



Board of Directors
 North Clackamas School District 12
 12400 SE Freeman Way
 Milwaukie, Oregon 97222

Agenda

North Clackamas School Board
 Monday, July 7, 2025 6:30 PM
 Boardroom/YouTube
 12400 SE Freeman Way
 Milwaukie, OR 97222

Times listed on the agenda below are only estimates and may be adjusted.

OPEN SESSION

6:30	Call to Order	
	Community Comments	
	Native Land Acknowledgement	2
	Flag Salute	3
7:05	1. Selection of Chair/Vice Chair - Action	4
	Presenter: Shay James	
	Board Chair	
	Consent Agenda	
	A. Minutes - June 26, 2025	5
7:15	2. Declarations of Actual, Potential or Perceived Conflict of Interest	8
	Presenter: Shay James	
7:20	3. Board Protocols/Operating Agreements	16
	Presenter: Board Chair	
7:25	4. Board Liaisons Committee Assignments	19
	Presenter: Board Chair	
7:30	5. Mandatory Child Abuse Reporting Training	24
	Presenter: Shay James	
7:35	Adjourn	



Native Land Acknowledgment

We acknowledge the land on which we sit and which we call the North Clackamas School District rests on the traditional and indigenous lands and village sites of the Native peoples of the Kalapuya, Chinook, Molalla, and the Clackamas. We take this opportunity to offer gratitude for the ability to learn, work, and be a community on this land, and we offer thanks to the original caretakers of this region. We recognize the historic policies of colonization, genocide, relocation, and assimilation that affected Indigenous and Native families both past and present and that will affect those in the future, and honor the resilience and revitalization of our Indigenous and Native communities. We pay our respects to the Elders, both past and present, who have been the stewards of this land throughout the generations.



Flag Salute

I pledge allegiance to the Flag of the United States
of America, and to the Republic for which it stands,
one Nation under God, indivisible, with liberty and
justice for all.

SELECTION OF BOARD CHAIR AND VICE CHAIR

ACTION
Agenda Item #1
July 7, 2025

SUPERINTENDENT'S RECOMMENDATION:

This time on the agenda is scheduled for the Board to select a chair and vice chair for 2025-26.

ORIGINATED BY:

This is an annual agenda item.

BACKGROUND:

As required by Oregon Revised Statutes (ORS 332.040), Board members must select a chair and vice chair for the year at the first meeting on or after July 1.

PRESENTER / STAFF CONTACT:

Shay James, Superintendent
Board Chair

NORTH CLACKAMAS SCHOOL DISTRICT 12
CLACKAMAS COUNTY, OREGON
MINUTES — BOARD OF DIRECTORS MEETING
June 26, 2025
Boardroom/YouTube

Executive Session With due notice having been given and a quorum present, Chair Kathy Wai convened executive session under ORS 192.660(2)(f), at 6:00 p.m. with the following members present:

Kathy Wai	-	Chair
Jena Benologa	-	Vice Chair
Paul Kemp	-	Director (virtually)
Tory McVay	-	Director
Shay James	-	Superintendent
Donna Colingwood	-	Board Secretary

Also present was legal counsel Jollee Patterson (virtually).

Legal Council Jollee Patterson advised the Board on considering information or records that are exempt by law from public inspection.

Executive Session adjourned at 6:17 p.m.

Open Session Chair Kathy Wai convened open session at 6:30 p.m.

Present, in addition to those in the executive session were Teresa Neff-Webster, Petra Callin, and Matt Makara.

Jena Benologa read the Native Land Acknowledgement. Tory McVay led the Pledge of Allegiance.

R24/25-87 **Minutes** - Jena Benologa moved, Tory McVay seconded the motion to approve the minutes of the regular Board Meeting held June 5, 2025. Motion passed 4-0 - Benologa, Kemp, McVay, Wai voted yes.

R24/25-88 **Consent Agenda** – Jena Benologa moved, Tory McVay seconded the motion to adopt the consent agenda as recommended:

Employment Changes - Approve employment changes as listed, with a copy of the list made as part of the official minutes, as recommended by the Chief of Human Resources & Business Services:

- Administrator appointments and transfers
- Licensed terminations

2025-2026 Alternative Placements - Approve the proposed Alternative Program Placements list for 2025-2026.

Policy Revisions -

- Approve revisions to the following policies as recommended by the Policy Review Committee.

II/IIA - Instructional Resources/Instructional Materials (DELETE)

IIA - Instructional Materials

Travel Permission Request -

- Grant permission for 16 students from Adrienne C. Nelson High School to travel to University of Portland, July 16-19, 2025.

Travel Permission Request -

- Grant permission for 10 students from Milwaukie High School to travel to University of Portland, July 10-13, 2025.

Travel Permission Request -

- Grant permission for 22 students from Milwaukie High School to travel to Oregon State University, July 8-11, 2025.

Travel Permission Request -

- Grant permission for 12 students from Adrienne C. Nelson High School to travel to University of Portland, July 6-9, 2025.

Travel Permission Request -

- Grant permission for 15 students from Adrienne C. Nelson High School to travel to Tillamook, OR, July 20-24, 2025.

Travel Permission Request -

- Grant permission for 14 students from Rex Putnam High School to travel to Oregon State University, July 8-11, 2025.

Motion passed 4-0 - Benologa, Kemp, McVay, Wai voted yes.

Board Recognition - Superintendent Shay James shared her appreciation to the Board for their service.

Board Reports - Board members made brief reports on activities and events they had attended.

R24/25-89

2025-26 Organizational Resolution for the Required Designations, Authorizations and Appointments - Tory McVay moved, Jena Benologa seconded the motion for approval of the designations, authorizations, and appointments as identified in items A. through I. on the Organizational Resolution for the Required Designations, Authorizations, and Appointments for Fiscal Year 2025-26.

Motion passed 4-0 - Benologa, Kemp, McVay, Wai voted yes.

R24/25-90

Supplemental Budget and Transferring Appropriations for Fiscal Year 2024-2025 - Tory McVay moved, Jena Benologa seconded the motion to approve of resolution for the supplemental budget and appropriations transfer as presented to meet budgeting requirements.

Motion passed 4-0 - Benologa, Kemp, McVay, Wai voted yes.

R24/25-91

Complaint - Action - Jena Benologa moved, Tory McVay seconded the motion to take no further action on this complaint (dated June 8, 2025) because the complaint restates concerns that have been raised previously and because the Board followed its process in responding to the prior complaint against an employee, and delegate to the Chair the authority to respond to the Complainant.

Motion passed 4-0 - Benologa, Kemp, McVay, Wai voted yes.

There being no further business, the meeting adjourned at 7:00 p.m.

Unapproved

**DECLARATIONS OF ACTUAL, POTENTIAL OR PERCEIVED
CONFLICTS OF INTEREST**

GOVERNANCE
Agenda Item #2
July 7, 2025

SUPERINTENDENT'S RECOMMENDATION:

This time on the agenda is scheduled for Board members to declare any actual, potential or perceived conflicts of interest.

ORIGINATED BY:

This is an annual agenda item.

BACKGROUND:

Board policy BBFA requires that Board members publicly announce the nature of any potential, actual or perceived conflict of interest during open session of a Board meeting at the first board meeting every July.

Potential conflict of interest

Any action or any decision or recommendation by a Board member that **could** result in a financial benefit or avoidance of financial detriment for self, household members, relatives or for a business with which the Board member or relatives are associated, unless otherwise provided by law.

Actual conflict of interest

Any action or any decision or recommendation taken by a Board member that **would** result in a financial benefit or avoidance of financial detriment to self, household members, relatives or for any business with which the Board member or relatives are associated, unless otherwise provided by law.

Perceived conflict of interest

Any action or any decision or recommendation by a Board member that **could reasonably be perceived** as a potential or actual conflict of interest even though there may not truly exist a conflict of interest as defined above.

ATTACHMENT:

[Policy BBFA - Board Member Ethics and Conflicts of Interest](#)

PRESENTER / STAFF CONTACT:

Shay James, Superintendent



Code: **BBFA**
Adopted: 10/16/08
Revised/Readopted: 1/20/11; 3/13/14; 6/23/16;
6/14/18
Orig. Code(s): BBFA

Board Member Ethics and Conflicts of Interest

No Board member will use his/her official position or office to obtain personal financial benefit or to avoid financial detriment for him or herself, relatives, household members or for any business with which the Board member, household member or a relative is associated.

This prohibition does not apply to any part of an official compensation package, honorarium allowed by Oregon Revised Statute (ORS) 244.042, reimbursement of expenses, or unsolicited awards of professional achievement. Further, this prohibition does not apply to gifts from one without a legislative or administrative interest. Nor does it apply if the gift is under the annual \$50 gift limit from one who has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. District-provided meals at board meetings are acceptable under the reimbursement of expenses exception.

I. Conflicts of Interest

“Business” means any corporation, partnership, proprietorship, enterprise, association, franchise, firm, organization, self-employed individual or any legal entity operated for economic gain. This definition excludes any income-producing tax exempt 501(c) not-for-profit corporation with which a public official or a relative of the public official is associated only as a member or board director or in a nonremunerative capacity.

“Business with which a Board member or relative is associated” means any private business or closely held corporation of which a Board member or relative is a director, officer, owner, employee or agent or any private business or closely held corporation in which a Board member or relative owns or has owned stock, another form of equity interest, stock options or debt instruments worth \$1,000 or more at any point in the preceding year; any publicly held corporation in which a Board member or relative owns or has owned \$100,000 or more in stock or another form of equity interest, stock options or debt instruments at any point in the preceding calendar year; or any publicly held corporation of which a Board member or relative is a director or officer.

“Relative” means:

1. The Board member’s spouse¹; or
2. The Board member’s or the spouse of the Board member’s:
 - a. Parent;
 - b. Step-parent;
 - c. Child;
 - d. Sibling;

¹The term spouse includes domestic partner.

- e. Step-sibling;
- f. Son-in-law; or
- g. Daughter-in-law.

Relative also includes any individual for whom the Board member has a legal support obligation, whose employment provides benefits² to the Board member, or who receives any benefit from the Board member's public employment.

"Member of the household" means any person who resides with, and including, the Board member.

No Board member will solicit or receive, either directly or indirectly, any pledge or promise of future employment based on any understanding that the Board member's vote, official action or judgment would be thereby influenced.

No Board member will attempt to use or use for personal gain any confidential information gained through his/her official position or association with the district. A Board member will respect individuals' privacy rights when dealing with confidential information gained through association with the district.

No person who is an employee of the district will be eligible to serve as a member of the Board while so employed.

If a Board member participates in the authorization of a public contract, the Board member may not have a direct beneficial financial interest in that public contract for two years after the date the contract was authorized.

Individual Board members and the Board as a public entity are bound by the Code of Ethics for public officials as stated in Oregon law.

Potential Conflict of Interest

"Potential conflict of interest" means any action or any decision or recommendation by a Board member that could result in a financial benefit or avoidance of financial detriment for self, household members, relatives or for a business with which the Board member or relatives are associated, unless otherwise provided by law.

A Board member must publicly announce the nature of a potential conflict of interest. A Board member may, after publicly announcing the nature of his/her potential conflict of interest, either vote or abstain on the issue. Abstaining from a vote does not meet the legal requirement of publicly announcing a potential conflict.

Actual Conflict of Interest

"Actual conflict of interest" means any action or any decision or recommendation taken by a Board member that would result in a financial benefit or avoidance of financial detriment to self, household members, relatives or for any business with which the Board member or relatives are associated, unless otherwise provided by law.

²Examples of benefits may include, but not be limited to, elements of an official compensation package including benefits such as insurance, tuition or retirement allotments.

A Board member must publicly announce the nature of an actual conflict of interest. The Board member may not vote lawfully if an actual conflict of interest exists unless a vote is needed to meet a minimum requirement of votes to take official action. Such a vote does not allow the Board member to participate in any discussion or debate on the issue out of which an actual conflict arises.

“Perceived conflict of interest” means any action or any decision or recommendation by a Board member that could reasonably be perceived as a potential or actual conflict of interest even though there may not truly exist a conflict of interest as defined above.

Public Announcements of Conflicts of Interest

Board members will publicly announce the nature of any potential, actual or perceived conflict of interest during open session of a Board meeting as follows:

1. At the first Board meeting every July (or when at the first meeting when new board members take office and thereafter in July);
2. At any time during the year as soon as practicable when an additional conflict of interest arises; or
3. At each occasion before any official discussion or action on an issue giving rise to the conflict of interest.

Class Exception

It will not be a conflict of interest if the Board member’s action would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person’s relative or business with which the person or the person’s relative is associated, is a member or is engaged. For example, if a Board member’s spouse is a member of the collective bargaining unit, the Board member may vote to approve the contract, as it will affect all members of that class to the same degree. However, if the collective bargaining unit is very small, the class exception may not apply. Similarly, if the contract contains special provisions that might apply only to particular persons, then the class exception may not apply. For example, if a board member’s spouse is the only one in the bargaining unit who has a doctorate and there is a pay differential for employees with doctorates in the collective bargaining agreement, the Board member should not vote on the contract.

II. Gifts

Board members are public officials and therefore will not solicit or accept a gift or gifts with an aggregate value in excess of \$50 from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. All gift related provisions apply to the Board member, their relatives, and members of their household. The \$50 gift limit applies separately to the Board member, and to the Board member’s relatives or members of household, meaning that the Board member and each member of their household and relative can accept up to \$50 each from the same source/gift giver. “Gift” means something of economic value given to a Board member without valuable consideration of equivalent value, which is not extended to others who are not public officials on the same terms and conditions.

“Relative” means:

1. The Board member’s spouse³; or
2. The Board member’s, or the spouse of the Board member’s:
 - a. Parent;
 - b. Step-parent;
 - c. Child;
 - d. Sibling;
 - e. Step-sibling;
 - f. Son-in-law; or
 - g. Daughter-in-law.

Relative also includes any individual for whom the Board member has a legal support obligation, whose employment provides benefits⁴ to the Board member, or who receives any benefit from the Board member’s public employment.

“Member of the household” means any person who resides with the Board member, and including the Board member.

Determining the Source of Gifts

Board members should not accept gifts in any amount without obtaining information from the gift giver as to who is the source of the gift. It is the Board member’s personal responsibility to ensure that no single source provides gifts exceeding an aggregate value of \$50 in a calendar year, if the source has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. If the giver does not have a legislative/administrative interest, the ethics rules on gifts do not apply and the Board member need not keep track of it, although board members are advised to record all gift sources in case of a later dispute.

Determining Legislative and Administrative Interest

A legislative or administrative interest means an economic interest distinct from that of the general public, in any action subject to the decision or vote of a person acting in the capacity of a Board member. For example, everyone within a county has a general interest in the fire department, but the person who sells the uniforms to the fire department has a legislative/administrative interest in the fire department that is distinct from the general public.

Determining the Value of Gifts

The fair market value of the merchandise, goods, or services received will be used to determine benefit or value.

³Ibid. p. 1

⁴Ibid. p. 1

“Fair market value” is the dollar amount goods or services would bring if offered for sale by a person who desired, but was not obligated, to sell and purchased by one who is willing, but not obligated, to buy. Any portion of the price that was donated to charity, however, does not count toward the fair market value of the gift if the Board member does not claim the charitable contribution on personal tax returns. Below are acceptable ways to calculate the fair market value of a gift:

1. In calculating the per person cost at receptions or meals the payor of the Board member’s admission or meal will include all costs other than any amount donated to a charity;

For example, a person with a legislative or administrative interest buys a table for a charitable dinner at \$100 per person. If the cost of the meal was \$25 and the amount donated to charity was \$75, the benefit conferred on the Board member is \$25. This example requires that the Board member does not claim the charitable contribution on personal tax returns;

2. For receptions and meals with multiple attendees, but with no price established to attend, the source of the Board member’s meal or reception will use reasonable methods to determine the per person value or benefit conferred. The following examples are deemed reasonable methods of calculating value or benefit conferred:
 - (a) The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons whom the payor reasonably expects to attend the reception or dinner;
 - (b) The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons who actually attend the reception or dinner; or
 - (c) The source calculates the actual amount spent on the Board member.
3. Upon request by the Board member, the source will give notice of the value of the merchandise, goods, or services received;
4. Attendance at receptions where the food or beverage is provided as an incidental part of the reception is permitted without regard to the fair market value of the food and beverage provided.

