



Students - Series 3000 Procedure

Child Abuse and Neglect Prevention – 3421p

DEFINITIONS

- “Abuse or neglect” means the injury, sexual abuse, sexual exploitation, negligent treatment, or maltreatment of a child under circumstances which indicate that the child's health, welfare, or safety is harmed.
- “Mandated reporter” means a person required to report alleged child abuse or neglect as defined in RCW 26.44.030.
- "Negligent treatment or maltreatment" means an act or a failure to act on the part of a child's parent, legal custodian, guardian, or caregiver which evidences a serious disregard of consequences to the child of such magnitude as to constitute a clear and present danger to the child's health, welfare, and safety. Negligent treatment or maltreatment includes, but is not limited to: (a) failure to provide adequate food, shelter, clothing, supervision, or health care necessary for a child's health, welfare, and safety; (b) actions, failures to act, or omissions that result in injury to or which create a substantial risk of injury to the physical, emotional, and/or cognitive development of a child; or (c) the cumulative effects of consistent inaction or behavior by a parent or guardian in providing for the physical, emotional, and developmental needs of a child.
- “Physical abuse” means the nonaccidental infliction of physical injury or physical mistreatment on a child. Physical abuse includes, but is not limited to, such actions as: (a) throwing, kicking, burning, or cutting a child; (b) striking a child with a closed fist; (c) shaking a child under age three; (d) interfering with a child's breathing; (e) threatening a child with a deadly weapon; and (f) doing any other act that is likely to cause and which does cause bodily harm greater than transient pain or minor temporary marks or which is injurious to the child's health, welfare, and safety.
- “Professional school personnel” are mandated reporters and include teachers, administrators, school nurses, school social workers, school counselors, intervention and prevention specialists, psychologists, and certified child care providers and their employees.
- “Sexual abuse” means committing or allowing to be committed any sexual offense against a child as defined in the criminal code. The intentional touching, either directly or through the clothing, of the sexual or other intimate parts of a child or

allowing, permitting, compelling, encouraging, aiding, or otherwise causing a child to engage in touching the sexual or other intimate parts of another for the purpose of gratifying the sexual desire of the person touching the child, the child, or a third party.

- "Sexual exploitation" includes, but is not limited to, such actions as allowing, permitting, compelling, aiding, or otherwise encouraging a child to engage in (a) prostitution (b) sexually explicit, obscene or pornographic activity to be photographed, filmed, or electronically reproduced or transmitted; or (c) sexually explicit, obscene or pornographic activity as part of a live performance, or for the benefit or sexual gratification of another person.

CHILD ABUSE AND NEGLECT EDUCATION AND PREVENTION PROGRAM

Student

Under the direction of the school principal, staff shall implement an instructional program that will teach students the following:

- How to recognize the factors that may cause people to abuse others
- How one may protect oneself from incurring abuse
- Available resources to assist an individual who does or may encounter an abuse situation

Staff

The building principal will ensure that all staff members receive training in the prevention, recognition, and reporting of child abuse and neglect. The training shall include a review of legal requirements and district policy and procedures.

To increase understanding of the issues and to facilitate the development of student education programs, staff shall be encouraged to attend inservice programs which address the following topics:

- Child growth and development
- Identification of child abuse and neglect
- Effects of child abuse and neglect on child growth and development
- Personal safety as it relates to potential child abuse and neglect
- Parenting skills
- Life situations/ stressors which may lead to child maltreatment
- Substance abuse

Community

Staff is encouraged to participate in education programs for parents, step-parents, and foster parents on parenting skills, violence prevention, and on the problems of child abuse and methods to avoid child abuse situations.

REPORTING CHILD ABUSE AND NEGLECT

District and Legal Requirements

District policy requires that all school staff, both certificated and classified, report every instance of suspected child abuse or neglect. "Professional school personnel" (defined above) are mandated reporters and, as such, are each individually responsible for reporting suspected abuse or neglect. Failure to report known or suspected child sexual abuse, physical abuse, or neglect is a gross misdemeanor that is punishable under RCW 26.44.080. Pursuant to RCW 26.44.060, any district employee who, in good faith, makes a report or testifies about alleged child abuse or neglect in a judicial proceeding is immune from any liability arising out of such reporting or testifying. A person who intentionally, in bad faith, maliciously, or knowingly makes a false report of alleged abuse or neglect may be charged with a misdemeanor.

