

Child Abuse, Neglect, and Exploitation Prevention

CHILD ABUSE AND NEGLECT 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~~shall be alert for any evidence of ~~such abuse, neglect or exploitation. For purposes of this policy,~~ "child abuse, neglect, or exploitation," ~~shall mean:~~

~~For purposes of this policy, the term "child" means anyone under the age of 18 and/or any current student of the district, including home-schooled students or any other person classified as a student in the district's database.~~

~~"Child abuse, neglect, or exploitation" means:~~

- ~~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. Attempting, committing, Committing or allowing ~~to be committed~~ any sexual offense against a child as defined in the criminal code. This definition also includes any communications with a child for immoral purposes, or viewing, possessing, or distributing any sexually explicit images of a child. It also includes intentionally contacting, touching, either directly or through the clothing, the genitals, anus, or breasts of a child unless the contact is necessary for the child's ~~for other than~~ hygiene, ~~child care~~ or health care. This also includes a child's intentional or coerced contact with anyone's genitals, anus, or breasts; ~~purposes.~~~~
- ~~D. Committing acts that~~which~~ are cruel or inhumane regardless of observable injury. These~~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.~~

~~Children (including other students), family members, and any other adult can engage in child~~Child ~~abuse, neglect, or exploitation. This may~~ ~~can include abuse by another minor and so may be~~ ~~included in~~ incidents of student on student misconduct. Staff should report all incidents of abuse regardless of the age of the person who engages in it.

~~Subject to the definition above, staff should not focus on a person's mental status to determine if she or he has committed child abuse, neglect, or exploitation. The law governing mandated reporting does not allow for exceptions for people with medical conditions that may mitigate the intent for committing child abuse, neglect, or exploitation.~~

~~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~~shall~~ also encourage staff to participate in in-service programs that address~~deal with~~ the issues surrounding child abuse.

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

~~All~~~~Classified and certified~~ staff are ~~legally~~ responsible for reporting all suspected cases of child abuse, neglect, and exploitation to the proper authorities ~~and/or the appropriate school administrator.~~ ~~neglect.~~ ~~The district requires all staff to report such cases through the proper channels.~~ Under state law, staff are free from liability for reporting a reasonable suspicion~~instances~~ of child abuse, ~~or~~ neglect, or exploitation. ~~However, failing and professional staff are criminally liable for failure to report the incident may result in criminal liability regardless of whether the authorities determine the incident is provable in a subsequent legal proceeding.~~~~do so.~~

~~Staff need not verify~~ a report that a child has ~~in fact~~ been abused, ~~or~~ neglected, or exploited. ~~Any conditions or information that may~~ be reasonably ~~be~~ related to child abuse, ~~or~~ neglect, or exploitation should be reported. Legal authorities have the responsibility for investigating each case and taking ~~such action as is~~ appropriate action under the circumstances. ~~School staff shall not make any student available for an investigative interview, with government officials, unless the child consents. If the child is under 12 years of age and the request is from law enforcement officials, the law enforcement official must obtain parental consent, a court order, a warrant, or stipulate the existence of exigent circumstances.~~

Cross References:	Board Policy 3226	Interviews and Interrogations of Students on School Premises
	Board Policy 4265	Community Education Program
	Board Policy 4310	District Relationships with Law Enforcement and other Government Agencies

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 Reports — Duty and authority to make — Duty of receiving agency — Duty to notify — Case planning and consultation —
	RCW 26.44.030	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
	RCW28A.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 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:	2015 - June Policy Issue
	2010 - April Issue
	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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