Value of Unsolicited Tokens or Awards: Resale value

Board members may accept unsolicited tokens or awards that are engraved or are otherwise personalized items. Such items are deemed to have a resale value under \$25 (even if the personalized item cost the source more than \$50), unless the personalized item is made from gold or some other valuable material that would have value over \$25 as a raw material.

Entertainment

Board members may not solicit or accept any gifts of entertainment over \$50 in value from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the Board member unless:

1. The entertainment is incidental to the main purpose of another event (i.e. a band playing at a reception). Entertainment that involves personal participation is not incidental to another event (such as a golf tournament at a conference); or

2. The Board member is acting in their official capacity for a ceremonial purpose.

Entertainment is ceremonial when a Board member appears at an entertainment event for a “ceremonial purpose” at the invitation of the source of the entertainment who requests the presence of the Board member at a special occasion associated with the entertainment. Examples of an appearance by a Board member at an entertainment event for a ceremonial purpose include throwing the first pitch at a baseball game, appearing in a parade and ribbon cutting for an opening ceremony.

Exceptions

The following are exceptions to the ethics rules on gifts:

1. Campaign contributions are not considered gifts under the ethics rules;
2. Gifts from “relatives” and “members of the household” to the Board member are permitted in an unlimited amount; they are not considered gifts under the ethics rules;
3. Informational or program material, publications, or subscriptions related to the recipient’s performance of official duties;
4. Contributions made to a legal expense trust fund if certain requirements are met;
5. Food, lodging, and travel generally count toward the \$50 aggregate amount per year from a single source with a legislative/administrative interest, with the following exceptions:
 - a. Organized Planned Events. Board members are permitted to accept payment for travel conducted in the Board member’s official capacity, for certain limited purposes:
 - (1) Reasonable expenses (i.e., food, lodging, travel, fees) for attendance at a convention, fact-finding mission or trip, or other meeting do not count toward the \$50 aggregate amount IF:
 - (a) The Board member is scheduled to deliver a speech, make a presentation, participate on a panel, or represent the district; AND
 - i) The giver is a unit of a:
 - a) Federal, state, or local government;
 - b) An Oregon or federally recognized Native American Tribe; OR
 - c) Nonprofit corporation.
 - (b) The Board member is representing the district:
 - i) On an officially sanctioned trade-promotion or fact-finding mission; OR
 - ii) Officially designated negotiations or economic development activities where receipt of the expenses is approved in advance by the Board.
 - (2) The purpose of this exception is to allow Board members to attend organized, planned events and engage with the members of organizations by speaking or answering

questions, participating in panel discussions or otherwise formally discussing matters in their official capacity. This exception to the gift definition does not authorize private meals where the participants engage in discussion.

6. Food or beverage, consumed at a reception, meal, or meeting IF held by an organization and IF the Board member is representing the district. Again, this exception does not authorize private meals where the participants engage in discussion;

“Reception” means a social gathering. Receptions are often held for the purpose of extending a ceremonial or formal welcome and may include private or public meetings during which guests are honored or welcomed. Food and beverages are often provided, but not as a plated, sit-down meal;

7. Food or beverage consumed by Board member acting in an official capacity in the course of financial transactions between the public body and another entity described in ORS 244.020(5)(b)(I)(i);
8. Waiver or discount of registration expenses or materials provided to Board member at a continuing education event that the Board member may attend to satisfy a professional licensing requirement;
9. A gift received by the Board member as part of the usual or customary practice of the Board member’s private business, employment or position as a volunteer that bears no relationship to the Board member’s holding of public office.

Honoraria

A Board member may not solicit or receive, whether directly or indirectly, honoraria for the Board member, relative or any member of the household of the Board member if the honoraria are solicited or received in connection with the official duties of the Board member.

The honoraria rules do not prohibit the solicitation or receipt of an honorarium or a certificate, plaque, commemorative token or other item with a value of \$50 or less; or the solicitation or receipt of an honorarium for services performed in relation to the private profession, occupation, avocation or expertise of the Board member or candidate.

END OF POLICY

Legal Reference(s):

[ORS 162.015](#) to -162.035
[ORS 162.405](#) to -162.425

[ORS 244.010](#) to -244.400
[ORS 332.055](#)

[OAR 199-005-0001](#) to -199-010-0150

38 OR. ATTY. GEN. OP. 1995 (1978)

OR. ETHICS COMM’N, OR. GOV’T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS.

Cross Reference(s):

BBF - Board Member Standards of Conduct
BBFB - Board Member Ethics and Nepotism
DJ - District Purchasing

BOARD PROTOCOLS AND OPERATING AGREEMENTS

GOVERNANCE
Agenda Item #3
July 7, 2025

SUPERINTENDENT'S RECOMMENDATION:

This time on the agenda is scheduled for the Board to review the Board Protocols and Operating Agreements.

ORIGINATED BY:

Annual agenda item.

ATTACHMENTS:

Board Protocols and Operating Agreements

PRESENTER:

Board Chair

NORTH CLACKAMAS BOARD OF DIRECTORS OPERATING AGREEMENTS

- A. The Board will focus on governing through policy and strategic direction in support of student achievement.

- B. The Board is committed to ensuring an ongoing, open dialogue with the community.

- C. The leadership and direction of district staff and the management of the school district is the direct responsibility of the superintendent, not the Board or any individual Board member. The Board and superintendent will work together to maintain open and honest communication based upon trust.

- D. The Board acknowledges the primary responsibility of the superintendent, supported by administrative staff, is to achieve the strategic direction and accompanying goals set by the Board of Directors in collaboration with the Superintendent. Board members will work with the Superintendent's office in their interactions with staff.

- E. The Board, representing the community members of the district, establishes strategic direction and goals. The superintendent determines the data needed to measure and monitor the process, progress, and goals.

- F. The Board commits itself individually and collectively to maintain standards of conduct, to "speak with one voice" once decisions are made, to maintain a positive culture and orderly decision-making processes, and to do its work openly.

BOARD PROCESS AND PROTOCOLS

1. All data and information provided by the district to one Board member will be provided to all board members.
2. Decisions made by the Board will not be made the first time an issue is brought before the Board except under exceptional circumstances.
3. Board member requests during open session will be recorded by the Superintendent, and will be acted upon in the most appropriate manner as ascertained by the Superintendent and Board Chairs.
4. Board member requests outside of open session will be acted upon as ascertained by the Superintendent and Board Chairs and response shared with all members.
5. Board members will strive to make decisions in an orderly fashion at meetings, expressing positions once during debate and using motions to end debate when discussions become repetitive.
6. Board members will share their perspectives succinctly and respect differing opinions.
7. Board members will generally encourage community members to seek information or guidance from the staff member closest to the situation. If the community member requires more specific assistance, board members may refer community members to the Board Secretary for assistance in determining who can best provide the requested information or address the question. When board members receive areas of major concern or complaints from community members, board members will refer community members to the Superintendent and notify the Board Chairs.
8. A copy of any written legal opinion regarding Board business, Board actions, or potential future Board actions or regarding any Board member(s) that is provided to the Board Chair or Superintendent will be provided to all Board members.
9. Board members and staff are respectful toward members of the community who address the Board.
10. Board members agree that productive board meetings require the engagement of all board members. Board members will typically attend board meetings in person.
 - a) Remote attendance: Board members may attend board meetings virtually or by phone if they notify the Board Secretary and Chair at least one day in advance or as soon as possible.
 - b) Absences: For any absence, members should notify the Board Chair, Secretary, and Superintendent at least one week in advance or as soon as possible.
11. Board members agree that during meetings they will strive to:
 - a) Avoid springing surprises on each other.
 - b) Avoid hidden agendas.
 - c) Use Robert's Rules of Order Newly Revised to govern its deliberations and to control the meeting.
 - d) State their position and vote their conscience.
 - e) Treat all present with respect.
 - f) Attack issues, not attack people.
 - g) Refrain from debating issues with members of the audience.
 - h) Use discretion when addressing issues presented to the Board.
 - i) Direct questions or comments to the Board Chair when responding to issues presented to the Board by the public.
 - j) Limit deliberations/activities to Board work and not administrative/staff work.
 - k) Ensure only one person speaks at a time and that each member has an equal opportunity to participate.
 - l) Listen to each other and refrain from side conversations.
 - m) Refrain from long speeches.
 - n) Model the behaviors the Board expects of students, staff, and community members.
 - o) Maintain decorum and avoid using aggressive tactics.
 - p) Refrain from taking a position on an agenda item or issue until all relevant information is presented.
 - q) Praise publicly and challenge respectfully.
 - r) Monitor meeting process for compliance with laws and policy.
12. The Board may perform an annual self-evaluation.
13. The Board Chair may summarize action items & wrap up following official meetings.

BOARD LIAISON COMMITTEE ASSIGNMENTS

GOVERNANCE
Agenda Item #4
July 7, 2025

SUPERINTENDENT'S RECOMMENDATION:

This time on the agenda is scheduled for board members to discuss committee liaison assignments for the 2025-2026 school year.

ORIGINATED BY:

Annual agenda item.

ATTACHMENTS:

District and Board Committees
[Policy BCE/BCF](#)

PRESENTER:

Board Chair



DISTRICT and BOARD COMMITTEES 2025-2026

DISTRICT COMMITTEES

Youth Equity

An advisory committee to understand students' diverse experiences in the North Clackamas School District and amplify their voices and stories to improve their educational experience. Times and dates TBD.

Employee Benefits Committee

Typically meets monthly on the first Monday at 4:00 - 6:00 p.m. to review the health plan and other benefits. There will be no meeting in December.

Health Curriculum Committee

Reviews supplemental health materials and makes recommendations to the Board for their use. Meets as needed (evenings) to review curriculum materials.

Legislative Agenda Development Committee

Every other fall/winter prior to the long legislative session, Board liaisons work with district staff and community members to draft the District's Legislative Agenda. After Legislative Agenda board adoption, Board liaisons provide legislative outreach and advocacy throughout both legislative sessions in accordance and in alignment with the Board adopted Legislative Agenda.

NCEA Labor Association

Meets as needed on contract negotiations and other communication with the union. This is a bargaining year.

OSEA Labor Management

Meets as needed on contract negotiations and other communication with the union. This is a non-bargaining year.

Policy Review Committee

Typically meets virtually twice monthly on the first and third Tuesday at 2:00 - 3:30 p.m., or as needed, to discuss revisions to Board policies.

Wellness Committee

The committee considers topics related to the local wellness policy and periodically reviews the policy. Meets at least twice annually, typically in the late afternoon.

Superintendent's Advisory Council

An advisory committee providing bi-directional communication and learning between community members, students, staff, and school district leaders. Times and dates TBD.

Bond Advisory Committee

An advisory committee to assist in the development of the bond package. Times and dates TBD.

BOARD COMMITTEES

Superintendent Evaluation Committee

This committee is responsible for drafting the superintendent's evaluation. The evaluation is drafted over 1-2 meetings in the winter. As this is a Board Committee, it is subject to Oregon's Open Meeting Law.

LIAISON TO OTHER COMMITTEES

North Clackamas Education Foundation (NCEF) Board Meeting

These meetings are for the NCEF Board members to review their budget, plan for fundraising events, share outreach efforts, and make decisions about ways they support NCSD students, staff, and the community. Meets in person or online on the third Wednesday of each month at 6:30 - 8:00 p.m.



Code: **BCE/BCF**
Adopted: 6/19/86
Readopted: 9/20/12
Orig. Code(s): BCE

Board Committees

The Board may appoint special committees of citizens, staff and/or Board members for specific purposes to serve until their assignment is completed. This can include the entire Board meeting as a committee-of-the-whole; standing sub committees; ad hoc committees and advisory committees. Committee assignments for standing sub committees will be made at the Board's organizational meeting.

General Guidance

Committee recommendations will be made directly to the Board. Recommendations from such committees will be given careful consideration by the Board, but such recommendations will not relieve the Board of its legal responsibility to make final decisions about such matters. Committee recommendations and reports will become an official part of Board minutes.

All meetings of Board committees shall follow all public meeting laws. The press may attend and report proceedings. Visitors shall sit apart from the committee members and shall speak only when invited to do so by the committee chair.

The composition of committees to the Board will be broadly representative and will take into consideration the specific tasks assigned to the committee. The process for the appointment of community members to an advisory committee will be determined by the Board. When requested by the Board, appointment of staff members, when appropriate, will be made by the superintendent.

The Board will adopt guidelines for each committee as appropriate, which will include, but not be limited to, the following:

1. The committee's written charge which shall include, but not be limited to, a statement of purpose and responsibility;
2. The resources the Board will provide;
3. The length of time the committee is asked to serve and the approximate date(s) on which the Board wishes to receive a committee report(s).

Committee of the Whole

The Board meets as one body for the purpose of conducting work sessions to provide its members with opportunities for planning and thoughtful discussion. This is a non-voting meeting.

Standing Subcommittees

This Board-directed committee exists in perpetuity to advise the Board on important governance matters. These are long term committees which assist the Board in doing policy work efficiently and effectively; provides opportunity to conduct more thorough research and consideration of information prior to decision making; provides an opportunity to dialog with invited staff and community members on specific topics as directed by the Board. A staff member will be assigned to support the committee.

Ad Hoc Committees

This Board member only committee exists for a specific project, and is of limited duration. It is used to research and report on recommendations on a narrow set of issues/topics. This committee may interface with district staff but will not typically interface with the public.

Advisory Committees

These advisory committees act as a sounding board for community opinion and provide an opportunity to gain community wide understanding and support on matters of districtwide importance and make recommendations to the Board. The Board appoints this committee but is not a member of this committee. Board members shall act as a resource consultant and/or as an observer and does not speak on behalf of the Board.

Liaison to Nondistrict Committees

Individual Board members are assigned as a representative of the Board to another external body, group, organization or other entity. Board members may be asked to attend internal administrative/operational meetings as an observer to gain individual understanding of operations and systems. Board members shall act as resource consultant and/or observer. They do not speak on behalf of the Board.

END OF POLICY

Legal Reference(s):

[ORS 192.610 - 192.690](#)

[ORS 332.045](#)

[ORS 332.105](#)

MANDATORY REPORTER TRAINING

GOVERNANCE
Agenda Item #5
July 7, 2025

SUPERINTENDENT'S RECOMMENDATION:

This time on the agenda is scheduled for Board members to review expectations regarding mandatory reporting of suspected abuse of a child.

BACKGROUND:

The Board on February 27, 2020 adopted Policy BBFC – Reporting of Suspected Abuse of a Child due to Senate Bill (SB) 415 (2019) which designates members of a school district board as mandatory reporters of suspected child abuse.

