



MANDATORY REPORTING OF CHILD ABUSE

Human Resources & Legal Affairs

Policy Number: 8010

1.0 PURPOSE

It is the policy of Columbia Basin College (“CBC” or the “College”) that all employees report child abuse and neglect as described below. The report must be made at the first opportunity, and never later than 48 hours after a college employee has reasonable cause to believe that a child has suffered abuse or neglect. This policy complies with Senate Bill 5991, which amended RCW 26.44.030, an Act relating to reporting child abuse or neglect, and RCW 28B.10.846, adding reporting responsibilities to employees of institutions of higher education.

2.0 AUTHORITY & SCOPE

2.1 Authority: Chapter 26.44 & 28B.10 RCW

2.2 Scope: All CBC Employees

3.0 DEFINITIONS

3.1 Abuse or Neglect is sexual abuse, sexual exploitation, or 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 the negligent treatment or maltreatment of a child by a person responsible for or providing care to the child. An abused child is a child who has been subjected to child abuse or neglect as defined in this section. RCW 26.44.020(1).

3.2 Academic Employee is any teacher, counselor, librarian, or department head, who is employed by any college district, whether full or part time, with the exception of the chief administrative officer of, and any administrator in, each college district. RCW 28B.52.020(2).

3.3 Administrator is any person employed either full or part time by the college district and who performs administrative functions as at least fifty percent or more, and has responsibilities to hire, dismiss, or discipline other employees. RCW 28B.52.020(3).

3.4 Child is any person under the age of eighteen. RCW 26.44.020(2).

3.5 Department is the Department of Social and Health Services (“DSHS”). RCW 26.44.020(8).

3.6 Law Enforcement Agency is the police department, prosecuting attorney, the Washington State Patrol, or the Sheriff’s Office. RCW 26.44.020(14).

4.0 MANDATORY REPORTING OF CHILD ABUSE PROCEDURES

4.1 Reporters

4.1.1 Academic, administrative and athletic department employees, including student employees and volunteers, who, through observations made or information received during the course of their employment, have reasonable cause to believe that a child has suffered abuse or neglect must make any report directly to the proper law enforcement agency or the

Department of Social and Health Services. RCW 28B.10.846(1)(a). The Vice President for Human Resources & Legal Affairs or Deputy Title IX/EEO Coordinator will assist employees in reporting to these agencies when requested.

- 4.1.2** All other employees who have reasonable cause to believe a child has suffered abuse or neglect must report such abuse or neglect immediately to the administrator identified by the institution, which for CBC is the Vice President for Human Resources & Legal Affairs. RCW 26.44.030(3). The Vice President for Human Resources & Legal Affairs must make a report to the proper law enforcement agency or the Department of Social and Health Services.

Please note, the reporting requirement does not apply to the discovery of abuse or neglect that occurred during childhood if it is discovered after the child has become an adult. However, if there is reasonable cause to believe other children are or may be at risk of abuse or neglect by the accused, the reporting requirement does apply. RCW 26.44.030(2).

4.2 Training

CBC will communicate this policy to all employees on an annual basis to ensure that they have knowledge about mandatory reporting responsibilities. RCW 28B.10.846(2).

4.3 Immunity From Liability

- 4.3.1** Any person reporting alleged child abuse or neglect in good faith or testifying as to alleged child abuse or neglect in a judicial proceeding shall be immune from any legal liability arising out of such reporting and testimony. RCW 26.44.060(1)(a). A person who, in good faith and without gross negligence, cooperates in an investigation arising as a result of a report shall not be subject to civil liability arising out of the person's cooperation. This does not apply to a person who caused or allowed the child abuse or neglect to occur. RCW 26.44.060(5).
- 4.3.2** Additionally, in cases in which a public employee subject to reporting requirements acts in good faith and without gross negligence in their reporting duty, and if the employee's judgment as to what constitutes reasonable cause to believe that a child has suffered abuse or neglect is being challenged, the public employer shall provide for the legal defense of the employee. RCW 26.44.032.
- 4.3.3** A person who, intentionally and in bad faith, knowingly makes a false report of alleged abuse or neglect or fails to report alleged abuse or neglect shall be guilty of a misdemeanor and violation of College policy. RCW 26.44.060(1)(b) and (4).

4.4 Reporting Guidance

The Vice President for Human Resources & Legal Affairs is the College's designee to receive reports and provide guidance regarding an employee's reporting obligations. The Vice President for Human Resources & Legal Affairs may designate another

Human Resources Office employee in the event of an absence, such as the Deputy Title IX/EEO Coordinator.

4.5 Reporting Suspected Child Abuse or Neglect

- 4.5.1** If there is reasonable cause to believe a child has suffered abuse or neglect whether off campus or on campus, the report must be made at the first opportunity, but in no case longer than 48 hours.
- 4.5.2** When reporting to one of the reporting agencies below, provide the following information: the name, address, and age of the child, name and address of the child's parents, stepparents, guardians or other persons having custody of the child, the nature and extent of the alleged child abuse or neglect, and any information about previous incidences of abuse or neglect, if known. The report must also include the identity of the accused, if known. RCW 26.44.040.
- 4.5.3** As a mandated reporter, an employee who supplies a name and other information (title, work area, etc.) when reporting will allow it to be documented that the employee has met their legal obligation to report suspected child abuse or neglect.
- 4.5.4** In addition to making the report to DSHS or local law enforcement, if the suspected child abuse may be occurring in a College program or at a College facility, College employees and volunteers must also notify their supervisor or departmental administrator. If you do not believe that the abuse may be occurring in a College program or at a College facility, then your reporting obligation is complete.

5.0 FORMS & OTHER RESOURCES

A report may be provided directly by contacting DSHS Child Protective Services in the following ways:

- 5.1** Daytime – (509) 585-3000
- 5.2** Nights & Weekends – 1 (800) 562-5624
- 5.3** Hotline – 1-866-ENDHARM or 1 (866) 363-4276
- 5.4** TTY Callers – 1-800-624-6186 or (509) 585-3020 to place a direct TTY call.
- 5.5** Suspected abuse or neglect can also be reported to local law enforcement agencies by calling the non-emergency number (city or county in which the child resides) listed below or 911 as appropriate.
 - 5.5.1** Pasco, Kennewick & Richland Police Non-Emergency: (509) 628-0333

6.0 HISTORY & POLICY CONTACT

- 6.1 Originated:** October 2012
- 6.2 Revised:** November 2016
- 6.3 Proposal Date:** 02/18/2021
- 6.4 Promulgation Date:** 02/21/2021
- 6.5 Responsible Administrator:** Vice President for Human Resources & Legal Affairs