
3421SP Child Abuse and Neglect Prevention and Response

Child abuse and neglect are violations of children's human rights and an obstacle to their educational development. Staff are required by law and Board Policy to be alert for evidence of child abuse or neglect, including exploitation, and to report suspected child abuse or neglect to the proper authorities and/or the appropriate school administrator.

The purpose of this procedure is to support staff in identifying and timely reporting all evidence of child abuse or neglect to the proper authorities.

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

I. Duty to Report

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

- **Penalty for Failure to Report**

RCW 26.44.030 provides that “professional school personnel”—defined as including, but not limited to, teachers, counselors, administrators, child care facility personnel, and school nurses—are mandated reporters. Professional school personnel and other mandatory reporters with reasonable cause to believe that a child has suffered abuse or neglect shall report such incident to the proper authorities. Knowingly failing to do so is a gross misdemeanor under RCW 26.44.080.

It is also District policy that every District employee—whether or not they are covered by RCW 26.44.030—shall report suspected cases of child abuse or neglect to the appropriate school administrator and shall be subject to discipline for failing to do so.

- **Immunity for Good Faith Reports**

RCW 26.44.060 provides that those who make a report or give testimony of possible child abuse and neglect in good faith are immune from civil or criminal liability.

II. Reporting Procedures

Child abuse as defined by state law can be inflicted “by any person” and may include student-on-student abuse.

The following procedures shall be used for reporting regardless of who is alleged to have committed the abuse or neglect:

- **Make oral report within 48 hours to CPS or local law enforcement agency and the school administrator.**
 - When there is reasonable cause to believe that a child has suffered abuse or neglect, the staff member with reasonable cause to believe that a child has suffered abuse or neglect or the school administrator 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 48 hours after there is reasonable cause to believe that the child has suffered abuse or neglect.
 - Reasonable cause means a person witnesses or receives a credible written or oral report alleging abuse, including sexual contact, or neglect of a child (RCW 26.44.030).
 - 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.
 - Staff will also advise the administrator regarding instances of suspected abuse or neglect as well as reports that have been made to CPS or law enforcement. In the school administrator's absence, staff will advise the nurse or counselor.

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

- **Complete a District Child Abuse and Neglect Report using the form maintained on the [District's internal staff website](#) (District login required).**

- **Additional Staff and Contractor Reporting Requirements for Allegations Against School Employees and Contractors**
 - District staff or contractors with 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 District staff member 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 shall 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 school administrator shall also report all allegations of child abuse and neglect by District employees and contractors to the Human Resources Department (EmployeeMisconduct@SeattleSchools.org)

- **Additional Staff Reporting Requirements for Sexual Abuse**

- Under Board Policy No. 3208, Sexual Harassment of Students Prohibited, any school employee who witnesses or receives a report or complaint about sexual harassment—including sexual abuse—is also responsible for informing the District Title IX or Civil Rights Compliance Coordinator (title.ix@seattleschools.org).
- All staff are also responsible for directing complainants to the formal complaint process provided under Superintendent Procedure 3208SP in addition to making reports as required by this procedure.

III. Required Notifications to Parents/Guardians

State law requires immediate notification to parents/guardians about certain safety incidents including, but not limited to, notification upon receipt of a report that a criminal action is alleged to have been committed against their child on school property during the school day or during a school-sponsored activity and upon receipt of a report that their child is alleged to be the victim, target, or recipient of physical or sexual abuse, sexual misconduct, or assault by a school employee or school contractor (RCW 28A.320.160 and 28A.605.005).

However, schools are not required to release any records or information regarding a student's health care, social work, counseling, or disciplinary records to a parent or legal guardian who is the defendant in a criminal proceeding where the student is the named victim or during the pendency of an investigation of child abuse or neglect conducted by any law enforcement agency or the DCYF where the parent or legal guardian is the target of the investigation, unless the parent or legal guardian has obtained a court order.

IV. Interviewing Students

Student interview requests made by personnel from law enforcement, CPS, or other government agencies must be reviewed and responded to according to Superintendent Procedure 4310SP.A, District Relationships with Law Enforcement and Other Government Agencies. District employees who have questions regarding student interview requests should consult with the District's Safety and Security Department or the General Counsel's Office.

V. What is Child Abuse or Neglect?

For purposes of Board Policy No. 3421 and this procedure, the following meanings—as further defined by state law—apply:

- **Child** means anyone under the age of 18.
- **Child abuse or neglect** means:
 - Sexual abuse, sexual exploitation, female genital mutilation as defined in RCW 18.130.460, trafficking as described in RCW 9A.40.100, sex trafficking or severe forms of trafficking in persons under the trafficking victims protection act of 2000, 22 U.S.C. Sec. 7101 et seq.;
 - Injury of a child by any person under circumstances which cause harm to the child's health, welfare, or safety, excluding conduct permitted under RCW 9A.16.100; or
 - 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 under state law 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.

Washington Administrative Code (WAC) 110-30-0030 provides further explanation and examples of child abuse and neglect.

- **Recognizing Potential Child Abuse and Neglect**

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

DCYF advises that these signs may indicate the presence of child abuse or neglect. Each potential indicator should be understood within the context of what is typical for the child, their family, their culture, and their community:

- **The child:**
 - Shows sudden changes in behavior or school performance.
 - Has not received help for physical or medical problems brought to the parents'/guardians' 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/guardian 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/guardian 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/guardian or another adult caregiver.
- Consider the possibility of physical abuse when the **parent/guardian 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. (See Superintendent Procedure 2125SP, Suicide Prevention for intervention procedures)
 - Reports a lack of attachment to the parent.
- Consider the possibility of emotional maltreatment when the **parent/guardian 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/guardian 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/guardian 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.

VI. Staff Training

All employees shall receive training regarding their reporting obligations under state law in their orientation training when hired and every three years thereafter.

VII. Annual Notices

- **Annual Notice to Staff:** The Superintendent or their designee will develop reporting procedures and provide them to all staff on an annual basis.
- **Annual Notice to Parents/Guardians:** 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.

Policy Cross References:

- 2145 – Suicide Prevention
- 3208 – Sexual Harassment of Students Prohibited
- 4040 – Public Access to District Records
- 3246 – Restraint, Isolation and Other Uses of Physical Crisis Intervention
- 3421 – Child Abuse, Neglect and Exploitation Prevention
- 4310 – District Relationships with Law Enforcement and Other Government Agencies
- 5006 – Unprofessional Conduct of Staff
- 5253 – Maintaining Professional Staff/Student Boundaries
- 5281 – Staff Disciplinary Action and Discharge

Revisions:

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