

Washington Youth Academy Procedure

Mandatory Reporting of Child Abuse or Neglect

Procedures

When a staff member of the Washington Youth Academy has reasonable cause to believe that a cadet has suffered abuse or neglect, the staff member shall make a report to the Child Protective Services (CPS), a department within the Department of Social and Health Services. A department of Child Protective Services (CPS) is located in Bremerton and staff members are trained to assess whether the reports meet the legal definition of abuse or neglect. Our responsibility, as a WYA staff member, is not to determine the level of danger or severity of the situation. Rather, our responsibility as a WYA staff member is to report the abuse or neglect. Upon receiving a report, CPS will investigate and determine future action.

A report is required when:

1. You have reasonable cause to believe that a child has suffered abuse or neglect.
2. You, in an official supervisory capacity, have reasonable cause to believe that a child has suffered abuse or neglect caused by a person over whom he or she regularly exercises supervisory or custodial authority (RC 26.44.030).

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.

Reports may be made orally at the following phone numbers: 1 800-762-4902 (automated) 1 866-363-4276 (hotline) or 1 800-562-5624 nights and weekends. Washington Youth Academy counseling staff may assist you in the process of your reporting requirement, if requested.

Additionally, the staff member is required to complete a Serious Incident Report (SIR) Form and forward it through their chain of command to the Academy director. The report form is available on the staff sharedrive. The director will review the report and determine if the report is to be forwarded to The Adjutant General (TAG) and/or the National Guard Bureau (NGB) as appropriate.

Custodial Care

Custodial care is defined as having sole or primary custody of a child. At the Washington Youth Academy, with custodial guardianship of our cadets, we are responsible for the social, emotional, physical/medical and cognitive growth and care of our cadets.

It is always the responsibility of all staff members (custodial guardians) to model appropriate behavior and language at all times. It is also our responsibility to be mindful of inappropriate boundaries between cadets and staff members. Inappropriate boundaries may include but are not limited to:

1. Relating as a peer rather than a supervisor toward a cadet.
2. Sexually related behavior, language or actions toward a cadet.

3. Impartial actions or favoritism toward one or more cadets.
4. Abusive relationships (physically or verbally) with a cadet.
5. Sharing inappropriate information about which a cadet is not developmentally ready.

What Counts as Child Abuse/Neglect?

The minimum definitions for child abuse and neglect are any recent act or failure to act:

- a. Resulting in imminent risk of serious harm, death, serious physical or emotional harm, sexual abuse, or exploitation
- b. Of a child (under 18 years)
- c. By a caretaker (teacher, babysitter, etc.) or parent who is responsible for the child's welfare

The minimum definitions for sexual abuse are:

- a. Employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or assist any other person to engage in any sexually explicit conduct or any simulation of such conduct for the purpose of producing any visual depiction of such conduct; or b. Rape, and in cases of caretaker or inter-familial relationships, statutory rape, molestation, prostitution, or any other form of sexual exploitation of children, or incest of children.

The minimum definitions for emotional abuse are:

A sustained, repetitive pattern of behavior that demonstrably impairs a child's emotional development or sense of self-worth. This can include constant criticism, threats, rejection or confinement, as well as withholding love, support or guidance.

The minimum definition for neglect is the failure to provide for a child's basic needs. Can include:

- a. Physical neglect, such as the lack of appropriate supervision or the failure to provide necessary food, shelter or medical care.
- b. Educational neglect, such as the failure to educate a child or attend to his/her special education needs.
- c. Emotional neglect, such as the inattention to a child's emotional needs or the exposure of a child to domestic violence.
- d. Excessive corporal punishment also is legally considered a form of neglect.

I Suspect Abuse But I Don't Have Proof. Should I report?

All states require teachers and school personnel to report suspected child abuse. There are even some states that require any person to report. Usually a reasonable suspicion, or a reasonable cause to believe is enough to require a teacher to report according to the law. As a rule, when in doubt, report. Reporting is anonymous and an investigation will take place. Failure to report can result in a criminal or civil liability.

What do I do Before I Make a Report?

- Tell your administrator. Make sure they are aware of your suspicion and that you are required by law to report your suspicion. Academy counselors are the Point of Contact (POC) for reporting for the department; however, individuals who are witnesses or have reasonable suspicion of abuse or neglect are required to report.
- Document as much factual information as possible. Bruises, comments, disturbing or sexual writing or journaling, sexual themes in play, how often the child comes in hungry to school, etc.

- Interview the student you suspect is being abused. Or have an administrator, nurse, or school psychologist conduct an interview. Ask open questions about what you've observed, but do not ask leading questions to the child.

DO ask open questions (e.g., Tell me how you got these bruises.)

DO NOT ask leading question (e.g., So your Dad is abusing you, right?)

Let the child disclose to you what is happening. Be aware that they may not tell you the truth, and you should still disclose if you suspect they are hiding abuse.

How do I Report Abuse?

In Washington State you can contact: 1-800-762-4902 (automated), 1-866-363-4276 (hotline), or 1-800-562-5624 during nights and weekends

Related State Laws and Administrative Codes (reporting child or vulnerable adult abuse/neglect)

RCW 26.44.030, 040

WAC 246-809-040

WAC 246-809-060

RCW 74.34.035

RCW 74.34.053