

Reporting Suspected Child Abuse

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Effective: *October 2019*

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Responsible University Office: *Risk Management*

Policy Contact: *Director of Risk Management, Risk Management*

Reason for Policy

Gonzaga University is committed to the safety of all individuals in its community. The University has particular concern for those who are potentially vulnerable, including children, who require special attention and protection. This policy establishes requirements for the reporting of suspected abuse or neglect of a child, with the goal of promoting the safety and well-being of children.

Scope

All Gonzaga University employees, student employees, and volunteers are responsible for understanding and complying with this policy.

All Gonzaga University employees, including faculty, staff, administrators, temporary staff, volunteers, and student employees who, as a result of their employment or other involvement with Gonzaga University, have reasonable cause to believe that a child has suffered abuse or neglect are required to immediately report the suspected abuse or neglect to law enforcement or Washington State Child Protective Services as specified in this policy.

All Gonzaga University employees and student employees are strongly encouraged to review RCW 26.44.030 to determine whether they have obligations to report suspected child abuse or neglect that is beyond the scope of this Policy.

This policy is adopted in accordance with Washington State's Abuse of Children Law (RCW 26.44).

Policy Statement

Child Abuse Reporting Process

- A. **Emergencies:** In the event of an emergency, call the Spokane Police Department at 911 and then follow up by calling Gonzaga University Campus Security and Public Safety 509-313-2222.
- B. **How to Make a Report:** University employees, student employees, and volunteers must orally report suspected child abuse or neglect by telephone or otherwise at the first opportunity, but no longer than forty-eight (48) hours after there is reasonable cause to believe that the child has suffered abuse or neglect. There are three alternative ways to make a report:
 - 1. Call Gonzaga University Campus Security and Public Safety (CSPS) 509-313-2222 which shall cause a report to be made to Washington State Child Protective Services <https://www.dcyf.wa.gov/safety/report-abuse> or local law enforcement.
 - 2. Call the Washington State Child Protective Services (CPS) at 1-866-ENDHARM (1-866-363-4276); or
 - 3. Call a law enforcement agency having jurisdiction in the location of the suspected incident.

Upon request by a law enforcement agency or CPS, an oral report must be followed by a written report.

For suspected child abuse that occurs in a University-run or -affiliated program or at a University facility regardless of its location, University employees, student employees, or volunteers must also immediately notify one of the following University officials: their supervisor, the Office of Equity and Inclusion, or the Title IX Coordinator.

The University official will contact a law enforcement agency or CPS to confirm that it has received a report of the suspected abuse. The University official, in consultation with appropriate senior University leadership, will take immediate steps to prevent further harm to the alleged victim or other children and will facilitate the University's cooperation with any investigation conducted by CPS, Spokane Police or other government agency.

The reporting obligation 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 applies and a report must be made. In addition, if a Gonzaga University student reports abuse from childhood, employees are still required to report this to the Title IX Coordinator to ensure that student receives notification of available appropriate support services.

- C. **What to Report:** Some or all of the following information may be requested by CPS, law enforcement, or the University official when making a report:
 - 1. The name, address, and age of the child;

2. The name and address of the child's parents, stepparents, guardians, or other persons having custody of the child;
3. The description of the alleged injury or injuries;
4. The description of the alleged neglect;
5. The description of the alleged sexual abuse;
6. Any evidence of previous injuries, including their nature and extent;
7. Any other information that may be helpful in establishing the cause of the child's death, or injuries; and
8. injuries to, and the identity of, the alleged perpetrator or perpetrators.

- D. All Other Reports of Known or Suspected Child Abuse:** This section pertains to persons who are not employees, student employees, or volunteers of the University and who are not otherwise mandatory child abuse reporters pursuant to state law. When participating in any program or activity involving children on campus, such persons who have reasonable cause to believe that a participating child has been abused or neglected or who have other concerns about the safety of a participating child must inform one of the University officials (Human Resources Office, the Equal Opportunity Officer, or the Title IX) identified above and may also notify law enforcement or CPS in accordance with RCW 26.44.040(3). Similarly, any person who has reasonable cause to believe that a child has suffered abuse or neglect that is beyond the scope of this Policy, is encouraged to notify law enforcement or CPS.
- E. Retaliation Prohibited:** Gonzaga University prohibits retaliation against any individual who makes a report in accordance with this policy and/or RCW 26.44. It is a violation of Gonzaga policy to threaten, intimidate or retaliate in any way against an individual for raising allegations of child abuse, harassment or discrimination, participating in an investigation, complaint process or hearing, filing a complaint alleging child abuse, harassment or discrimination, or encouraging others to report. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment. Gonzaga will take immediate and responsive action to any retaliation. Anyone found to have acted in a retaliatory manner may be subject to appropriate disciplinary action up to and including termination of employment. The University's Whistleblower Policy protects individuals from retaliation when they make good faith reports about possible violations of University policy or law.
- F. Cooperating in Good Faith:** All Gonzaga University employees, students and volunteers are expected to cooperate fully in any investigation of suspected child abuse or neglect. Under RCW 26.44.060, a person who, in good faith and without gross negligence, cooperates in an investigation arising as a result of a report made pursuant to RCW 26.44, is not subject to civil liability arising out of his or her cooperation. This exemption from civil liability does not apply to a person who caused or allowed the child abuse or neglect to occur.
- G. Privileged Communications:** No one shall be required to report under this Policy when he or she obtains information regarding child abuse and neglect solely as a result of a privileged communication as provided in RCW 5.60.060 or other applicable law.

Definitions

Child or children: Any person or persons under the age of 18.

Child abuse or neglect: 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, or the negligent treatment or maltreatment of a child by a person responsible for, or providing care to, the child.

Negligent treatment or maltreatment: An act or a failure to act, or the cumulative effects of a pattern of conduct, behavior, or inaction that evidences a serious disregard of consequences of such magnitude as to constitute a clear and present danger to a child's health, welfare, or safety.

Sexual exploitation: Allowing, permitting, or encouraging a child to engage in prostitution by any person; or allowing, permitting, encouraging, or engaging in the obscene or pornographic photographing, filming, or depicting of a child by any person.

In addition to the above-described definition from Washington State's Abuse of Children Law (RCW 26.44), Gonzaga University's Harassment and Discrimination policy further defines the term "sexual exploitation." Please reference the Gonzaga University Harassment and Non-Discrimination Policy to understand this definition as it applies to community members who are adults and minors.

Reasonable cause: A person who witnesses, or receives a credible written or oral report alleging, abuse, including sexual contact, or neglect of a child.

Exceptions

N/A

Sanctions

Gonzaga University employees, volunteers, or students who engage in child abuse or are suspected to have engaged in child abuse are subject to removal from Campus, disciplinary action, including dismissal from employment, University engagement, or from educational programs as well as arrest by law enforcement and criminal prosecution.

Failure to comply with the affirmative duties, responsibilities, and requirements of this Policy may result in corrective action up to dismissal from employment and the University in accordance with the procedures for employee discipline in the Faculty Handbook for faculty members and the Policy and Procedures Manual for staff members.

Any person who is a mandatory reporter under RCW 26.44.030 who knowingly fails to make a report may be subject to criminal liability pursuant to RCW 26.44.080.

Related Policies, Documents & Forms

Protection of Minors on Campus Policy

Archival

N/A