

Policy: 3421

Section: 3000 - Students

Child abuse or neglect, including 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 child abuse or neglect, including exploitation.

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.

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.

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 will receive training regarding reporting obligations during their initial orientation and every three years after initial employment.

All staff are responsible for reporting all suspected cases of child abuse or neglect to the proper authorities and/or the appropriate school administrator. Under state law, staff are free from liability for reporting a reasonable suspicion of child abuse or neglect. 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.

Staff need not verify a report that a child has been abused or neglected. Legal authorities have the responsibility for investigating each case and taking appropriate action under the circumstances.

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

Cross References

3226 - Interviews and Interrogations of Students on School Premises

4265 - Community Education Program

4310 - District Relationships with Law Enforcement and other Government Agencies

5253 - Maintaining Professional Staff/Student Boundaries

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

Department of Children, Youth & Family (<https://www.dcyf.wa.gov/safety/what-is-abuse>)

Updates Chart:

Additions Chart:

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Policy: 3421P

Section: 3000 - Students

Each school principal will develop and implement an instructional program that will teach students:

1. How to recognize the factors that may cause people to abuse or neglect children;
2. How one may protect oneself from experiencing abuse or neglect; and
3. What resources are available to assist an individual who does or may encounter an abusive or neglectful situation.

To facilitate such a program, staff will receive training regarding reporting obligations during their initial orientation and every three years after initial employment. Training may include such topics as:

1. Child growth and development;
2. Identification of child abuse or neglect;

3. Effects of abuse or neglect on child growth and development;
4. Personal safety as it relates to potential child abuse or neglect;
5. Parenting and supervision skills;
6. Life situations/stressors which may lead to child abuse or neglect; and
7. Substance abuse.

Reporting Responsibilities under RCW 26.44.030

Staff are required to report every instance of suspected child abuse or neglect.

The following procedures are required when reporting instances of suspected child abuse or neglect:

- A. When there is reasonable cause to believe that a child has suffered abuse or neglect, staff or the principal will orally report it to the nearest office of Child Protective Services (CPS) of the Department of Children, Youth and Families (DCYF) or the local law enforcement agency. This report must be made at the first opportunity, but in no case longer than forty-eight (48) hours after there is reasonable cause to believe that the child has suffered abuse or neglect.

Staff will also advise the principal regarding instances of suspected abuse or neglect as well as reports that have been made to CPS or law enforcement. In the principal's absence, staff will advise the nurse or counselor.

A staff member may contact CPS to determine if a report should be made. Any doubt about the legal necessity of making a report will be resolved in favor of making the report.

- B. A written report will be submitted promptly to the agency to which the oral report was made. The report will include the following information, if known:
1. The name, address, and age of the child;
 2. The name and address of the child's parents, stepparents, guardians, or other persons having custody of the child;
 3. The nature and extent of the suspected abuse or neglect;
 4. Any evidence of previous abuse or neglect, including the nature and extent;
 5. Any other information that may relate to the cause or extent of the abuse or neglect; and
 6. The identity of the person accused of inflicting the abuse.

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 or law enforcement.

Reporting Responsibilities under RCW 26A.320.160 and RCW 26A.400.317

A staff member or contractor who has knowledge or reasonable cause to believe that a student has been a victim, target, or recipient of physical or sexual abuse, sexual misconduct, or assault by another school employee or contractor must report the abuse, misconduct, or assault to the appropriate school administrator. If the administrator determines they have reasonable cause to believe that the sexual misconduct, physical or sexual abuse, or assault has occurred, they will make a report to law enforcement in accordance with RCW 26.44.030.

While determining whether reasonable cause exists, the administrator will contact all parties involved in the complaint and will immediately notify the parents and legal guardians of the

student who is alleged to be the victim, target, or recipient of the physical or sexual abuse, sexual misconduct, or assault.

The district will provide parents and legal guardians with information regarding their rights under the Public Records Act, chapter 42.56 RCW, to request the public records regarding school employee discipline. This information will be provided to all parents and legal guardians on an annual basis.

