Policy: 3421
Section: 3000 - Students

Child Abuse and Neglect

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 that cause harm to the child's health, welfare, or safety;

B. Sexual abuse or sexual exploitation by any person under circumstances that 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 ESD 123 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 ESD 123 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.

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
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 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 110-30-0030 What is child abuse or neglect? AGO 1987, No. 9 Children — Child Abuse — Reporting by School Officials — Alleged Abuse by Student

First Reading: 08/26/21
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