ATTACHMENTS:

[Board Policy BBFC](#)
Training Handout

PRESENTER / STAFF CONTACT:

Shay James, Superintendent



Abuse, Sexual Conduct and Appropriate Communications in Oregon

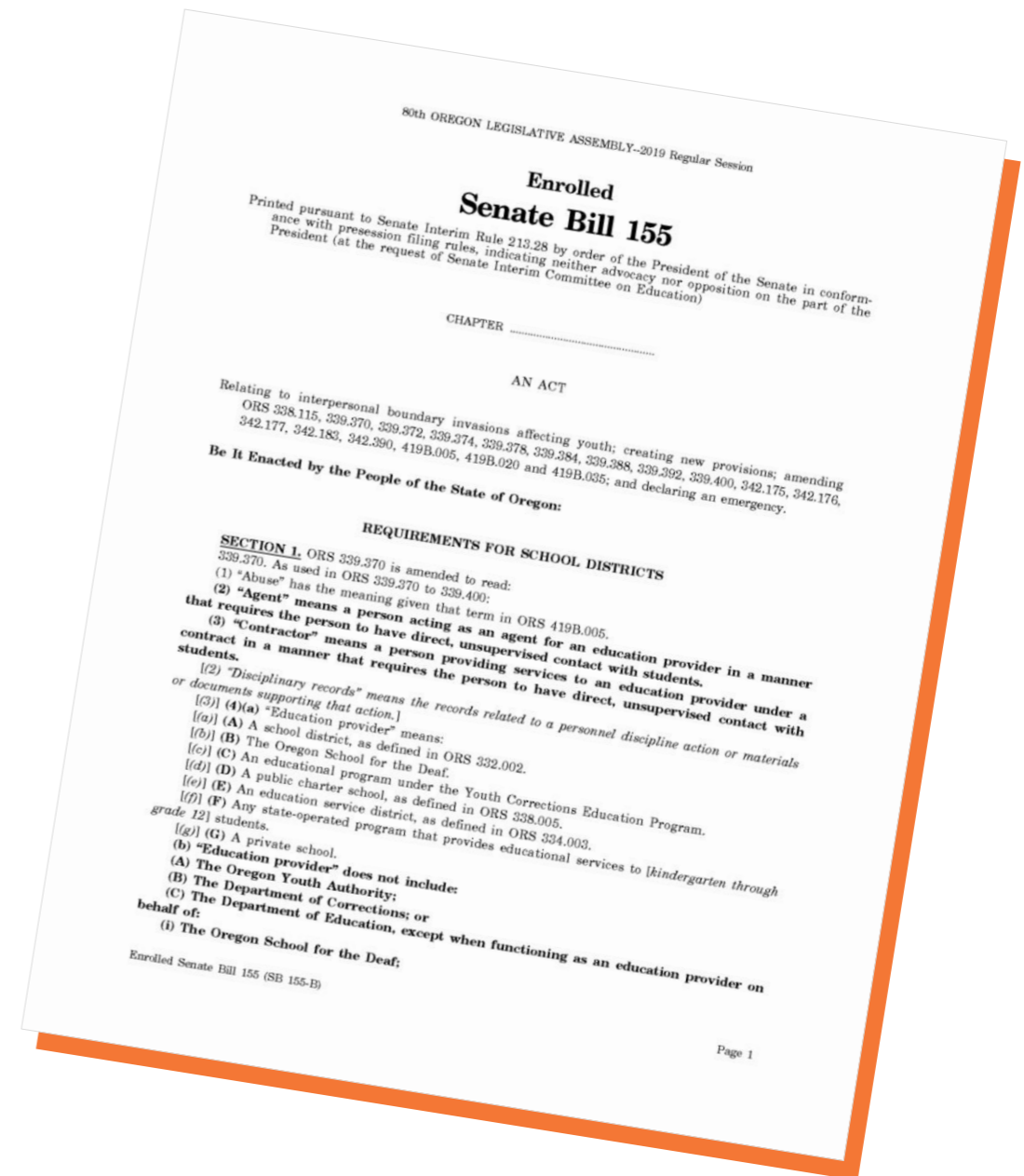
25

Course Navigation: If you're viewing this course on a desktop or laptop, use the buttons below to toggle between slides, and to pause and resume the audio (if available). If you're viewing this course on a tablet or phone and don't see arrows, swipe your finger across the screen to move from one slide to the next. On all devices, to move from one course section to another, click on each section in the left-hand navigation bar. When all sections are completed, click "Take Test."

Introduction

Senate Bill 155

In 2019, the Oregon legislature passed [Senate Bill 155](#), which established new laws and amended many existing laws regarding child abuse, sexual conduct and inappropriate adult/child communications.



Introduction



Course Topics

This course discusses sections of Senate Bill 155 that apply to schools. Course topics include:

- Section 1: Legal Definitions
- Section 3: School-Board Policy Requirements
- Section 7: Procedures for Reporting Abuse and Sexual Conduct

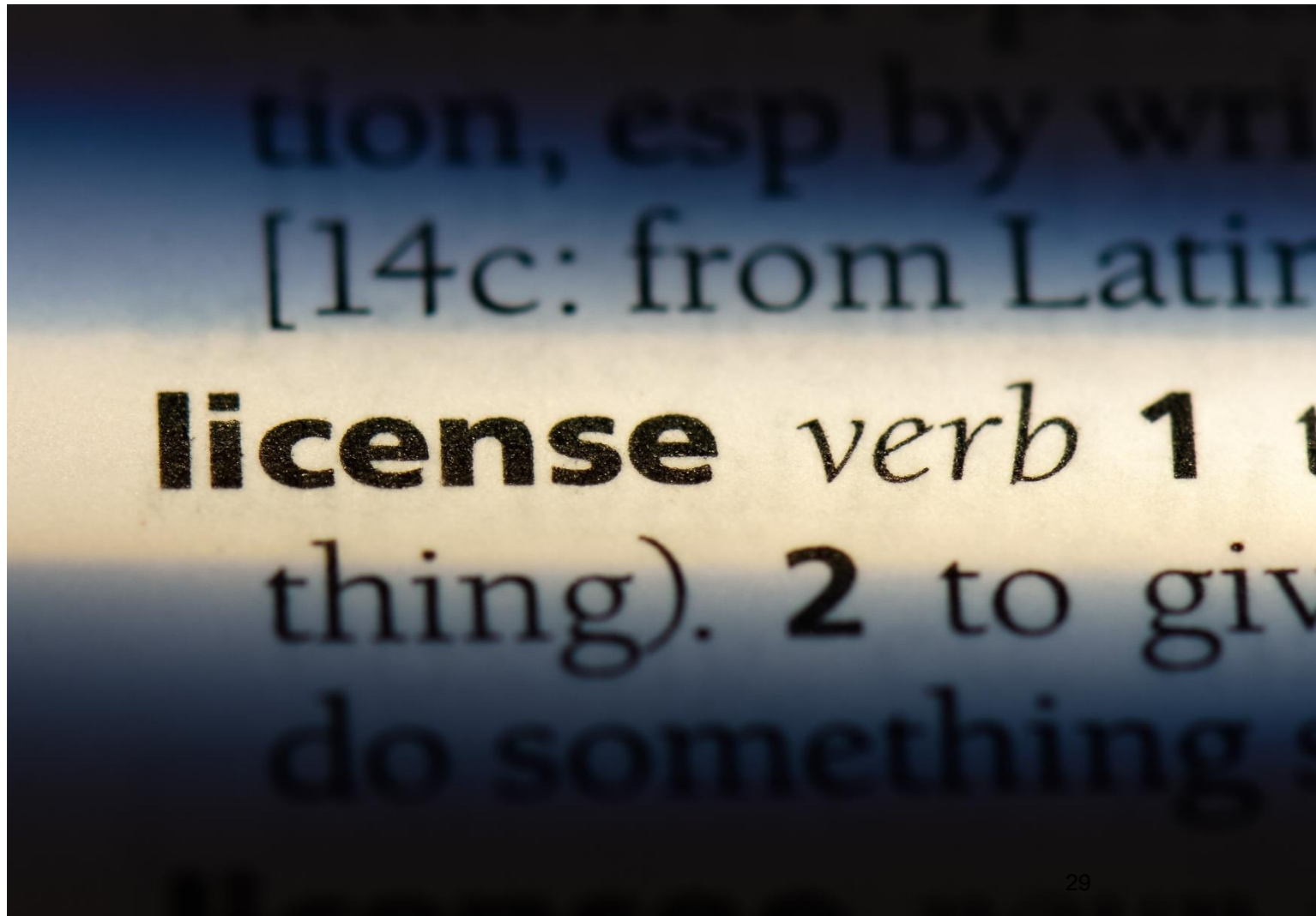
Section 1

Section 1: Education Providers, Defined

ORS 339.370, Section 1, defines the terms used throughout other sections of the law. Section 1 defines **education providers** as:

- School districts;
- Public charter schools;
- State-operated programs that service grades K-12;
- Private schools;
- Education service districts;
- Private schools that aren't limited solely to dancing, drama, music, religious or athletic instruction;
- Youth Corrections' educational programs; or
- The Oregon School for the Deaf.

Section 1



Section 1: Licenses, Defined

Licenses are defined as licenses, registrations or certificates issued by the Teacher Standards and Practices Commission.

Section 1

Section 1: School Employees, Agents, Contractors, Volunteers and Students, Defined

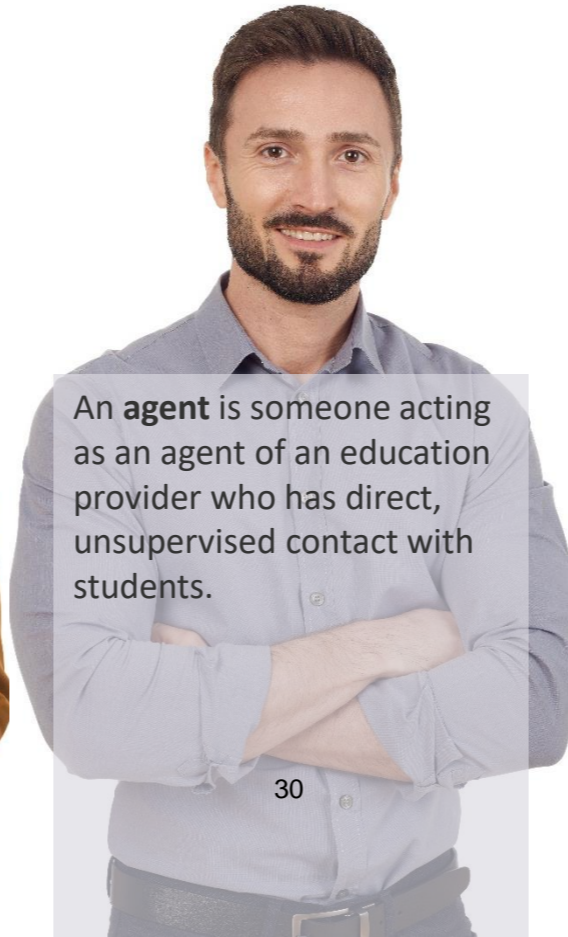
Click each image below to learn how Section 1 defines school employees, contractors, agents, volunteers and students:



School employees are described as employees of education providers.



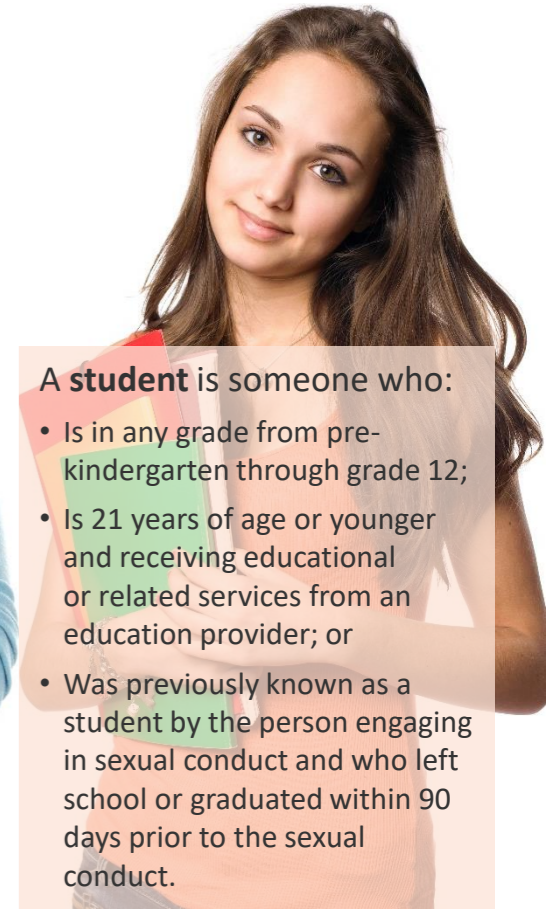
A **contractor** is a person contracted to provide services to an education provider in a manner that involves direct, unsupervised contact with students.



An **agent** is someone acting as an agent of an education provider who has direct, unsupervised contact with students.



A **volunteer** is a person volunteering for an education provider in a manner that requires the person to have direct, unsupervised contact with students.



A **student** is someone who:

- Is in any grade from pre-kindergarten through grade 12;
- Is 21 years of age or younger and receiving educational or related services from an education provider; or
- Was previously known as a student by the person engaging in sexual conduct and who left school or graduated within 90 days prior to the sexual conduct.

Section 1



Section 1: Abuse, Defined

Legally, the term **abuse** encompasses:

- (A) Any assault, as defined in ORS chapter 163, of a child and any physical injury to a child which has been caused by other than accidental means, including any injury which appears to be at variance with the explanation given of the injury.
- (B) Any mental injury to a child, which shall include only observable and substantial impairment of the child's mental or psychological ability to function caused by cruelty to the child, with due regard to the culture of the child.
- (C) Rape of a child, which includes but is not limited to rape, sodomy, unlawful sexual penetration and incest, as those acts are described in ORS chapter 163.
- (D) Sexual abuse, as described in ORS chapter 163.



Section 1



Section 1: Abuse, Defined, continued

(E) Sexual exploitation, including but not limited to:

- (i) Contributing to the sexual delinquency of a minor, as defined in ORS chapter 163, and any other conduct which allows, employs, authorizes, permits, induces or encourages a child to engage in the performing for people to observe or the photographing, filming, tape recording or other exhibition which, in whole or in part, depicts sexual conduct or contact, as defined in ORS 167.002 or described in ORS 163.665 and 163.670, sexual abuse involving a child or rape of a child, but not including any conduct which is part of any investigation conducted pursuant to ORS 419B.020 or which is designed to serve educational or other legitimate purposes; and
- (ii) Allowing, permitting, encouraging or hiring a child to engage in prostitution as described in ORS 167.007 or a commercial sex act as defined in ORS 163.266, to purchase sex with a minor as described in ORS 163.413 or to engage in commercial sexual solicitation as described in ORS 167.008.

Section 1

Section 1: Abuse, Defined, continued

- (F) Negligent treatment or maltreatment of a child, including but not limited to the failure to provide adequate food, clothing, shelter or medical care that is likely to endanger the health or welfare of the child.
- (G) Threatened harm to a child, which means subjecting a child to a substantial risk of harm to the child's health or welfare.
- (H) Buying or selling a person under 18 years of age as described in ORS 163.537.
- (I) Permitting a person under 18 years of age to enter or remain in or upon premises where methamphetamines are being manufactured.
- (J) Unlawful exposure to a controlled substance, as defined in ORS 475.005, or to the unlawful manufacturing of a cannabinoid extract, as defined in ORS 475B.015, that subjects a child to a substantial risk of harm to the child's health or safety.

"Abuse" does not include reasonable discipline, unless the discipline results in one of the previously described conditions.



Section 1

Section 1: Sexual Conduct, Defined

Sexual conduct means verbal or physical conduct or verbal, written or electronic communications by a school employee, a contractor, an agent or a volunteer that involve a student and that are:

- (A) Sexual advances or requests for sexual favors directed toward the student; or
- (B) Of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with the student's educational performance, or of creating an intimidating, hostile or offensive educational environment.

“Sexual conduct” does not include touching: (1) that is necessitated by the nature of the school employee’s job duties or by the services required to be provided by the contractor, agent or volunteer; and (2) for which there is no sexual intent.



