

## **SCHOOL EMPLOYEE DUTY- REPORT SUSPECTED CHILD ABUSE or NEGLECT**

### **RCW 28A.400.317 DUTY TO REPORT**

A certificated or classified school employee who has knowledge or reasonable cause to believe that a student has been a victim of physical abuse or sexual misconduct by another school employee, shall report such abuse or misconduct to the appropriate school administrator. 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.

### **PROFESSIONAL STAFF (CERTIFICATED STAFF AND ALL ADMINISTRATORS)**

Per **RCW 26.44.030**, when a professional school employee has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040. The report must be made at the first opportunity, but in no case longer than forty-eight hours after there is reasonable cause to believe that the child has suffered abuse or neglect. The report must include the identity of the accused if known.

### **SEXUAL MISCONDUCT**

1. Per **WAC 180-88-060**, sexual misconduct is any sexually exploitive act with or to a student. Sexually exploitive acts include, but are not limited to, the following:
  - (a) Any sexual advance, verbal, written or physical.
  - (b) Sexual intercourse, as defined in RCW 9A.44.010.
  - (c) Sexual contact, i.e., the intentional touching of the sexual or other intimate parts of a student except to the extent necessary and appropriate to attend to the hygienic or health needs of the student.
  - (d) Any activities determined to be grooming behavior for purposes of establishing a sexual relationship.
  - (e) The provisions of (a) through (d) of this subsection shall not apply if at the time of the sexual conduct the participants are married to each other.
2. Indecent exposure, as defined in RCW 9A.88.010.
3. Sexual harassment of another as defined under Board Policy 3412, 4730, 5503.
4. Commission of a criminal sex offense as defined in RCW 9A.44.
5. Sexual abuse or sexual exploitation of any minor as found in any dependency action under RCW 13.34 or in any domestic relations proceeding under RCW 26.

### **PHYSICAL ABUSE**

Per **WAC 180-88-050**, "physical abuse" means the willful action by an employee of inflicting or attempting to inflict bodily injury against another, or using physical force in excess of what is necessary to restrain a person from harming self or others. To constitute physical abuse, a school district must possess sufficient information to conclude that the employee engaged in the conduct and that it resulted in the employee leaving a position with the school district.

[Exempt from this definition is the authorized use of physical restraints or aversive interventions consistent with WAC 392-172.

### **CHILD ABUSE - INDICATORS**

#### **Recognizing Child Abuse and Neglect: Signs and Symptoms**

The first step in helping abused or neglected children is learning to recognize the signs of child abuse and neglect. The presence of a single sign does not prove child abuse is occurring in a family; however, when these signs appear repeatedly or in combination you should take a closer look at the situation and consider the possibility of child abuse.

The following signs may signal the presence of child abuse or neglect.

#### **1. 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.

#### **2. The Parent:**

- 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.

#### **3. The Parent 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**

##### **1. Consider the possibility of physical abuse when the child:**

- Unexplained burns, bites, bruises, broken bones, or black eyes.
- Fading bruises or other marks noticeable after an absence from school.
- 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.

##### **2. Consider the possibility of physical abuse when the parent or other adult caregiver:**

- Offers conflicting, unconvincing, 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 Behavioral Indicators in Children of Sexual Abuse**

Children often do not tell us with words that they have been sexually abused or that they have successfully resisted an assault and don't know quite what to do next. There are many reasons children might hesitate or be afraid to tell us about what has happened, including their relationship to the offender, fear of the consequences, retaliation or uncertainty about whether or not they will be believed.

Any one of the following signs could indicate that there has been a sexual assault or it could be indicative of another problem. Whatever has caused the change in behavior should be explored.

- sudden reluctance to go someplace or be with someone
- inappropriate displays of affection
- sexual acting out
- sudden use of sexual terms or new names for body parts
- uncomfortableness or rejection of typical family affection
- sleep problems, including: insomnia, nightmares, refusal to sleep alone or suddenly insisting on a night light
- regressive behaviors, including: thumb-sucking, bed-wetting, infantile behaviors or other signs of dependency
- extreme clinginess or other signs of fearfulness
- a sudden change in personality
- problems in school
- unwilling to participate in or change clothing for gym class at school
- runs away from home
- bizarre or unusual sophistication pertaining to sexual behavior or knowledge, including sexual acting out
- reports sexual assault by parent or guardian

*NOTE: Again, any one of the following signs could indicate that there has been a sexual assault or it could be indicative of another problem. Whatever has caused the change in behavior should be explored.*

### **Indicators of Sexually Abusive Parent/Guardian**

- overly protective or jealous of child and friends
- abuses alcohol or other drugs
- encourages exhibitionism in child
- voyeuristic, seductive to child
- exposes child to pornographic and sexually stimulating pictures
- encourages the child in promiscuous and/or prostitute acts
- freely talks or boasts about sexual themes with child

### **Common Indicators of Emotional Abuse**

#### **1. 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 (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.

#### **2. 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 Neglect

1. **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.
2. **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.

*Author: National Clearinghouse on Child Abuse and Neglect Information (DHHS)*

### How to Report Child Abuse or Neglect

Offices within local communities are responsible for receiving and investigating reports of suspected child abuse and neglect. Reports are received by Child Protective Services (CPS) located in each community office and assessed to determine whether the report meets the legal definition of abuse or neglect and how dangerous the situation is.

Children's Administration offers several ways to report abuse:

**Daytime – 509-363-3550**

**Nights & Weekends** - call **1-800-562-5624** to report abuse during the evening or on weekends.

**Hotline** - call **1-866-ENDHARM** (1-866-363-4276), Washington State's toll-free, 24 hour, 7 day-a-week hotline that will connect you directly to the appropriate local office to report suspected child abuse or neglect.

**Address - Spokane DCFS**  
**1313 N. Atlantic St., Ste 2000**  
**Spokane, WA 99201**

### **Questions that will be asked when you call**

1. The name, address and age of the child.
2. The name and address of the child's parent, guardian or other persons having custody of the child.
3. The nature and extent of the abuse or neglect.
4. Any evidence of previous incidences.
5. Any other information which may be helpful in establishing the cause of the child's abuse or neglect and the identity of the perpetrator.

You do not need to have all of the above information when you call to make a report, but the more accurate information you can provide, the better equipped the offices will be to assess the child's risk.