

Substitute Orientation

HIB/Boundary Invasion
Mandatory Reporting
Harassment and Discrimination

All in for All Students




North Kitsap
School District


Maintaining
Appropriate Staff –
Student Boundaries


Your Role

- All staff members shall at all times maintain an awareness of their role in protecting children from sexual abuse and inappropriate conduct by adults.

NKSD Policy 5253: Identifies appropriate boundaries between adults and students in and outside of the educational setting and prohibits inappropriate boundary invasion behaviors

 A *boundary invasion* is an act or omission by a school employee that violates professional staff/student boundaries and could have a negative impact on the staff/student relationship.

 An *inappropriate boundary invasion* means an action, or pattern of behavior by a school employee that does not have an educational purpose; and results in abuse of the staff/student professional relationship.

 NKSD Policy/Procedure 5253

(All communication with students must be appropriate and for educational purpose.)

Policy 5253:

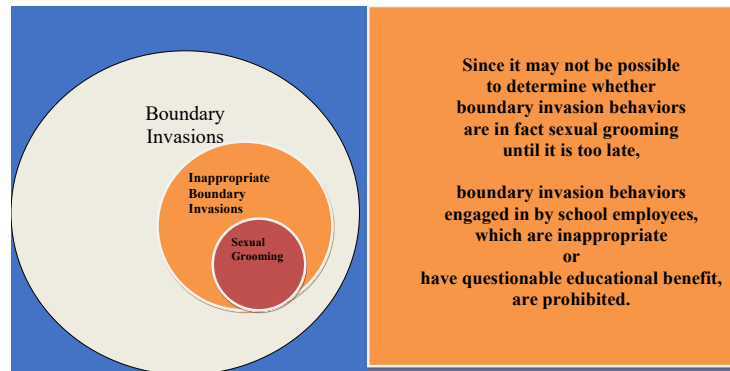
“The North Kitsap School District Board of Directors ***supports the use of technology to communicate for educational purposes***. However, district employees are prohibited from inappropriate online socializing or from engaging in any conduct on social networking Web sites that violates the law, district policies or other generally recognized professional standards.

If you communicate electronically with students, keep your interactions ***Instructional vs. Social and Public vs. Private.***

AVOID communication on personal devices!

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Inappropriate Boundary Invasion



Mandatory Reporting

- (NKSD Policy 3421) Because child abuse and neglect are both a violation of children's human rights and an obstacle to their educational development, the board directs that staff shall be alert for any evidence of such abuse or neglect.



Special Duty to Report



"... A CERTIFICATED OR CLASSIFIED 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 HAS A SPECIAL DUTY TO REPORT SUCH ABUSE OR MISCONDUCT TO THE APPROPRIATE SCHOOL ADMINISTRATOR."

[NKSD BOARD POLICY AND PROCEDURE 3421 AND 3421P](#)



Under Washington state law, RCW 28A.400.317 Physical abuse or sexual misconduct by school employees, ALL SCHOOL EMPLOYEES have...




"... a general duty to report to law enforcement or CPS when there is reasonable cause to believe that a student has suffered abuse or neglect."

Applicable Law

Reports must be made *Immediately* or as soon as possible but no later than 48 hours.

Board policy requires notification of administrator as well.

Timeline...



What is “Abuse or Neglect”

- WAC 388-15-009 Child abuse or neglect means the injury, sexual abuse, sexual exploitation, negligent treatment, or maltreatment of a child under circumstances which indicate that the child's health, welfare, and safety is harmed.
- Physical abuse means the non-accidental infliction of physical injury or physical mistreatment on a child including doing any act which does cause bodily harm greater than transient pain or minor temporary marks or which is injurious to the child's health, welfare and safety.
- Negligent treatment or maltreatment means an act or a failure to act on the part of a child's parent, legal custodian, guardian, or caregiver that shows a serious disregard of the consequences to the child of such magnitude that it creates a clear and present danger to the child's health, welfare, and safety. A child does not have to suffer actual damage or physical or emotional harm to be in circumstances which create a clear and present danger to the child's health, welfare, and safety.

Staff are legally responsible for reporting all suspected cases of child abuse and neglect. For that reason, under state law, staff are free from liability for reporting instances of abuse or neglect AND are criminally liable for *failure* to do so.

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Sample indicators of abuse and neglect are provided in Board Policy and Procedures 3421.

School employees are immune from liability for reporting...