Section 1



Section 1: Law Enforcement Agency, Defined

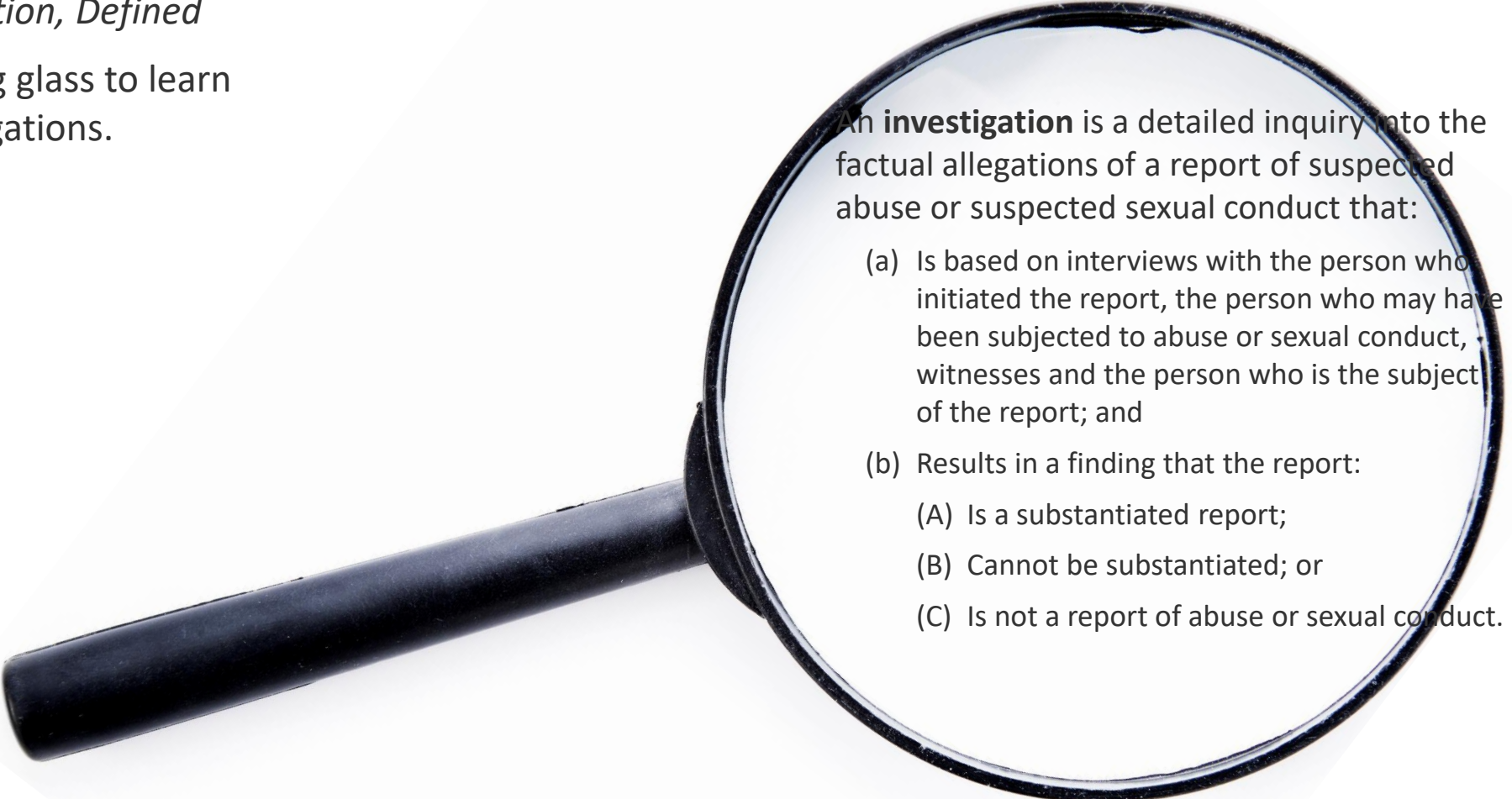
The following are considered **law enforcement agencies**:

- City/municipal police departments;
- County sheriff offices;
- The Oregon State Police;
- University police departments; and
- County juvenile departments.

Section 1

Section 1: Investigation, Defined

Click the magnifying glass to learn more about investigations.



An **investigation** is a detailed inquiry into the factual allegations of a report of suspected abuse or suspected sexual conduct that:

- (a) Is based on interviews with the person who initiated the report, the person who may have been subjected to abuse or sexual conduct, witnesses and the person who is the subject of the report; and
- (b) Results in a finding that the report:
 - (A) Is a substantiated report;
 - (B) Cannot be substantiated; or
 - (C) Is not a report of abuse or sexual conduct.

Section 1

Section 1: Substantiated Report, Defined

A **substantiated report** is a report of abuse or sexual conduct that a law enforcement agency, the [Department of Human Services](#), the [Teacher Standards and Practices Commission](#), the [Department of Education](#) or an education provider has reasonable cause to believe is founded, based on the available evidence after conducting an investigation.



Section 1

True or false?

Click “thumbs-up” if the following statement is true, and click “thumbs-down” if it’s false: Legally, a “student” is defined as someone who is in any grade from kindergarten through grade 12.

You’re correct. The above statement is *false*. The legal definition of a “student” is actually much broader and more complex. A student is defined as someone who:

- Is in any grade from pre-kindergarten through grade 12;
- Is 21 years of age or younger and receiving educational or related services from an education provider; or
- Was previously known as a student by the person engaging in sexual conduct and who left school or graduated with 90 days prior to the sexual conduct.



Section 3



Section 3: School-Board Policy Requirements

Each school board shall adopt policies on the reporting of suspected abuse and suspected sexual conduct by school employees, contractors, agents and volunteers and the reporting of suspected abuse by students. The policies shall:

- (1) Specify that abuse and sexual conduct by school employees, contractors, agents and volunteers and abuse by students are not tolerated.
- (2) Specify that all school employees, contractors, agents, volunteers and students are subject to the policies.

Section 3

Section 3: School-Board Policy Requirements, continued

- (3) Require all school employees who have reasonable cause to believe that another school employee or a contractor, an agent or a volunteer has engaged in abuse or sexual conduct or that a student has engaged in abuse:
- (a) To report all incidents of suspected abuse or suspected sexual conduct; and
 - (b) To report to a law enforcement agency or the Department of Human Services (or Department designee) all incidents of suspected abuse, in addition to any report made as required under paragraph (a) of this subsection.



Section 3



Section 3: School-Board Policy Requirements, continued

- (4) Designate a licensed administrator, and an alternate licensed administrator in the event the designated licensed administrator is the suspected abuser, to:
 - (a) Receive reports of suspected abuse or suspected sexual conduct by school employees, contractors, agents or volunteers or suspected abuse by students and specify the procedures to be followed by the licensed administrator upon receipt of a report; and
 - (b) In the manner required by ORS 339.388 (2), inform the Teacher Standards and Practices Commission or the Department of Education of reports of suspected sexual conduct received under paragraph (a) of this subsection.

Section 3

Section 3: School-Board Policy Requirements, continued

- (5) Specify the procedures to be followed after a report of suspected abuse or suspected sexual conduct is received, including notification that:
 - (a) All suspected abuse or suspected sexual conduct by school employees, contractors, agents or volunteers will be reported to a law enforcement agency or to a state agency, as appropriate, for investigation;
 - (b) A law enforcement agency or a state agency will complete an investigation regardless of any changes in the relationship or duties of the person about whom the report was made; and
 - (c) An education provider will take necessary actions as provided by ORS 339.388 to ensure the student’s safety after a report is received, including placing a school employee on paid administrative leave pending an investigation or prohibiting a contractor, an agent or a volunteer from providing services to the education provider.



Section 3

Section 3: School-Board
Policy Requirements, continued

- (6) Require the posting in each school building of:
- (a) The name and contact information for the licensed administrator and alternate licensed administrator designated for the school building to receive reports of suspected abuse or suspected sexual conduct by school employees, contractors, agents and volunteers or suspected abuse by students and the procedures the licensed administrator will follow upon receipt of a report; and
 - (b) The contact information for making a report of suspected abuse to a law enforcement agency, the Department of Human Services or a designee of the department as required by ORS 419B.010 and 419B.015 and a statement that the duty to report abuse is in addition to any requirement to make a report to a licensed administrator.

Section 3

Section 3: School-Board Policy Requirements, continued

- (7) Specify that the initiation of a report in good faith about suspected abuse or suspected sexual conduct may not adversely affect any terms or conditions of employment or the work environment of the person who initiated the report or who may have been subjected to abuse or sexual conduct.
- (8) Specify that the education provider or any school employee, contractor, agent or volunteer will not discipline a student for the initiation of a report in good faith about suspected abuse or suspected sexual conduct by a school employee, a contractor, an agent or a volunteer or suspected abuse by a student.
- (9) Require notification, as allowed by state and federal law, by the education provider to the person who was subjected to the suspected abuse or suspected sexual conduct about any actions taken by the education provider based on the report.



Section 3



Section 3: School-Board Policy Requirements, continued

- (10) Require the education provider to furnish to a school employee at the time of hire, or to a contractor, an agent or a volunteer at the time of beginning service for the education provider, the following:
 - (a) A description of conduct that may constitute abuse or sexual conduct;
 - (b) A description of the investigatory process and possible consequences if a report of suspected abuse or suspected sexual conduct is substantiated; and
 - (c) A description of the prohibitions imposed on school employees, contractors and agents when another school employee, contractor or agent attempts to obtain a new job, as provided by ORS 339.378 (2).
- (11) Specify and make available to students, school employees, contractors, agents and volunteers a policy of appropriate electronic communications with students.

Section 3

True or false?

Click “thumbs-up” if the following statement is true, and click “thumbs-down” if it’s false: If you, in good faith, report suspected abuse — and an investigation proves that no abuse actually occurred — you can be suspended from your job for filing a false report.

You’re correct. The above statement is *false*. If you report suspected abuse or sexual conduct, and your report was made *in good faith*, you cannot be penalized at work for doing so — even if an investigation proves that no abuse or sexual conduct actually took place.



Section 7

Section 7: Procedures for Reporting Abuse and Sexual Conduct

Procedures for reporting abuse and sexual conduct are as follows:

(1)

- (a) A school employee shall immediately submit a report as provided by paragraph (b) of this subsection if the school employee has reasonable cause to believe that:
 - (A) A student has been subjected to abuse by another school employee or by a contractor, an agent, a volunteer or a student;
 - (B) A student has been subjected to sexual conduct by another school employee or by a contractor, an agent or a volunteer; or
 - (C) Another school employee or a contractor, an agent or a volunteer has engaged in sexual conduct.
- (b) The report required under paragraph (a) of this subsection shall be made to:
 - (A) The licensed administrator designated in the policies adopted for all reports of suspected abuse or suspected sexual conduct; and
 - (B) A law enforcement agency, the Department of Human Services or a designee of the department as for all reports of suspected abuse.



Section 7

Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

- (2) The licensed administrator who receives a report under subsection (1) of this section shall follow the procedures required by the policies adopted by the school board, including:
- (a) Notifying the Teacher Standards and Practices Commission as soon as possible of any reports of suspected sexual conduct that may have been committed by a person who is licensed by the commission; and
 - (b) Notifying the Department of Education as soon as possible of any reports of suspected sexual conduct that may have been committed by a person who is not licensed by the commission.



OREGON
DEPARTMENT OF
EDUCATION

Section 7

Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

(3)

- (a) When a licensed administrator receives a report of suspected abuse or suspected sexual conduct by a school employee and there is reasonable cause to support the report, the education provider shall:
 - (A) Place the school employee on paid administrative leave; and
 - (B) Take necessary actions to ensure the student's safety.



Section 7

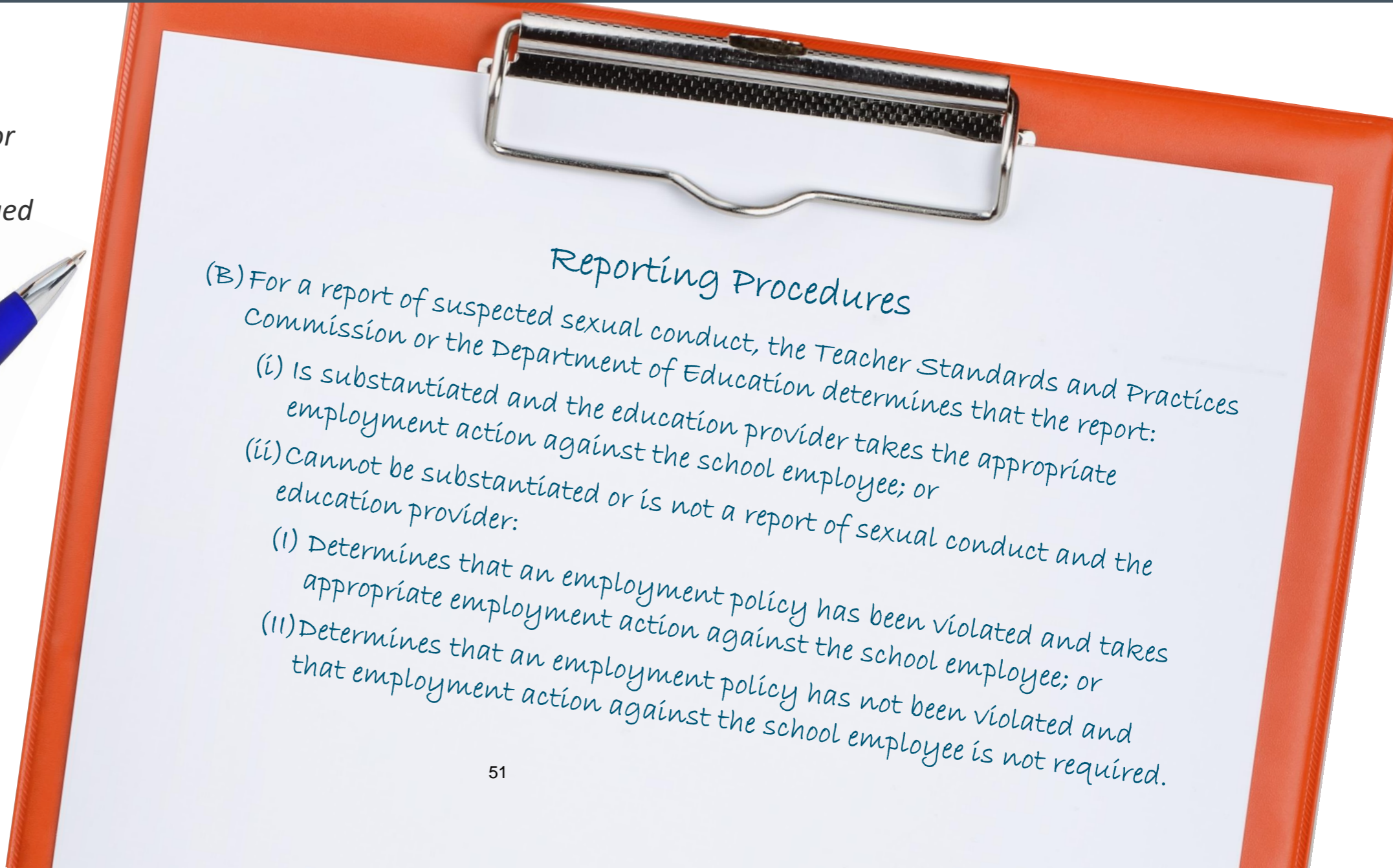


Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

- (b) A school employee who is placed on paid administrative leave under paragraph (a) of this subsection shall remain on administrative leave until:
 - (A) For a report of suspected abuse, a law enforcement agency or the Department of Human Services determines that the report:
 - (i) Is substantiated and the education provider takes the appropriate employment action against the school employee; or
 - (ii) Cannot be substantiated or is not a report of abuse and the education provider:
 - (I) Determines that an employment policy has been violated and takes appropriate employment action against the school employee; or
 - (II) Determines that an employment policy has not been violated and employment action against the school employee is not required.