Defining Child Abuse and Neglect

For definitions regarding abuse and neglect, staff should review RCW 26.44.020, RCW 26.44.030, and WAC 110-30-0030.

These signs may signal the presence of child abuse or neglect:

The child:

- Shows sudden changes in behavior or school performance.
- Has not received help for physical or medical problems brought to the parents' attention.
- Has learning problems (or difficulty concentrating) that cannot be attributed to specific physical or psychological causes.
- Is always watchful, as though preparing for something bad to happen.
- Lacks adult supervision.
- Is overly compliant, passive, or withdrawn.
- Comes to school or other activities early, stays late, and does not want to go home.

The parent or other adult caregiver and the child:

- Shows little concern for the child.
- Denies the existence of-or blames the child for-the child's problems in school or at home.

- Asks teachers or other caretakers to use harsh physical discipline if the child misbehaves.
- Sees the child as entirely bad, worthless, or burdensome.
- Demands a level of physical or academic performance the child cannot achieve.
- Looks primarily to the child for care, attention, and satisfaction of emotional needs.

The parent or other adult caregiver and child:

- Rarely touch or look at each other.
- Consider their relationship entirely negative.
- State that they do not like each other.

Common Indicators of Physical Abuse:

Consider the possibility of physical abuse when the child:

- Has unexplained burns, bites, bruises, broken bones, or black eyes.
- Has fading bruises or other marks noticeable after an absence from school.
- Is frightened of the parents and protests or cries when it is time to go home.
- Shrinks at the approach of adults.
- Reports injury by a parent or another adult caregiver.

Consider the possibility of physical abuse when the parent or other adult caregiver:

- Offers conflicting, unconvincing explanations or no explanation for the child's injury.
- Describes the child as "evil," or in some other very negative way.
- Uses harsh physical discipline with the child.
- Has a history of abuse as a child.

Common Indicators of Emotional Abuse:

Consider the possibility of emotional maltreatment when the child:

- Shows extremes in behavior, such as overly compliant or demanding behavior, extreme passivity, or aggression.
- Is either inappropriately adult-like (parenting other children, for example) or inappropriately infantile (frequently rocking or head-banging, for example).
- Is delayed in physical or emotional development.
- Has attempted suicide.
- Reports a lack of attachment to the parent.

Consider the possibility of emotional maltreatment when the parent or other adult caregiver:

- Constantly blames, belittles, or berates the child.
- Is unconcerned about the child and refuses to consider offers of help for the child's problems.
- Overtly rejects the child.

Common Indicators of Sexual Abuse:

Consider the possibility of sexual abuse when the child:

- Has difficulty walking or sitting.
- Suddenly refuses to change for gym or participate in physical activities.
- Reports nightmares or bedwetting.
- Experiences a sudden change in appetite.
- Demonstrates bizarre, sophisticated, or unusual sexual knowledge or behavior.
- Becomes pregnant or contracts a venereal disease, particularly if under age 14.
- Runs away.
- Reports sexual abuse by a parent or another adult caregiver.

Consider the possibility of sexual abuse when the parent or other adult caregiver:

- Is unduly protective of the child or severely limits the child's contact with other children, especially of the opposite sex.
- Is secretive and isolated.
- Is jealous or controlling with family members.

Common Indicators of Neglect:

Consider the possibility of neglect when the child:

- Is frequently absent from school.
- Begs or steals food or money.
- Lacks needed medical or dental care, immunizations, or glasses.
- Is consistently dirty and has severe body odor.
- Lacks sufficient clothing for the weather.
- Abuses alcohol or other drugs.
- States that there is no one at home to provide care.

Consider the possibility of neglect when the parent or other adult caregiver:

- Appears to be indifferent to the child.
- Seems apathetic or depressed.
- Behaves irrationally or in a bizarre manner.
- Is abusing alcohol or other drugs.

NOTE: Indicators in and of themselves do not necessarily prove that abuse, neglect, or exploitation has occurred. However, they still may warrant a referral to CPS or law enforcement. When in doubt, staff should consult with CPS about making a report.

Updates Chart:

Additions Chart:

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