An employee shall report, or cause a report to be made, at the first opportunity but no later than forty-eight (48) hours after there is reasonable cause to believe that a child has suffered sexual abuse, physical abuse, or neglect.

The legal obligation to report suspected sexual abuse, physical abuse, or neglect is satisfied by reporting to either local law enforcement or Child Protective Services (CPS).

Indicators of Abuse

The following are general indicators that may be observed in a child who is a victim of abuse.

I. Physical Abuse

A. Physical Indicators

1. Unexplained bruises and welts
 - a. On face, lips, mouth
 - b. On torso, back, buttocks, thighs
 - c. In various stages of healing
 - d. Clustered, forming regular patterns
 - e. Reflecting shape of article used to inflict (electric cord, belt buckle)
 - f. On several different surface areas
 - g. Regularly appearing after absence, weekend, or vacation
2. Unexplained burns
 - a. Cigar, cigarette burns, especially on soles, palms, back or buttocks
 - b. Immersion burns (sock-like, glove-like, doughnut shaped on buttocks or genitalia)
 - c. Patterned (electric burner, electric iron)
 - d. Rope burns on arms, legs, neck, or torso
3. Unexplained lacerations or abrasions
4. Self-mutilation

B. Behavioral Indicators

1. Wary of adult contacts
2. Apprehensive when other children cry
3. Behavioral extremes (aggressiveness, withdrawal)

4. Frightened of parents
5. Afraid to go home
6. Reports injury caused by parents
7. Violence toward younger children
8. Extreme fear of being touched

II. Neglect or Maltreatment

A. Physical Indicators

1. Consistent hunger, poor hygiene, inappropriate dress
2. Consistent lack of supervision, especially in dangerous activities or for long periods
3. Unattended physical problems or medical needs
4. Abandonment

B. Behavioral Indicators

1. Begging, stealing food
2. Extended stays at school (early arrival and late departure)
3. Constant fatigue, listlessness, or falling asleep in class
4. Alcohol or drug abuse
5. Delinquency (e.g., thefts)
6. States there is no caretaker
7. Irregular school attendance

III. Sexual Abuse

A. Physical Indicators

1. Difficulty in walking or sitting
2. Torn, stained, or bloody underclothing
3. Pain or itching in the genital area
4. Bruises or bleeding in external genitalia, vaginal, or anal areas
5. Venereal disease in a child of any age
6. Pregnancy with no history of peer socialization
7. Frequent bladder infection in girls

B. Behavioral Indicators

1. Unwilling to change for gym or participate in physical education class
2. Withdrawal, fantasy, or infantile behavior
3. Bizarre, sophisticated, or unusual sexual behavior or knowledge
4. Poor peer relationships
5. Delinquent, runaway, prostitution
6. Reports sexual assault by caretaker
7. Extreme fear of being touched

Procedure for Reporting Suspected Child Abuse or Neglect

Disclosure by Child to Employee

- If a child makes a disclosure directly to a school employee, the employee should document the disclosure on the CHILD ABUSE AND NEGLECT REPORT, and report the suspected abuse to law enforcement or CPS by phone. Staff from the agency to which the report was made will follow up with a formal interview of the child regarding the allegation.

- The employee should notify the principal or supervisor that the report has been made.
- **The employee should not interview the child or call in a school counselor to try to determine if the disclosure is credible or if a report should be made.**
- School personnel should continue to provide reassurance to the child as needed throughout the investigation but questions about the abuse should not be asked.