Section 7

Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued



Reporting Procedures

- (B) For a report of suspected sexual conduct, the Teacher Standards and Practices Commission or the Department of Education determines that the report:
 - (i) Is substantiated and the education provider takes the appropriate employment action against the school employee; or
 - (ii) Cannot be substantiated or is not a report of sexual conduct and the education provider:
 - (I) Determines that an employment policy has been violated and takes appropriate employment action against the school employee; or
 - (II) Determines that an employment policy has not been violated and that employment action against the school employee is not required.

Section 7

Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

- (c) When a school employee is placed on paid administrative leave under paragraph (a) of this subsection, the education provider may not require the school employee to use any accrued leave during the paid administrative leave.



Section 7



Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

(4)

- (a) Except as provided in paragraph (c) of this subsection, when a licensed administrator receives a report of suspected abuse or suspected sexual conduct by a contractor, an agent or a volunteer, the education provider:
 - (A) May immediately prohibit the contractor, agent or volunteer from providing services to the education provider.
 - (B) Shall prohibit the contractor, agent or volunteer from providing services to the education provider if the education provider determines that there is reasonable cause to support a report of abuse or sexual conduct.

Section 7

Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

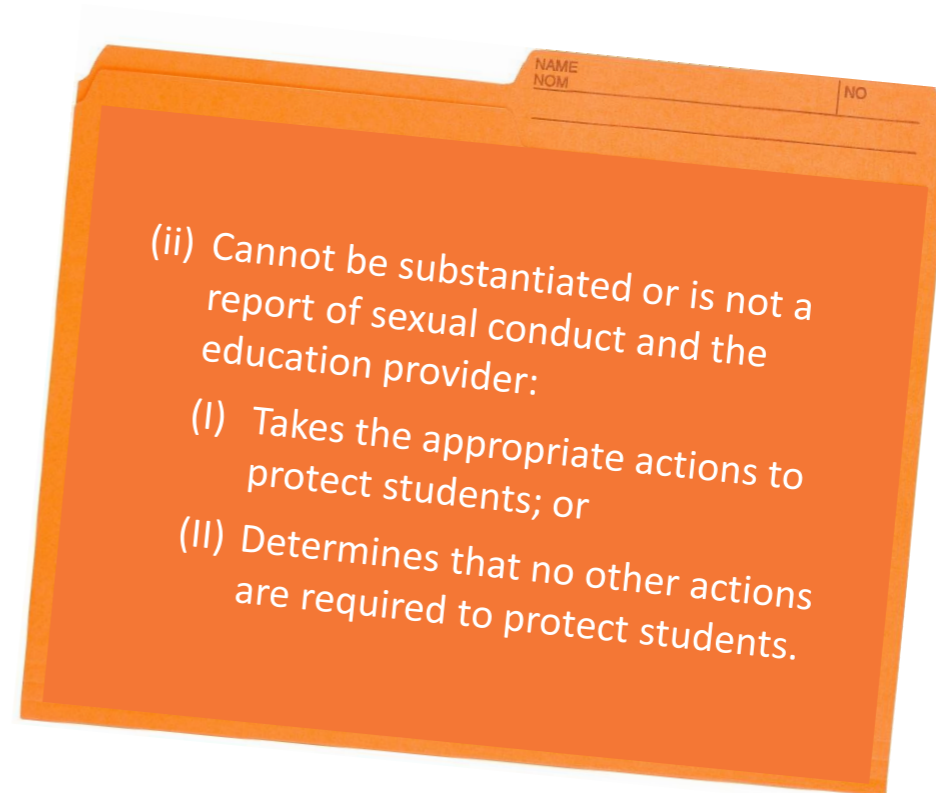
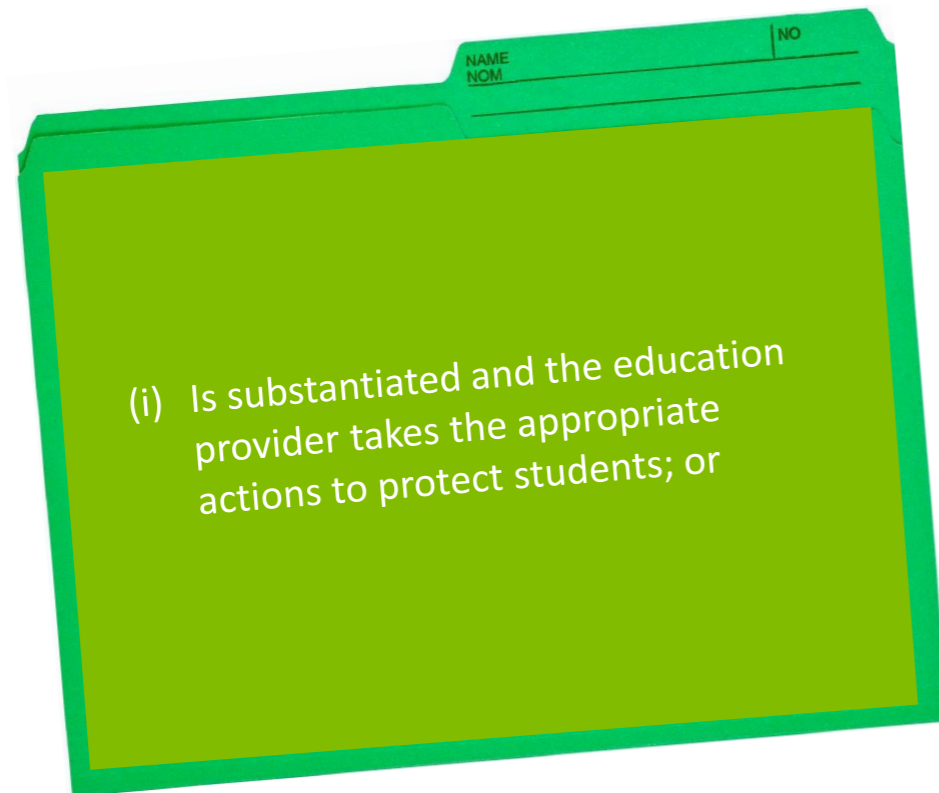
- (b) Except as provided in paragraph (c) of this subsection, an education provider is not required to reinstate a contractor, an agent or a volunteer. Any reinstatement of a contractor, an agent or a volunteer that does occur may not occur until:
 - (A) For a report of suspected abuse, a law enforcement agency or the Department of Human Services determines that the report:
 - (i) Is substantiated and the education provider takes the appropriate actions to protect students; or
 - (ii) Cannot be substantiated or is not a report of abuse and the education provider:
 - (I) Takes the appropriate actions to protect students; or
 - (II) Determines that no other actions are required to protect students.



Section 7

Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

(B) For a report of suspected sexual conduct, the Teacher Standards and Practices Commission or the Department of Education determines that the report:



Click each file folder to learn more.

Section 7

Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

- (c) If a contract under which a contractor provides services to an education provider or an agreement under which an agent provides services to an education provider sets forth any negotiated standards for the relationship between the contractor or agent and the education provider, the education provider shall comply with those standards but may not in any instance grant the contractor or agent more rights than granted to a school employee under subsection (3) of this section.
- (d) Nothing in this subsection:
 - (A) Establishes an employment relationship between an education provider and a contractor or an agent; or
 - (B) Confers onto a contractor or an agent any rights of employment.



Section 7

Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

(5)

- (a) When a report of suspected abuse or suspected sexual conduct is investigated by a law enforcement agency, the Department of Human Services, the Teacher Standards and Practices Commission or the Department of Education, an education provider may use the findings of the entity that conducted the investigation for the purpose of subsection (3) or (4) of this section and for making any determinations described in subsection (6) of this section.

**NEXT
STEP**

Section 7

Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

- (b) Nothing in this subsection prohibits an education provider from:
 - (A) Conducting an investigation related to a report of suspected abuse or suspected sexual conduct, except that the education provider must:
 - (i) If requested, allow the investigation to be led by an entity identified in paragraph (a) of this subsection, as applicable;
 - (ii) Follow any protocols and procedures of entities identified in paragraph (a) of this subsection that are involved in the investigation; and
 - (iii) Cooperate with the entities identified in paragraph (a) of this subsection that are involved in the investigation, including by:
 - (I) Suspending any investigations of the education provider at the request of the entity; and
 - (II) Sharing information with the entity as provided by subsection (10) of this section.
 - (B) Taking an employment action, based on information available to the education provider, before an investigation conducted by an entity identified in paragraph (a) of this subsection is completed.



Section 7



Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

(6)

- (a) For each report of suspected abuse or suspected sexual conduct by a school employee, an education provider must determine if:
 - (A) An employment policy of the education provider was violated; and
 - (B) The education provider will take any employment actions, including disciplinary action against the school employee or changes to the employment relationship or duties of the school employee.
- (b) Determinations made under paragraph (a) of this subsection must be based on the findings of an investigation conducted by:
 - (A) A law enforcement agency, the Department of Human Services, the Teacher Standards and Practices Commission or the Department of Education; or
 - (B) The education provider, if the education provider conducts an investigation.

Section 7

Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

- (c) A final determination by a law enforcement agency, the Department of Human Services, the Teacher Standards and Practices Commission or the Department of Education that a report of suspected abuse or suspected sexual conduct cannot be substantiated or is not a report of abuse or sexual conduct does not:
 - (A) Relieve an education provider of the requirement to make determinations under paragraph (a) of this subsection; or
 - (B) Prohibit an education provider from taking any employment actions against a school employee.



Section 7

Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

Click each number to learn more.

(d) Except as provided by paragraph (e) of this subsection, determinations made under paragraph (a) of this subsection must be made:

60
calendar days

(A) Within 60 calendar days from the date the education provider received from a law enforcement agency, the Department of Human Services, the Teacher Standards and Practices Commission or the Department of Education a final determination that a report of suspected abuse or suspected sexual conduct involving a school employee is a substantiated report; or

90
calendar days

(B) Within 90 calendar days from the date the education provider:

- (i) Received from a law enforcement agency, the Department of Human Services, the Teacher Standards and Practices Commission or the Department of Education a final determination that a report of suspected abuse or suspected sexual conduct involving a school employee cannot be substantiated or is not a report of abuse or sexual conduct; or
- (ii) Received a report of suspected abuse or suspected sexual conduct if the education provider conducts an investigation.

Section 7

Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

(e) The timelines prescribed by paragraph (d) of this subsection may be extended if, for good cause, a longer period of time is necessary. For an education provider that conducts an investigation, good cause may include suspending an investigation as required by subsection (5)(b) of this section.



Section 7



Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

(7) If, in the course of an investigation by an education provider, the education provider becomes aware of new information that gives rise to a reasonable cause to believe that abuse or sexual conduct occurred, the education provider shall ensure that a report is made to a law enforcement agency, the Department of Human Services, a designee of the department as required by ORS 419B.010 and 419B.015, the Teacher Standards and Practices Commission or the Department of Education.

Section 7

Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

- (8) If, following an investigation, an education provider determines that the education provider will take an employment action, the education provider shall:
- (a) Inform the school employee of the employment action that will be taken by the education provider.
 - (b) Provide the school employee with information about the appropriate appeal process for the employment action taken by the education provider. The appeal process may be the process provided by a collective bargaining agreement or a process administered by a neutral third party and paid for by education provider.

Appeal

Section 7



Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

- (c) Following notice of a school employee’s decision not to appeal the employment action of an education provider or following the determination of an appeal that sustained the employment action taken by the education provider, create a record of the findings of the substantiated report and the employment action taken by the education provider and place the record in any documents maintained by the education provider on the school employee. Records created pursuant to this paragraph are confidential and are not public records as defined in ORS 192.311. An education provider may use the record as a basis for providing the information required to be disclosed about a school employee under ORS 339.378 (1).
- (d) Inform the school employee that information about substantiated reports may be disclosed to a potential employer as provided by ORS 339.378 (1).

Section 7

Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

- (a) Notwithstanding the requirements of this section, an education provider that is a private school:
 - (A) May take an employment action in relation to a school employee, a contractor, an agent or a volunteer according to:
 - (i) The provisions of this section; or
 - (ii) The standards and policies of the private school if the standards and policies provide the same or greater safeguards for the protection of students compared to the safeguards described in this section.
 - (B) May follow the procedures described in subsection (8) of this section or may follow any appeals process established by the private school related to suspected abuse or suspected sexual conduct.



- (b) A private school that chooses to take an employment action or other action in relation to a school employee, a contractor, an agent or a volunteer according to the standards and policies of the private school must provide the information required to be disclosed under ORS 339.378 (1).

Section 7

Section 7: Procedures for Reporting Abuse and Sexual Conduct, continued

- (10) Upon request from a law enforcement agency, the Department of Human Services, the Teacher Standards and Practices Commission or the Department of Education, in conducting an investigation related to suspected abuse or suspected sexual conduct, an education provider shall immediately provide any requested documents or materials, to the extent allowed by state and federal law, including laws protecting a person from self-incrimination.

Section 7

True or false?

Click “thumbs-up” if the following statement is true, and click “thumbs-down” if it’s false: A school employee shall immediately submit a report if s/he has reasonable cause to believe that a student has been subjected to abuse by another school employee or by a contractor, an agent, a volunteer or a student.



Correct. The above statement is indeed *true*. In addition, a school employee shall immediately submit a report if s/he has reasonable cause to believe that:

- A student has been subjected to sexual conduct by another school employee or by a contractor, an agent or a volunteer; or
- Another school employee or a contractor, an agent or a volunteer has engaged in sexual conduct.

End of Section



Click on the next section in the left-hand navigation bar. If you've completed all sections, please click "Take Test."



You have completed this section of the course. You must complete all sections and take the test to receive credit for this course.



Adult Sexual Misconduct

70

Course Navigation: If you're viewing this course on a desktop or laptop, use the buttons below to toggle between slides, and to pause and resume the audio (if available). If you're viewing this course on a tablet or phone and don't see arrows, swipe your finger across the screen to move from one slide to the next. On all devices, to move from one course section to another, click on each section in the left-hand navigation bar. When all sections are completed, click "Take Test."

Accessibility Information: Clicking the eyeglasses icon in the top left-hand corner of the course will reformat the training and make it usable with a course reader for persons with disabilities. Clicking the icon again will return the course to its original format and turn off the course-reading option.

Introduction

Case Study

In 2018, the [Longview News-Journal](#) (Texas) shared a story about a young, elementary-school physical-education teacher who also coached at the junior high. The teacher was arrested after admitting to school administrators that he'd had sexual relationship with a student. He described himself as a "monster" and a "predator" who "needed to be arrested." He also said everyone knew about the relationship. The relationship was discovered via emails and text messages between the victim and himself.

His victim admitted to "staying around" the school with the coach after practice. She did not report the abuse to anyone, nor would she. She told police she "wouldn't tell" on the teacher because she knew he'd be in trouble.

The teacher lamented his son would now grow up without a father.



Introduction

Frequency of Sexual Misconduct in Schools

The previous case study illustrates a real-life example of **adult sexual misconduct (ASM)** by an educator. Unfortunately, such situations are all too common. In fact, nearly one in 10 students is subjected to ASM by a school employee.

A victim of ASM faces life-altering physical, psychological, behavioral and academic consequences. The consequences for an adult offender are likewise predictable: the end of a career, probable financial ruin, time in jail, sex-offender registration and ruined familial relationships.



Nearly one in 10 students is subjected to ASM by a school employee.