Harassment and Discrimination in the Workplace

Washington State and Federal laws define Harassment as *“one type of illegal discrimination and is defined as offensive and unwelcome conduct, serious enough to adversely affect the terms and conditions of a person’s employment, which occurs because of the person’s protected class. Protected classes in employment include sex, race, creed, religion, color, national origin, age (40 or older), marital status, veteran or military status, sexual orientation , gender expression or identity, disability, or the use of a trained dog guide or service animal by a person with a disability.”*

Affirmative Action Statement:

<http://www.nkschools.org/page/262>

This information is being shared to help you understand your rights as an employee and what to do if you feel you are being harassed or discriminated against in the workplace. This information is also to remind staff that these types of behaviors are not tolerated. Failure to comply with district policies can lead to disciplinary action up to and including termination.

Anyone can file a complaint for harassment and/or discrimination in their workplace.

Complaints are submitted to a building or department administrator or to the Human Resources office. They can be verbal or in writing.

Below is the link to the NKSD website for Harassment / Discrimination incident report form:

<http://www.nkschools.org/cms/lib02/WA01000870/Centricity/Domain/26/Discrimination%20Harassment%20Report%20Form%2015.pdf>

HARASSMENT,
INTIMIDATION,
& BULLYING
(HIB)



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Staff Obligated
to Respond to
HIB

- “Staff” defined broadly to include:
 - Employees
 - Contractors
 - Volunteers

HIB may take Many Forms

- Slurs, rumors, or jokes
- Demeaning comments
- Drawings or cartoons
- Pranks or gestures
- Physical attacks or threats
- Messages or images
- HIB behaviors may also violate other parts of student code of conduct

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Active Response to HIB







- All staff must intervene when aware of HIB
- Students may report HIB to any staff member
- Staff shall attempt to resolve any HIB incident immediately
 - Verbal direction & separate students
 - Enlist aid as appropriate
 - Report to principal
 - Incident Reporting Form

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3207 HIB
Definition is
Broad

- Conflict is not necessarily HIB
- HOWEVER before dismissing something as not HIB, ask:
 - Does involved student appear distressed?
 - Is this something that should be investigated?
 - Do I feel incident is not resolved between the students (i.e. continuing conflict or harm)?
- If yes, fill out or refer them to Incident Reporting Form online

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-  Every staff member should be able to receive an Incident Reporting Form or help a student fill one out
-  Know where they are:
 - Main office
 - Online reporting form
-  All unresolved, persistent or severe HIB incidents are to be reported
-  Can be anonymous or confidential for reporting student
-  Should be delivered to Principal or Counselor
-  Can be verbal or hard copy

Helping with Reporting

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Mandatory Child Abuse Reporting (RCW 26.44.030)

- Determine reasonable cause to believe child abuse or neglect has occurred
- Must immediately report to CPS or police
- If not, must then report within 48 hours
- May apply in instances of HIB (physical abuse of a student by another student)

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Investigation

- School administrator will do investigation
- There are timeline requirements under 3207P
- Incident Reporting Form should also be sent to Compliance Officers: Tim Garrison or Craig Barry
- Results of investigation will be provided to involved parents in writing or in person
- Be watchful of how a student who has reported HIB is doing emotionally, socially, and academically
- Others can engage in HIB in response to a report on a peer's behalf
- If staff have concerns they should share them with the principal
- Staff can be reported for HIB against students under 3207
- Students cannot be reported for HIB against staff
 - If staff have concerns over mistreatment, contact principal

Other key policies and procedures for these issues of our district include but are not limited too...

- **3205 (Students) Prohibition of Sexual Harassment of Students.**
- **3207 (Students) Prohibition of Harassment, Intimidation and Bullying** Includes prohibition of harassment, intimidation or bullying in the form of electronically transmitted words or images.
- **5010 (Staff) Nondiscrimination and Affirmative Action** Ensures equal employment opportunity and treatment for all applicants and staff in recruitment, hiring, retention, assignment, transfer, promotion and training.
- **5011 Prohibition of Sexual Harassment of Staff** Establishes a learning and workplace environment in which the dignity and worth of all individuals are respected.
- **Board Policy 5010 (Staff) Nondiscrimination and Affirmative Action:** Ensure equal employment opportunity and treatment for all applicants and staff in recruitment, hiring, retention, assignment, transfer, promotion and training.
- **Board Policy 5011 (Students and Staff) Sexual Harassment:** Establishes a learning and workplace environment in which the dignity and worth of all individuals are respected.