

CHILD ABUSE AND NEGLECT: 3421

Child abuse or neglect, including exploitation, are violations of children's human rights and an obstacle to their educational development. When feasible, the District will collaborate with community agencies to provide community education for parents and other caregivers on parenting skills, violence prevention, and on the problems of child abuse and methods to avoid child abuse/neglect situations. The District shall also require staff to participate in in-service programs that deal with the issues surrounding child abuse and neglect and reporting procedures.

All staff are legally responsible for reporting all suspected cases of child abuse or neglect. Under State law, staff are free from liability for reporting instances of suspected abuse or neglect and are criminally liable for failure to do so. 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.

Children’s Protective Services authorities have the responsibility for evaluating each referral and making the determination to accept for investigation or screening out as “Information Only” based upon the State’s model for Risk Assessment. Any conditions or information that may reasonably be related to suspected abuse or neglect shall be reported to the appropriate law enforcement agency and the Department of Social and Health Services.

For purposes of this policy, the term “child” means anyone under the age of 18.

“Child abuse or neglect” means:

- A. Injury of a child by any person under circumstances which cause harm to the child's health, welfare, or safety;
- B. Sexual abuse or sexual exploitation by any person under circumstances which cause harm to the child's health, welfare, or safety; or
- C. The negligent treatment or maltreatment of a child by a person responsible for or providing care to the child.

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

Staff should not focus on a person's mental status to determine if they have committed child abuse or neglect. The law governing mandated reporting does not allow for exceptions for people with medical conditions that may mitigate the intent for committing child abuse or neglect.

All staff members who abuse or neglect a child or who fail to report as required by law and this policy, are subject to, in addition to other penalties, disciplinary action, including discharge.

Cross References: Administrative Policy – 3226 Interviews and Interrogations of Students
On School Premises

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	Administrative Policy – 4310	Relations with Law Enforcement, Child Protective Services, Fire Department, and the County Health Department
	Administrative Policy – 5253	Maintaining Professional Staff/Student Boundaries
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
	RCW 28A.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 110-30-0030	What is child abuse or neglect?
	AGO 1987, No. 9	Children — Child Abuse — Reporting by School Officials — Alleged Abuse by Student