Introduction

Course Objectives

Unfortunately, no school is immune to ASM. Thus, this course will help you:

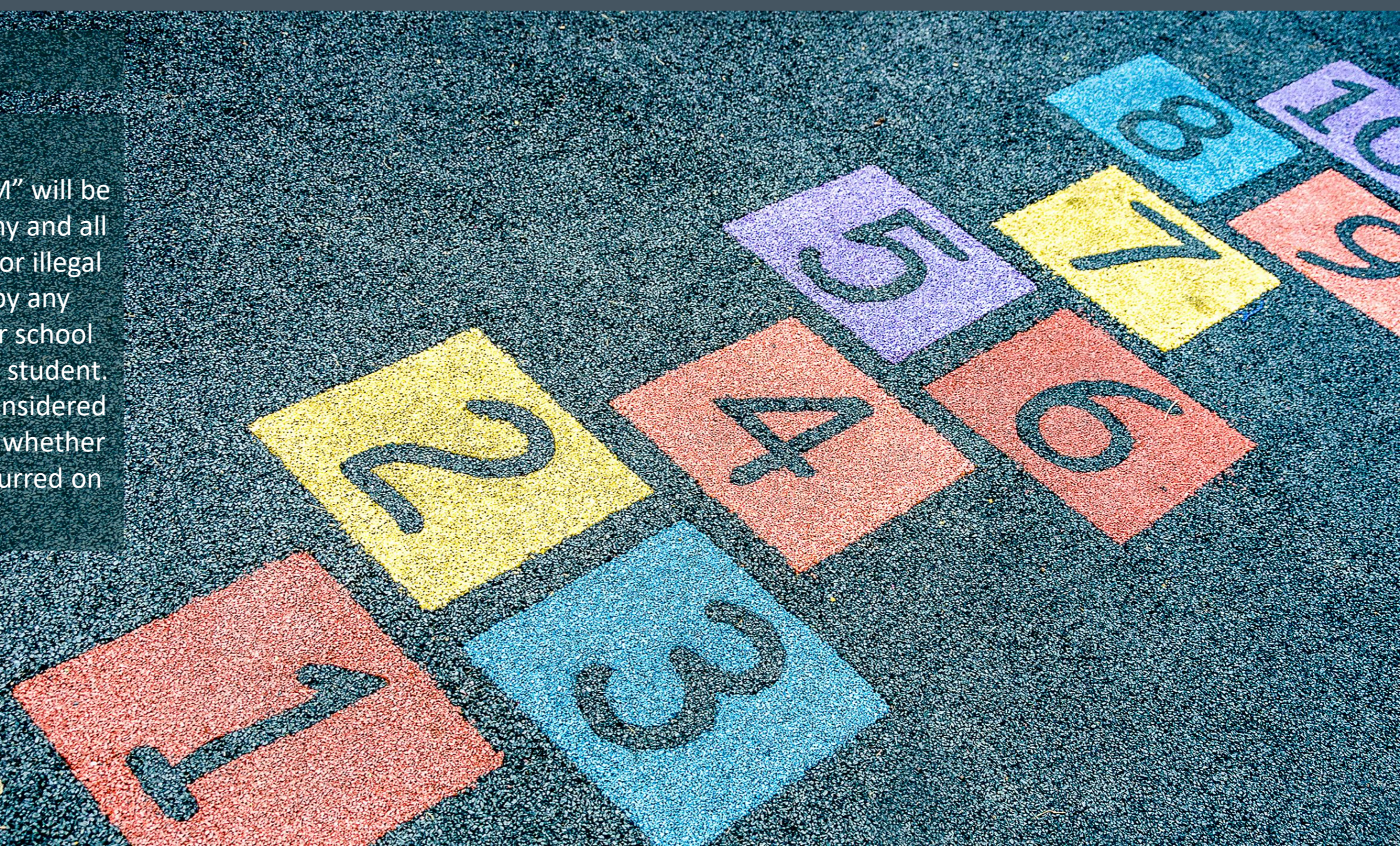
- Recognize adult behavior associated with ASM.
- Understand what school employee/student interaction is appropriate and what interaction is inappropriate.
- Identify student indicators of ASM.
- Describe how to respond when ASM is suspected.

OBJECTIVES

ASM Overview

ASM, Defined

In this course, “ASM” will be used to describe any and all inappropriate and/or illegal sexual interaction by any school employee or school volunteer against a student. Such behavior is considered ASM, regardless of whether the interaction occurred on school grounds.



ASM Overview

ASM, Defined, continued

The U.S. Department of Education's (ED) *Report on Educator Sexual Misconduct* (2004) defines ASM as any "behavior of a sexual nature which may constitute professional misconduct." This definition includes:

- Any sexual relationship by an educator with a current student, regardless of the student's age;
- Any sexual relationship by an educator with a former student under the age of 18;
- Any sexual relationship by an educator with a former student who suffers from a disability that would prevent them from providing consent;
- Conduct that would amount to sexual harassment under Title IX;
- Conduct that would amount to the sexual abuse of a minor under state law; and/or
- Any activity directed toward establishing a sexual relationship with a student, such as:
 - Sending intimate letters;
 - Engaging in sexualized dialogue in person, via the Internet, in writing or by phone;
 - Making suggestive comments; or
 - Dating a student.



ASM Overview

Sexual Abuse, Defined

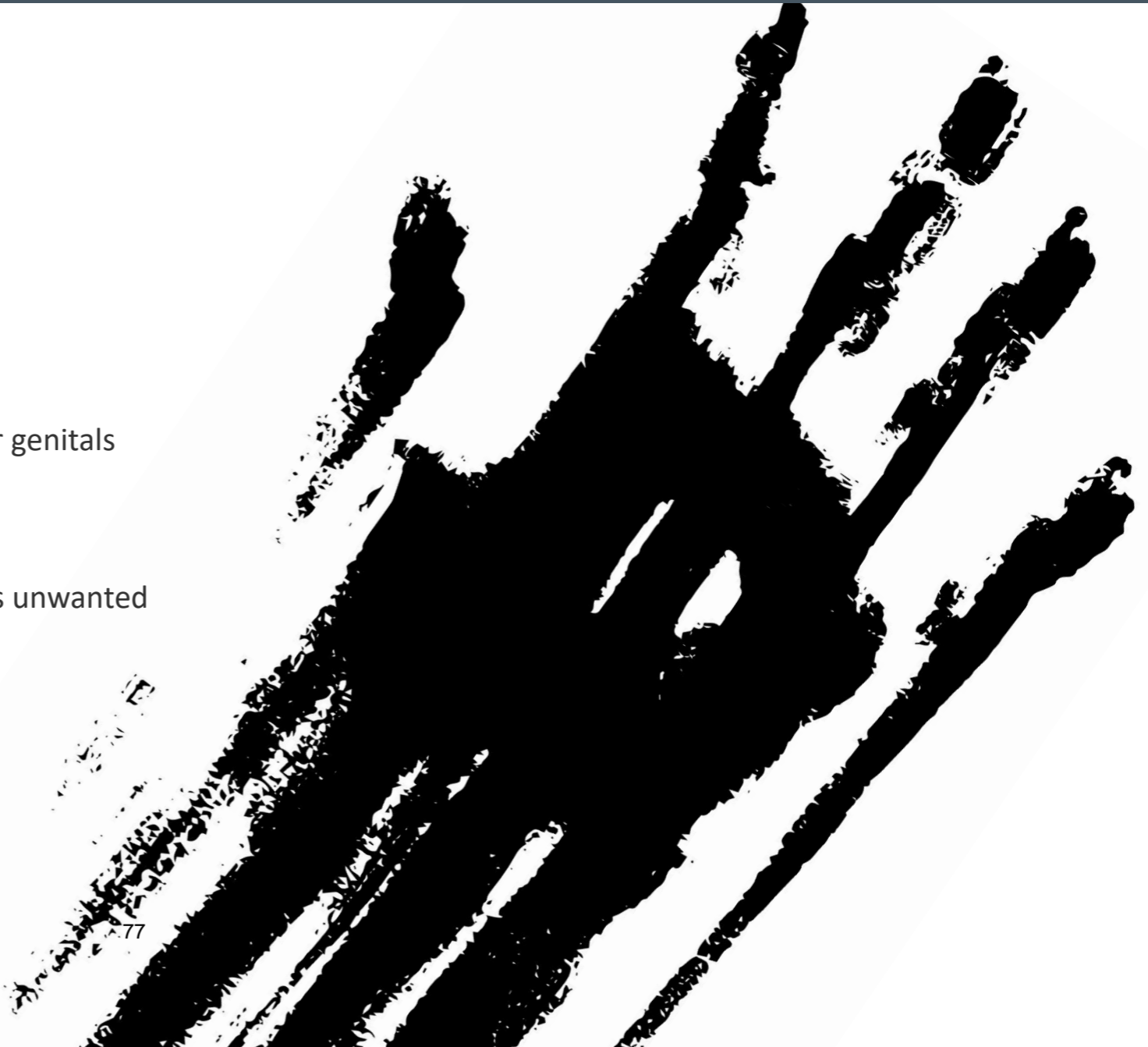
The ED's definition of ASM encompasses what is commonly referred to as **sexual abuse** of children. Sexual abuse is a term that describes criminal acts. Not every act of ASM is a crime, but most acts of ASM violate school policies and/or are acts of sexual harassment.

ASM Overview

Acts of ASM: Inappropriate Physical Conduct

Examples of inappropriate physical conduct include:

- Engaging in oral/genital contact
- Having vaginal or anal intercourse
- Engaging in masturbatory acts
- Purposefully contacting or touching breasts, buttocks or genitals
- Touching that is intimate, romantic or sexual in nature
- Hugging when:
 - The student is not receptive to the hug, or the hug is unwanted
 - The hug lasts too long
 - Hugs are sought too frequently
 - Any type of sexual contact is involved



ASM Overview

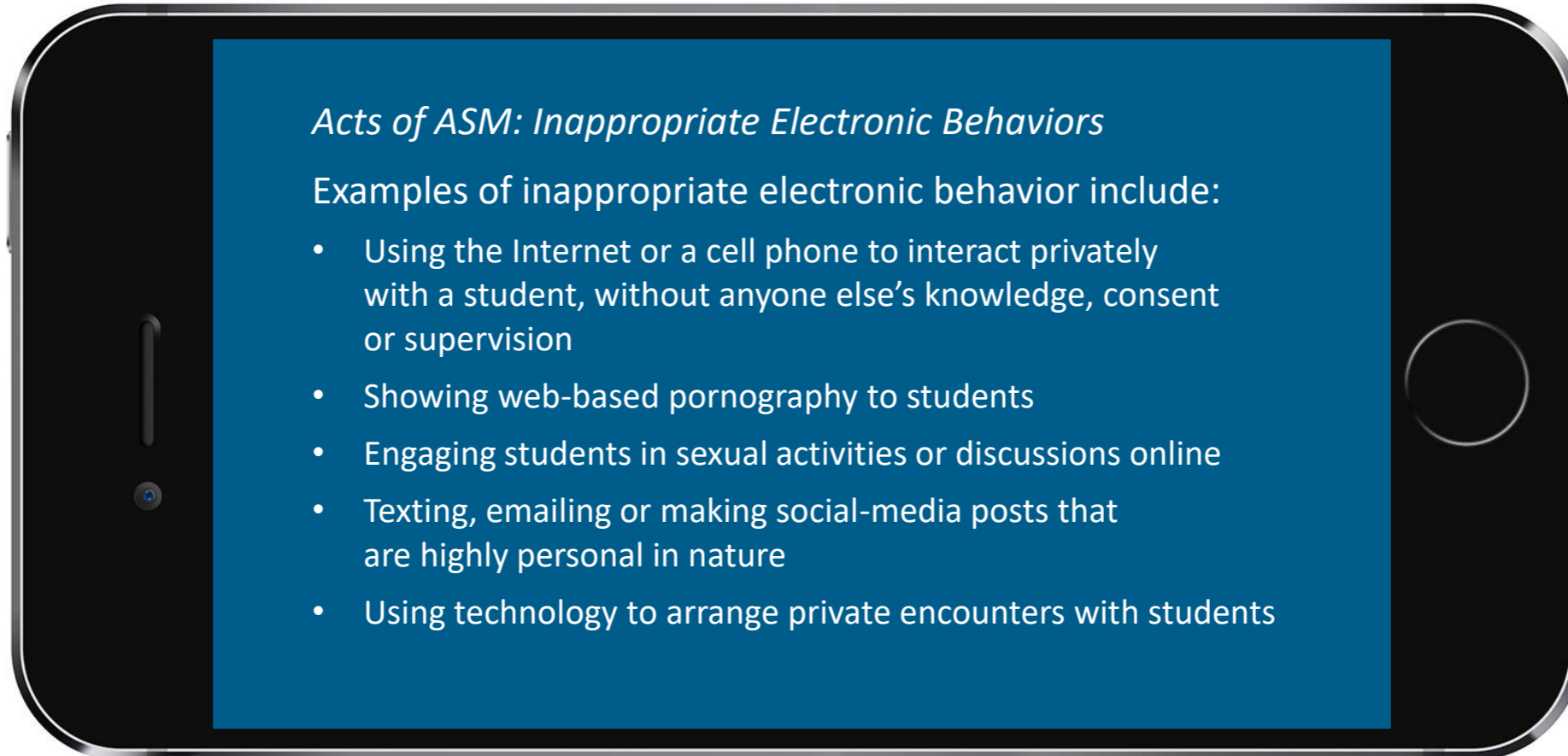


Acts of ASM: Inappropriate Non-Contact/Verbal Conduct

Examples of inappropriate non-contact or verbal conduct include:

- Engaging in sexual exhibitionism or self-masturbation
- Sharing risqué jokes
- Taunting, flirting and teasing that is suggestive or that contains sexual innuendo
- Making comments, asking questions or having discussions that are sexually provocative or that focus on sexual topics
- Sharing pornography
- Spending more time with students than other adults
- Singling students out for special attention or privileges
- Spending time alone with students
- Being too permissive with students and allowing misbehavior
- Engaging in peer-like behavior with students
- Giving gifts to students
- Exchanging personal notes, texts, e-mails, etc. with students

ASM Overview



Click the question-mark app icon to learn about inappropriate electronic behaviors.

ASM Offenders

The Damage One Offender Can Do

There is not much literature about the effects of ASM on students. What *is* known is that victims of sexual abuse suffer long-lasting emotional, educational and developmental or health effects. Youth who experience sexual abuse are more likely to engage in suicidal ideation, become depressed and have low self-esteem, than are youth with no history of abuse.

In addition, many parents of student victims experience intense feelings of guilt, self-blame and/or depression.

