

CHILD ABUSE, NEGLECT, AND EXPLOITATION PREVENTION

Child abuse, neglect, and exploitation are violations of children’s human rights and an obstacle to their educational development. The Board directs staff to be alert for any incidents of such abuse, neglect, or exploitation. For purposes of this policy, “child abuse, neglect, or exploitation” shall mean:

- 1) 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.
- 2) Creating a substantial risk of physical harm to a child’s bodily functioning.
- 3) Attempting, committing, or allowing 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, directly or through the clothing, the genitals, anus, or breasts of a child unless the contact is necessary for the child’s hygiene or health care. This also includes a child’s intentional or coerced contact with anyone’s genitals, anus, or breasts.
- 4) Committing acts that are cruel or inhumane regardless of observable injury. These acts may include, but are not limited to, instances of extreme discipline demonstrating a disregard of a child’s pain or mental suffering.
- 5) Assaulting or criminally mistreating a child as defined by the criminal code.
- 6) Failing to provide food, shelter, clothing, supervision, or health care necessary to a child’s health or safety.
- 7) Engaging in actions or omissions resulting in a substantial risk to the physical or mental health or development of a child.
- 8) 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 abuse, neglect, or exploitation. This may include 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 NWESD 189 may 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 NWESD 189 also encourages staff to participate in inservice programs that address the issues surrounding child abuse.

The Special Programs Director shall develop reporting procedures, including sample indicators of abuse and neglect, and shall disseminate the procedures to staff. The purpose is to identify and report as soon as possible all evidence of child abuse, neglect, or exploitation to the proper authorities. Staff shall receive training regarding reporting obligations during their initial orientation and every three (3) years or as needed after initial employment.

Classified and certificated staff are legally expected to report all suspected cases of child abuse, neglect, and exploitation to the proper authorities and/or the appropriate administrator. Under state law, staff are free from liability for reporting a reasonable suspicion of child abuse, neglect, or exploitation. 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, neglected, or exploited. Any conditions or information that may be reasonably related to child abuse, neglect, or exploitation should be reported. Legal authorities have the responsibility for investigating each case and taking appropriate action under the circumstances. Program staff shall not make any student available for an investigative interview, with government officials, unless the child consents. If the child is under twelve (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.

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Reference:
RCW 13.34.300
RCW 26.44.020
RCW 26.44.030
RCW 28A.310.180
RCW 28A.320.160
RCW 28A.400.317
RCW 28A.620.010
RCW 28A.620.020
RCW 43.43.830
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