting to CPS, DSHS or law enforcement. Child abuse in this and all other cases requires two elements. First, there must be injury, sexual abuse, sexual exploitation, negligent treatment or maltreatment. Second, there must be harm to the child’s health, welfare or safety.

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