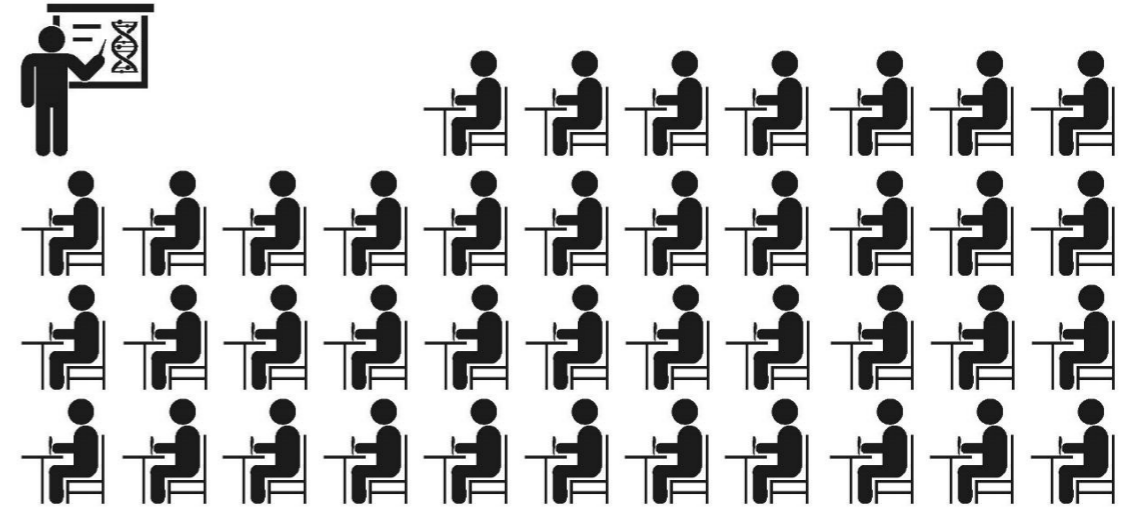
ASM Offenders

The Damage One Offender Can Do, continued

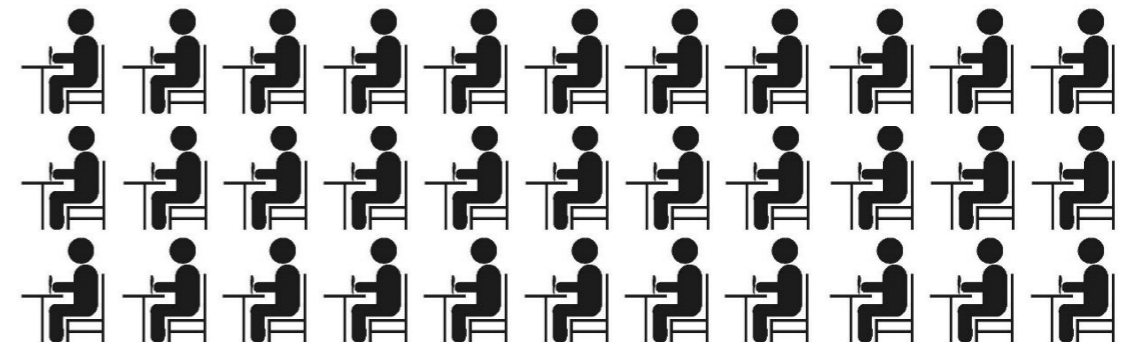
Federal and state laws and regulations require criminal history checks for most school employees. However, background checks identify only *known* sex offenders. And few offenders are caught after their first offense.

Educators who commit acts of ASM often abuse multiple students throughout their careers, making the number of abusive teachers less than the number of abused students. On average, an offender passes through three districts before being stopped. This creates an important focal point for prevention:

More students can be saved from acts of ASM through early identification of ASM offenders. The goal of ASM prevention is to stop the abuse before it occurs.



One teacher offender can have as many as 73 victims.



ASM Offenders



Where Does ASM Occur?

ASM can involve a pattern of behavior that stretches over time or it can be an impulsive, one-time incident. Acts of ASM occur in classrooms, offices, buses and cars, the homes of educators, and on social-media networks. Such acts even occur in front of other people; for example, a student may be inappropriately touched or rubbed behind the cover of a teacher's desk.

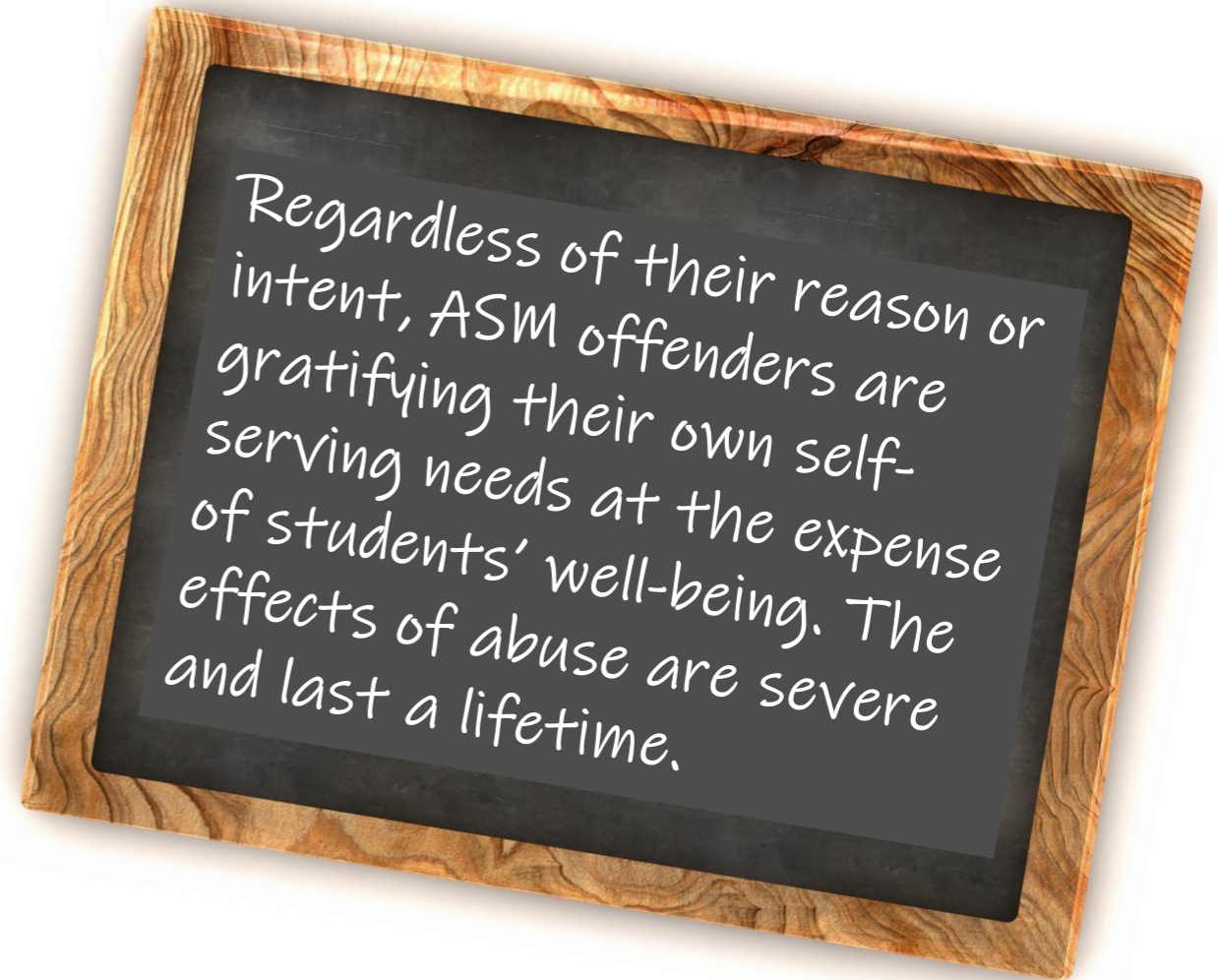
ASM Offenders

Why Does ASM Occur?

There are many reasons why an adult may sexually exploit a young person:

- Some adults' primary sexual attraction is to children or teens.
- Some adults are typically attracted to other adults, but when they face unusual stress (e.g., a job loss or divorce), they sexually approach children.
- Some adults sexually abuse children because they themselves were sexually abused as children. (Most sexual-abuse victims do not sexually abuse other people, however.)
- Some educators, when presented with an unexpected opportunity, make impulsive sexual advances.
- Some adults sexually abuse and exploit young people to feel power and control they don't feel in their relationships with other adults.

Click the chalkboard to learn more.



Quiz

Click the **Quiz** button to edit this object

Adult Sexual Misconduct

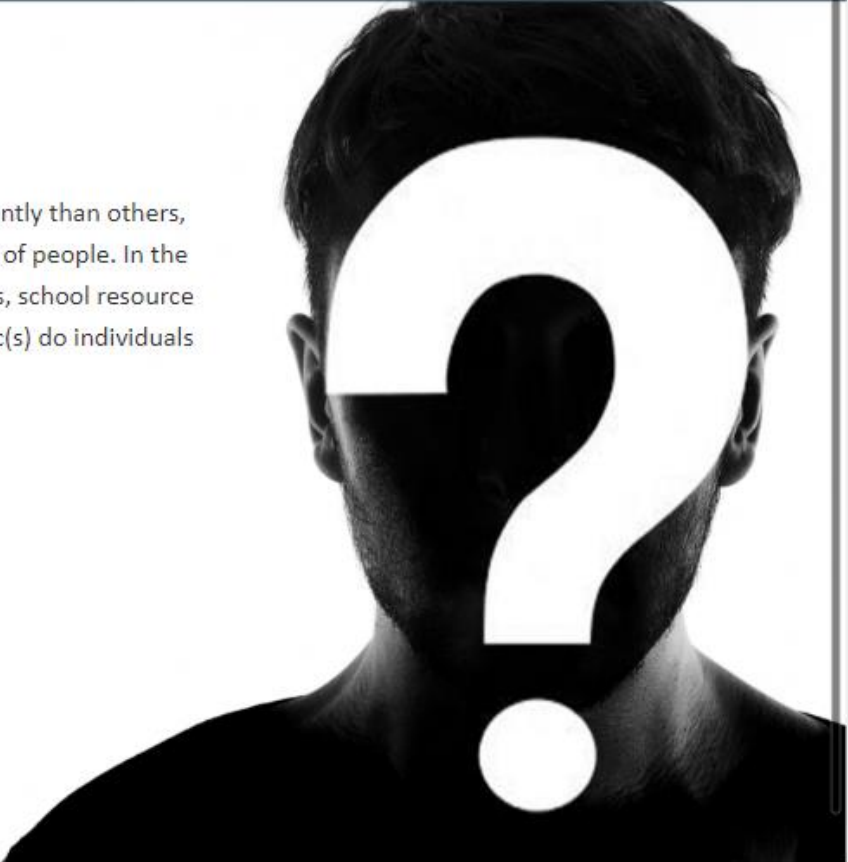
EmployeeSafe

ASM Offenders

Test Your Knowledge

There's a misconception that people who harm children look and act differently than others, making them easy to spot. However, acts of ASM are committed by all sorts of people. In the school environment, offenders can be teachers, teaching assistants, coaches, school resource officers, administrative staff, counselors and bus drivers. What characteristic(s) do individuals who commit sex offenses share, regardless of their gender?

- Cognitive distortions
- Poor coping skills
- Relationship difficulties
- Victim-empathy deficits
- All of the above



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ASM Offenders


Characteristics of Male Offenders

Research shows that male child molesters are similar to the general population in terms of their marital status and their level of education. Offenders span all ages, ethnicities and income levels. Many present a socially adept, competent and caring demeanor.

Although males commit the majority of ASM offenses, acts of ASM by female educators do occur.



ASM Offenders



There is a pervasive myth that adolescent boys who have sexual relationships with adult women are more “victors” than “victims.” This popular fantasy does not match reality.

Characteristics of Female Offenders

Female offenders are virtually indistinguishable from female non-offenders. However, there’s a notable distinction between female and male offenders:

Female offenders are much more likely to have personally been sexually victimized. Typically, the abuse female offenders endured was extensive, severe and over a long period of time.

Sexually abusive women typically struggle with relationships and have low self-esteem. A female offender may emotionally regress to an adolescent mindset and make herself sexually available to a student. The attention from a young male may make the teacher feel “cool” or “popular.”

ASM Offenders

Additional Offender Information

An adolescent brain is not fully formed, which leads to impulsive decision making. Because teens aren't fully capable of making responsible decisions, it's easy for adults to take advantage of them.

When offenders engage in ASM, their victims may be harmed in ways other than the sexual abuse. Many encourage their victims to partake in substance abuse, and many purposely undermine victims' relationships with their parents.





ASM Offenders

Consent and Duty of Care

Many teenagers feel equal to adults and believe they can make mature decisions about sex and issues related to intimacy. Some teenagers may even flirt with adults as they explore their sexuality and attractiveness. However, it is *always* wrong for an educator to reciprocate in any way.

Click the image to learn about **consent** and **duty of care**.

“Consent” is an agreement between two equals. A teacher and a student are *never equal*. Therefore, consent is never a defense or a mitigating factor in cases involving ASM — regardless of the student’s age. Even in a situation involving a 19-year-old high school student and a 22-year-old teacher, an educator has power over the student because of the educator’s professional position. Educators have a “duty of care” for their students; when they engage in ASM, they exploit that duty.

Methods of ASM Offenders

Trolling, Grooming, Exploiting and Lulling

ASM offenders are calculating and manipulative in their approach. An offender is often a person that students, parents and co-workers are most likely to trust. That said, three predatory behaviors common to many ASM offenders include:

- Trolling
- Grooming
- Exploiting and lulling



Methods of ASM Offenders

Trolling

By the very nature of their positions, school employees and volunteers can easily **troll** for (i.e., seek out) potential victims. These offenders are in positions of power over students, and they have easy access to children and teens from unhappy homes.

Such kids are often lonely, marginalized, needy and longing for attention because their parents are disengaged and/or they're engaging in risky behaviors. Furthermore, at-risk children and teens are easy targets because if they disclose the ASM, they're less likely to be believed.



Methods of ASM Offenders

*Grooming*

Grooming is the process of desensitizing a student to inappropriate behaviors and methodically acclimating them to sexual activity. Grooming often involves systematically providing a student with attention, gifts and favors that make the student feel special in sexual and nonsexual ways.

As the intensity of the “relationship” grows, an offender establishes power over the child. The offender works to become the student’s main source of support, and then isolates the child from friends and family. An offender tests a victim’s willingness to remain silent at each step of the grooming process.

Methods of ASM Offenders

Grooming, continued

Some grooming behaviors may happen publicly, so that the offender can observe others' reactions to the behavior. An offender may also befriend the victim's parents to discredit any potential allegations from the student; this is because parents who interact with the offender tend to side with the offender.

If you notice an adult trying to establish a private, personal relationship with a student, report the situation to building administrators. Just remember, a *close, public relationship* between an adult and a student is not necessarily inappropriate; however, a *private, personal relationship* is. If a grooming behavior goes unreported and unaddressed, the relationship will become more sexualized.



Methods of ASM Offenders



Exploiting and Lulling

Exploiting and **lulling** occurs when an offender becomes increasingly:

- More sexually aggressive with a victim;
- Increasingly hostile about defending their own conduct; and
- Increasingly determined to hide the inappropriate relationship through the use of intimidation, threats, extortion and bribery.

An offender exploits the power they hold over a victim, including academic grades, school discipline and athletic-team membership or playing time — basically, anything that's important to the student.

Victims' Warning Signs

Why Warning Signs May be Difficult to Detect

Relying on identifying victims of ASM as a primary intervention strategy is inherently problematic. Just as ASM offenders work to present an image of normalcy to the world, so to do child victims of sexual abuse, making them not easily identified by outward appearance or physical signs.

Furthermore, many acts of ASM — such as kissing, fondling or taking explicit photos of students — do not leave physical marks. Even if rape has occurred, school personnel would not see injuries resulting from the violent act.



Interaction

Click the **Interaction** button to edit this object

Victims' Warning Signs

Age-Inappropriate Sexual Knowledge or Behavior

A student victim (1) have age-inappropriate knowledge of sexual acts; (2) behave seductively; (3) masturbation of inappropriate sexual explicit drawing

Age-Inappropriate Sexual Knowledge or Behavior

Unusually

Substance

Overt Beha

Chronic He

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Self-Harm


Unusual Eating Behavior

Inexplicable Anger

Mental-Health Issues

Victims' Warning Signs

Always be on the lookout for the behaviors commonly displayed by ASM victims. Close this window and then click the tabs on the left to read about these behaviors.

