

Duty to Report Protocol – District Staff

The purpose of this protocol is to provide all staff members with information to increase their awareness of their role in protecting children from sexual abuse and inappropriate conduct by adults.

APPLICABLE LAW

Washington state law, RCW 28A.400.317 *Physical abuse or sexual misconduct by school employees “Duty to report” Training* states that; 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...

Child abuse may include physical injury, sexual abuse, sexual exploitation, or negligent treatment or maltreatment. The report must be made at the educator’s first opportunity, but in no case later than within 48 hours.

Additionally, if you become aware of an adult engaging in behavior with students which may be construed as “sexual grooming behavior,” you must report the matter immediately to your principal or another administrator if the principal is somehow involved in the conduct.

Please review the list below. While not exhaustive; it gives examples of behaviors that cause concern based on the profiles of educators who became sexual abusers. The bottom line is that such behaviors cross the line from professional and caring into personal and dangerous and can, at the very least, give the impression of a pattern of behavior consistent with grooming. It is with rare exception that any of the behaviors described in the “Over Friendly” column would be considered acceptable.

ADULT-STUDENT BOUNDARIES - CROSSING THE LINE	
Friendly	Overly Friendly
Appropriate personal space	Invading personal space – too close
Reasonable eye contact	Maintaining intense eye contact
Appropriate comments regarding academic and social environment	Compliments more personal or physical in nature, i.e. “you have great legs,” “you should wear that sweater more often”; condoning inappropriate topics for discussion; condoning verbal comments with sexual overtones.
Student aides work in a learning environment with duties appropriate to the academic environment	Student aides assigned duties that meet personal needs of teachers
Conversations with students support learning and growth for student – “confidant of the student”	Conversations with students become personal in nature and confidential – “confidant of the teacher”
Appropriate use of student conferences in a manner consistent with educational purpose	Pattern of spending time alone with student in conferences beyond educational expectations
Student-teacher relationship centered on school events and activities	Student-teacher relationship maintained outside school events, taking student(s) to lunch, gifts, outside social activities, rides home or receiving or writing personal notes
Maintain fair and equal treatment of all students with occasional exceptions	Pattern of covering for or providing excuses for special students, writing passes repeatedly for favored students to cover tardies or absences.

ADULT-STUDENT BOUNDARIES - CROSSING THE LINE

Friendly	Overly Friendly
Student teacher communication appropriate and understood by general population	Student-teacher communication has implied messages and inside understandings not commonly understood by general population.
Leaders of co-curricular activities maintain clear standards around gender issues and harassment	Leaders of co-curricular activities encourage atmosphere of loose and inappropriate boundaries around gender and harassment issues
A pat on the back, shoulder or arm	Shoulder massage, lingering touches, requesting affection “give me a hug,” “give me a kiss”
Exercising good judgment on whether to touch students or under what circumstances, sensitive to individual and cultural preferences	Touching of students who may misinterpret the touch due to individual circumstances, cultural standards or developmental stage.
Referral to a counselor or school social worker when a student confides in them about personal issues	Teachers acting as helpers for serious student problems without appropriate training in effective advising.

Staff members who observe conduct which may be inappropriate must take action. By doing so, they protect children, their colleagues, and the profession.

STAFF DUTIES

Your responsibilities are two-fold:

1. *Do not engage in the behaviors* described above or behaviors like them which could be mistaken for grooming behaviors. Keep your interactions with students on a professional level. Refer students who need emotional or other support to appropriately trained staff such as counselors. Staff can be caring while maintaining an appropriate level of professional decorum.
2. *Report the Concern:* If a staff member observes any adult engaging in the behaviors described above with students, or in other behaviors which raise concerns:
 - a. Inform your principal or director at your earliest opportunity. Do not attempt to determine for yourself whether the behavior you have observed has a plausible, innocent explanation. You may not understand the entire situation, and allowing the conduct to continue could be bad for both the staff member and students.
 - b. It is not recommended to confront or discuss the matter with the suspected individual. If you do choose to inform the person of your concern, you should *still inform your principal or director*. Your report to the administrator gives them the responsibility for any appropriate follow-up.

Maintain confidentiality. Failure to do so may impede official investigations, should one be necessary, and foster untrue rumors. Also, because you owe a legal duty of confidentiality to students, you cannot share your concerns to anyone other than the appropriate administrator, Child Protective Services or the police.

- c. If you desire, and it is possible and appropriate, an attempt will be made to maintain confidentiality about your report to administration, but it is not guaranteed.
- d. Document your report for your own records.