

CHILD ABUSE AND NEGLECT

Note: AS 14.08.111 and AS 14.14.090 require districts to provide mandatory reporters training in the recognition and reporting of child abuse and neglect. Pursuant to AS 47.17.020, teachers, school administrators, and paid athletic coaches are mandated to report child abuse and neglect. New employees required to report are to be trained on this obligation with 45 days after the first day of employment. AS 47.17.22. A school district providing training shall provide notice of the training to public and private schools in the district and invite volunteers who are required to report to participate in the training at no cost to the volunteer. Effective June 30, 2017, volunteers who interact with children in public or private school for more than four hours a week are also mandatory reporters of child abuse. AS 18.16.310 requires school districts to offer continuing education at least once every two years on domestic violence for mandatory reporter employees.

Note: Effective August 1, 2019 (amended 47.17.020) mandatory reporters who have reason to suspect that a child has suffered harm which appears to be the result of a suspected sex offense shall immediately report that harm to the nearest law enforcement agency.

Abuse and neglect affects the well-being of each student. Teachers, school administrators, paid athletic coaches and volunteers who interact with children in a school for more than four hours a week shall be trained on the recognition and reporting of child abuse and neglect in accordance with state law. An athletic coach who is an unpaid volunteer is not required to report child abuse or neglect unless the coach volunteers for more than 4 hours a week for 4 consecutive weeks, or for 20 hours a week in a one month period, has received training, and signed a form acknowledging the obligation to report. District employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse. The reporting duties are individual and cannot be delegated to another individual. (*See Exhibit forms*)

(*cf 4131 – Staff Development*)

The district shall provide notice of child abuse and neglect mandatory reporter training to all public and private schools in the district. All mandatory reporters, including qualifying volunteers, are invited to participate in the training at no cost.

Note: Many school employees may encounter child abuse and neglect. The following optional language expands the number of school employees offered training in child abuse recognition and reporting. It may be revised or deleted as desired.

In addition to the required training provided above, the Superintendent or designee will invite classified personnel who have regular contact with students to participate in child abuse and neglect training. Classified personnel should immediately report instances of suspected child abuse or neglect to the site administrator.

Students

BP 5141.4 (b)

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Note: Pursuant to AS 47.17.068, failing to report child abuse or neglect mandated by law is a misdemeanor if the person knew or should have known that circumstances gave rise to the need for a report.

Legal Reference:

ALASKA STATUTES

14.08.111 Duties (Regional School Boards)

14.14.090 Additional duties

18.66.310 Continuing education for public employees, court system employees, and for prosecuting authorities

47.17.010-47.17.070 Child protection

KETCHIKAN GATEWAY BOROUGH SCHOOL DISTRICT

Adoption Date: 10/13/99

Revision Date: 6/11/2014

Revision Date: 09/14/2016

Revision Date: 2/27/2019

Revision Date: __/__/2019

CHILD ABUSE AND NEGLECT

Duty to Report

Teachers, school administrators, paid athletic coaches and volunteers who work at school more than 4 hours a week who have reasonable cause to suspect child abuse or neglect have a legal duty to report to the nearest office of the Department of Health and Youth Services immediately. The reporting duties are individual and cannot be delegated to someone else.

Reporting Procedures

1. Any employee or volunteer may report known or suspected child abuse or neglect, by telephone to the nearest office of the Department of Health and Social Services. This phoned report must be followed by a faxed or electronically submitted written report of harm.
2. If contact cannot reasonably be made with child protective services and immediate action is needed to protect the child, the employee or volunteer shall make the report to a peace officer.
3. **If the suspected child abuse appears to be the result of a sex offense, the report shall be made immediately to the nearest law enforcement agency.**
- ~~3.~~ 4. In addition to reporting to child protective services, employees or volunteers may report harm from known or suspected child abuse or neglect to local law enforcement if the harm is believed to have been caused by a person not responsible for the child's welfare or if the employee or volunteer is unable to determine who caused the harm or whether the person believed to have caused the harm has responsibility for the child's welfare.
- ~~4.~~ 5. School employees and volunteers are required to cooperate and collaborate with child welfare agencies and law enforcement to provide the pertinent information needed to protect the health and safety of children.
- ~~5.~~ 6. School district employees and volunteers should not contact suspects, nor should the victim be interviewed beyond the initial information disclosed.

CHILD ABUSE AND NEGLECT (continued)**Legal Responsibility and Liability**

1. Mandatory reporters are not civilly or criminally liable for filing in good faith, a required or authorized report of known or suspected child abuse or neglect, or for participating in related investigative or judicial proceedings.
2. A mandatory reporter who fails or refuses to report an instance of child abuse or neglect and knew or should have known that the circumstances gave rise to the need for a report, is guilty of a misdemeanor.
3. When two or more mandatory reporters have reasonable cause to suspect child abuse or neglect, and when there is agreement among them, the report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.
4. The duty to report child abuse and neglect is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making a good faith report shall be subject to any sanction.

(cf. 5145.11 - Questioning and Apprehension)

Confidentiality

All school district employees are required to protect students' rights to privacy and confidentiality. As such, all information and reports regarding child abuse or neglect shall be treated as confidential and shall be maintained in a safe place. No employee shall make available, or allow access to the written information to other students, staff or members of the public, except as required by school rule, Board Policy or law.

The principal/site administrator shall maintain the confidentiality of all reports of child abuse and neglect received, other than making the reports available to the appropriate agencies to which the reports were initially made. The principal/site administrator shall make provisions to protect and to maintain as confidential, the identity of the employee, employees or volunteers making the report.

KETCHIKAN GATEWAY BOROUGH SCHOOL DISTRICT

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