

STUDENTS

Child Abuse and Neglect

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

For the 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.

Physical discipline of a child, including the reasonable use of corporal punishment, is not considered abuse when it is reasonable and moderate and is inflicted by a parent or guardian for the purposes of restraining or correcting 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.

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 or neglect and methods to avoid child abuse or neglect situations. The district will also encourage staff to participate in in-service programs that address the issues surrounding child abuse or neglect.

All staff who have 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 school administrator. The school administrator shall report to the proper law enforcement agency if the administrator has reasonable cause to believe that misconduct or abuse has occurred as required under [RCW 26.44.030](#).

Staff shall refer to [Procedure 3421P](#) including completion of the written Child Abuse Report form when they have reasonable cause to believe abuse or neglect has occurred.

Legal responsibility for ensuring a report is filed rests with the person who has the reasonable cause to believe abuse or neglect has occurred. Any person who is required to report per [RCW 26.44.030](#) and [RCW 26.44.040](#) and who knowingly fails to report is guilty of a gross misdemeanor per [RCW 26.44.080](#). Any person who, in good faith, reports abuse/neglect or testifies as to alleged abuse/neglect in a judicial proceeding is immune from any liability arising out of such reporting/testifying.

The superintendent will develop 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 or neglect to the proper authorities. Staff shall receive training regarding their reporting obligations upon hire and every three (3) years thereafter.

Cross references:	Board Policy 2145 Procedure 3421P Board Policy 4411 Board Policy 5253	Suicide Prevention Child Abuse and Neglect Working Relationships with Law Enforcement, the Department of Children, Youth, and Families, and the Local Health Department Maintaining Professional Staff/Student Boundaries
Legal references:	RCW 13.34.300 RCW 26.44.020 RCW 26.44.030 RCW 26.44.040 RCW 26.44.060 RCW 28A.320.160 RCW 28A.400.317 RCW 28A.620.010 RCW 28A.620.020 RCW 43.43.830 WAC 110-30-0030 AGO 1987, No. 9	Relevance of failure to cause juvenile to attend school to neglect petition Definitions 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 Reports—Oral, written—Contents Immunity from civil or criminal liability—Confidential communications not violated—Actions against state not affected—False report, penalty Alleged sexual misconduct by school employee—Parental notification—Information on public records act Physical abuse or sexual misconduct by school employees—Duty to report—Training Purposes Restrictions—Classes on parenting skills and child abuse prevention encouraged Background checks—Access to children or vulnerable persons—Definitions What is child abuse or neglect? Reporting by School Officials—Alleged Abuse by Student

2 SSB 6220, Chapter 135, Laws of 2004
Department of Children, Youth & Family
(<https://www.dcyf.wa.gov/safety/what-is-abuse>)

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