Documenting Physical Injuries

- If an employee needs assistance in documenting physical injuries, the school nurse should be called. Do not ask a health technician for assistance in documenting physical injuries because this activity is outside of the health technician's job description.
- School personnel should document injuries and statements unless they are specifically requested not to do so by law enforcement personnel or CPS social workers investigating the report.
- Law enforcement is generally responsible for taking photographs of injuries, but law enforcement or CPS may request school personnel to document injuries with photographs. **A response to such a request is the only circumstance under which a school employee will take photographs of a child's injuries.**

Completing REPORT OF SUSPECTED CHILD ABUSE OR NEGLECT (3421f1)

- Prior to calling local law enforcement or CPS, the employee should complete the REPORT OF SUSPECTED CHILD ABUSE OR NEGLECT.
- The form should be available in the main office, or it can be found on the district website under Policy 3421 Child Abuse and Neglect Prevention.
- All sections of the form should be completed, if known, to meet legal requirements and to efficiently provide accurate information to the investigating agency during the phone report.
- Each building principal will establish a secured location to file all completed originals of the REPORT OF SUSPECTED CHILD ABUSE OR NEGLECT. Reports must be retained at the building for a period of six (6) years.
- Do not make copies of completed REPORT OF SUSPECTED CHILD ABUSE OR NEGLECT, unless one is requested by the investigating agency.

Notifying Local Law Enforcement or CPS

- In Pierce County, law enforcement and CPS have adopted a cooperative interagency investigative process with the prosecuting attorney's office. School employees will generally report suspected child abuse or neglect to CPS but should call local law enforcement if there is (a) concern for immediate safety of the child, (b) sibling to sibling abuse, or (c) student to student abuse.
- School personnel should not notify parents or guardians that a report has been made.
- School personnel should not notify other school staff members that a report has been made with the exception of notifying an appropriate school administrator.
- School personnel should not notify parents or guardians that a child has been interviewed or placed into protective custody. The agencies of primary statutory

responsibility for investigating the allegation are responsible for informing families and guardians. If parents or guardians make inquiry of the school prior to being formally notified by the investigating agency, the school staff should refer the inquiring party to the appropriate law enforcement agency or CPS social worker involved.

Interviews at School by Law Enforcement and/or CPS

- Upon receiving a report of abuse, law enforcement and/or CPS personnel may be sent to the school to interview the child or children involved.
- The law enforcement officer and/or CPS social worker will contact the principal or designee and present identification.
- The interview must take place in a private, non-threatening setting at school in which the child feels comfortable.
- Law enforcement and/or CPS personnel shall make reasonable efforts to include a third party in any interview so long as the presence of the third party will not jeopardize the course of the investigation. The third party may be a school employee selected in consultation with the building principal. The role of the third party is to be a neutral observer and support for the child.
- Information may be disclosed from student records, without parental consent, to authorized representatives of law enforcement or CPS who require such information in their investigation of suspected child abuse.

Removal of Child(ren) from School

- A law enforcement officer may remove a child(ren) from school and place into protective custody without a court order.
- To remove a child(ren) from school without a court order, a law enforcement officer will contact the building principal or designee and present identification. The officer will share appropriate information and facts concerning the child(ren) and the alleged abuse. Prior to leaving the building with the child(ren), the law enforcement officer will sign a protective custody statement and provide a copy for the school. PROTECTIVE CUSTODY STATEMENT FOR LAW ENFORCEMENT (3421f2) should be available in the main office or can be found on the district website under Policy 3421 Child Abuse and Neglect Prevention.
- A CPS social worker must have a court order to remove a child from school.
- The law enforcement officer or CPS social worker responsible for removing a child from school shall notify the parent/guardian. Any inquiries to school personnel should be referred to the agency responsible for the child's removal.

School Administrator Issues

- If the alleged perpetrator is a school employee, the school administrator shall cause a report to be made to the proper law enforcement agency if he or she has reasonable cause to believe that the misconduct or abuse has occurred as required under RCW 26.44.030. During the process of making a reasonable cause determination, the school administrator shall contact all parties involved in the complaint.

- If the alleged perpetrator is a school employee or student, the school administrator may need to investigate or evaluate the case. The administrator should contact the investigating law enforcement officer and/or CPS social worker to obtain information that is protected and may only be used in an administrative investigation. Such information may not be duplicated or published to anyone outside the administrative investigation.
- If the school administrator expels or suspends an alleged perpetrator, the administrator may notify the alleged perpetrator's parent/guardian of the expulsion or suspension. School personnel may not disclose the identity of the victim except as required under WAC 180-40.