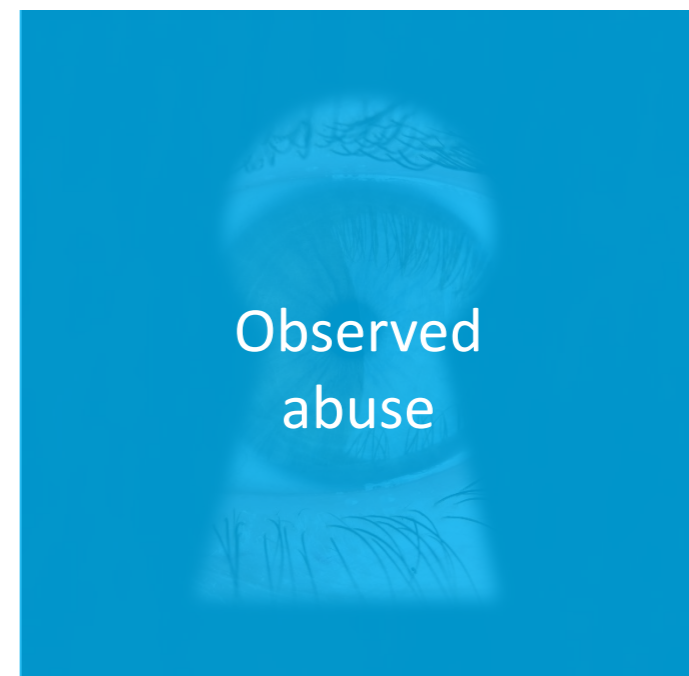
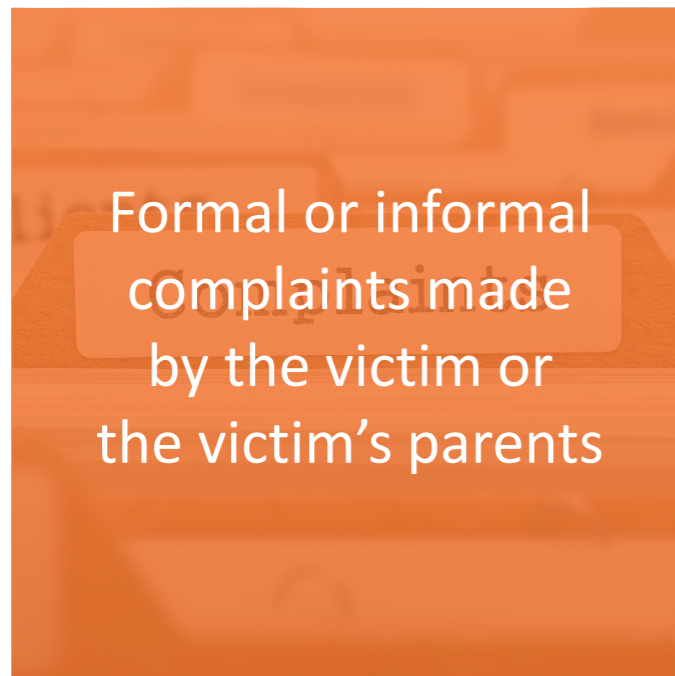


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Disclosure

How ASM is Discovered

Click each image to learn how acts of ASM typically come to the attention of school officials:



Disclosure

Gossip and Rumors

In most contexts, gossip and rumors are background noise that should be ignored. However, when it comes to the inappropriate conduct of educators, rumors can be an important source of information.

Young people are instinctively perceptive to the improper behavior of adults and will colorfully describe the actions as “creepy,” “gross” or “perverted.” Therefore, if you hear student gossip about an educator behaving inappropriately, it may truly be a red flag.

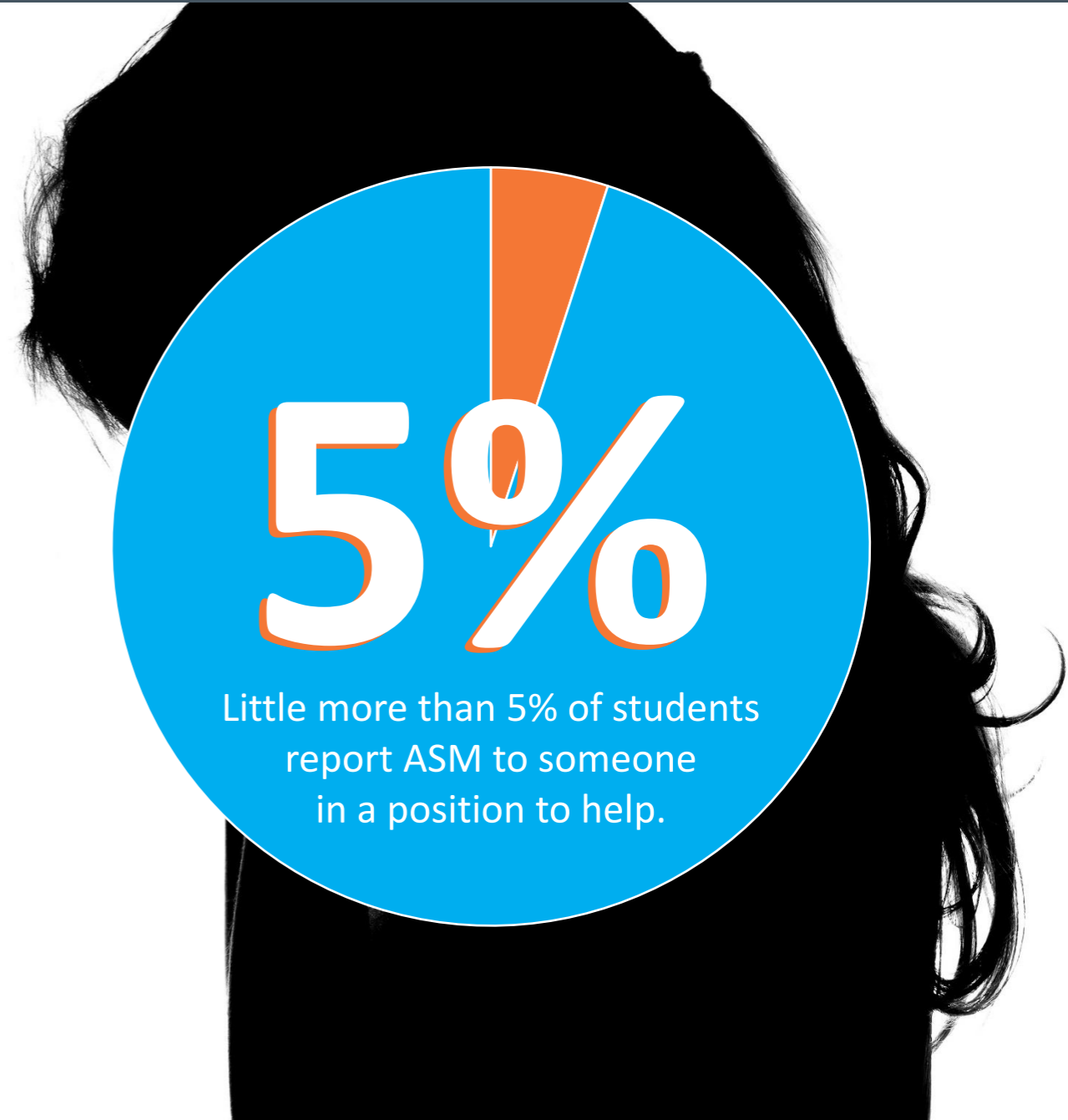
[Click here.](#)

Disclosure

Why Victims Rarely Disclose the Abuse They're Receiving

Although some victims report their own abuse, this is rare. There are many reasons for this:

- Many children are abused by an adult they trust — meaning they have feelings of love, attachment or respect for the offender.
- Many students want their abuse to stop, but don't want their abuser to get in trouble.
- Some victims of ASM don't consider themselves "victims"; in fact, some students may not view the offender's sexual behavior as inappropriate.
- Students may be reluctant to lose the gifts and/or benefits they receive from the offender.
- Some students fear that their parents or other adults might not believe the abuse has occurred. Frequently, adults don't believe students with histories of academic, emotional or behavioral problems; unfortunately, these are the very students most likely to be targeted by offenders.



Disclosure



How to Respond if a Victim Discloses Abuse to You

Research shows that children rarely lie about sexual abuse. In fact, they're more likely to minimize the extent of the abuse. Children who aren't believed or supported after they disclose ASM are at significantly greater risk to develop post-traumatic stress, anxiety and depression.

When a student shares that ASM has occurred, you should support the student and report the act. As the student is talking with you, listen attentively and ask fact-based, open-ended questions. So that you can report the ASM, gather as much information as the student is willing to share; however, don't ask more questions than necessary. In addition, let the student know they are believed and that the abuse is not their fault.

Applicable State and Federal Laws

Mandated-Reporting Laws

All 50 states have mandatory child abuse and neglect reporting laws. These laws state that most school employees are **mandated reporters**. As a mandated reporter, your role is not to evaluate or investigate possible abuse. However, you are legally bound to report *suspected* or *known* acts of child abuse and neglect to law enforcement or child protective services (CPS).

To view each state’s mandated-reporting requirements, visit Child Welfare Information Gateway’s [How to Report Suspected Child Maltreatment](#) site and [Mandatory Reporters of Child Abuse and Neglect](#) site.

Failing to report suspected or known child abuse and neglect can have serious consequences. In many states, you can be subject to criminal charges. In addition, teachers who fail to report can lose their professional licensing.

Mandatory Reporters of Child Abuse and Neglect <https://www.childwelfare.gov>

Mandatory Reporters of Child Abuse and Neglect <https://www.childwelfare.gov>

STATE STATUTES
Current Through April 2019

Mandatory Reporters of Child Abuse and Neglect

The Federal Child Abuse Prevention and Treatment Act (CAPTA) requires each State to have provisions or procedures for requiring certain individuals to report known or suspected instances of child abuse and neglect.¹ For this publication, information regarding mandatory reporting laws was collected for all States. The results indicate that all States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands identify in statute the professionals and other persons who are required to report instances of suspected child maltreatment. These statutes also address reporting by other persons, the responsibilities of institutions in making reports, standards for making a report, and confidentiality of the reporter's identity.

¹ 42 U.S.C. § 5102a(5)(2)(B)(i)

WHAT'S INSIDE

- Professionals required to report
- Reporting by other persons
- Institutional responsibility to report
- Standards for making a report
- Privileged communications
- Inclusion of the reporter's name in the report
- Disclosure of the reporter's identity
- Summaries of State laws

To find statute information for a particular State, go to
<https://www.childwelfare.gov/topics/systemwide/laws-policies/state/>.

Child Welfare Information Gateway
Children's Bureau/ACYF/ACF/HHS
800.394.3368 | Email: info@childwelfare.gov | <https://www.childwelfare.gov>

Children's Bureau

Applicable State and Federal Laws

Other State Laws

Abusers may be prosecuted under a variety of criminal statutes, depending on the ages of the parties involved and type of sexual abuse perpetrated. Similar to mandatory reporting laws, state criminal codes vary by state.



Applicable State and Federal Laws

Title IX: Nine Facts

You've likely heard of [Title IX of the U.S. Education Amendments of 1972](#) in the context of school athletics. Actually, the federal law prohibits discrimination on the basis of sex in *all* education programs and activities that receive federal financial assistance. Click each number below to learn more:

1

Title IX is a civil-rights law that prohibits sex discrimination in education.

2

Title IX applies to all students, regardless of gender identity.

4

Schools must offer supportive measures to all students who are reported to have been sexually harassed.

5

Students can file formal complaints of sexual harassment against educators.

3

Schools may not retaliate against someone filing a formal complaint and must keep complainants safe from other retaliatory harassment.

6

Schools must be proactive in ensuring that the campus is free from sex discrimination.

7

Schools cannot stop students from filing a formal complaint of sexual harassment.

8

All schools receiving federal funding, including public K-12 schools and most colleges, are subject to Title IX.

9

Schools must have a formal grievance process for handling complaints of sexual discrimination, harassment and violence.

Applicable State and Federal Laws

Title IX: Definitions

Prohibited by Title IX, **sexual harassment** is a form of sex discrimination. It encompasses three prongs of misconduct on the basis of sex:

- *Quid pro quo* harassment
- Unwelcome conduct
- Sexual offenses

These will be discussed on the next three slides.

TITLE IX

Applicable State and Federal Laws

Title IX: Quid Pro Quo Harassment

Quid pro quo harassment occurs when a school employee conditions the provision of aid, benefit or service on the student's participation in unwelcome sexual conduct.

It applies to any situation where a teacher, faculty member, coach or other employee holds authority and control over a student. Because of the power imbalance that exists in a school employee-student relationship, a single instance of *quid pro quo* harassment is a violation of Title IX.

Click the orange note to learn more about *quid pro quo* harassment.

Sexual conduct between a teacher and student that is *consensual* and *welcomed* by the student might not meet the Title IX *quid pro quo* harassment standard. However, underage students cannot legally consent to sexual activity with an adult; therefore, such conduct may meet Title IX's third prong — the sexual-assault standard — which covers statutory rape.

Applicable State and Federal Laws

Title IX: Unwelcome Conduct

The second part of Title IX's sexual-harassment definition involves **unwelcome conduct**. The term "unwelcome" is subjective. Unwelcome conduct is behavior that a reasonable person would find so "severe, pervasive and objectionably offensive" that it effectively denies someone equal access to education.

A student who does not reject sexual conduct may seem to consent to it. A lack of rejection doesn't necessarily mean the student actually welcomed the conduct, however. The student might not speak up because they want to:

- Avoid getting in trouble;
- Continue to please the teacher;
- Earn good grades; and/or
- Protect their position in a school or sport activity.



Interaction

Click the **Interaction** button to edit this object

Applicable State and Federal Laws ✕

Rape

Fondling

Incest


Statutory Rape

Dating Violence

Stalking

Sexual Offenses

The third prong of sexual harassment includes acts of forcible and nonforcible **sexual offenses**, as defined by the [Clery Act](#), and as amended by the [Violence Against Women Act](#).



Sexual offenses inherently create the kind of serious, sex-based impediment to equal access to education that Title IX is designed to prohibit. In fact, *a single sexual offense is actionable under Title IX*. The “severity, pervasiveness, and objectionable offensive” standard and “denial of equal access” standard do not apply. Click each tab to learn about various types of **sexual assault**.

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sex organ of another
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Applicable State and Federal Laws

Title IX: Notice

A school is legally obligated to respond to any possible sexual harassment about which a school employee has **notice**. Notice can come from anyone, at any time. A few examples of notice are listed to the right.

Click each number to learn more.

1.

An employee might personally observe sexual harassment.

2.

An employee might hear about a sexual-harassment incident from the victim, a student, a parent, a bystander or an anonymous source.

3.

An employee might receive a formal, written complaint.

Applicable State and Federal Laws

Title IX: Notice, continued

Any employee who has received notice of alleged sexual harassment must report the incident to the school’s Title IX coordinator. Even if you have doubts about the alleged incident’s validity, you should report it; always err on the side of caution.

A Title IX coordinator will then investigate the situation and dismiss any allegations that don’t qualify as sexual harassment under Title IX. Reports can be made to a Title IX coordinator in person, by mail, by telephone, by e-mail or by any other means. Reports can be made at any time, including outside of school hours.



Applicable State and Federal Laws



CONFIDENTIAL

Title IX: Investigation Confidentiality

All persons involved in or aware of a Title IX investigation must protect the confidentiality of all involved parties — especially the victim (i.e., the complainant) and the accused (i.e., the respondent).

Any and all information about the incident should come from administrators or a designated district spokesperson. School employees should *not* share information with anyone outside of the investigation — including the media.

Applicable State and Federal Laws

Title IX: Victim Protections

ASM situations can be emotionally charged and stressful. Students who report acts of ASM may be targeted for harassment by other students and/or teachers — especially if the accused is a popular staff member.

Title IX prohibits retaliation against students or employees who report sexual harassment. Schools must take steps to protect the complainant. Possible protective measures include, but are not limited to:

- Limiting contact between parties;
- Altering academic, cafeteria or recess schedules;
- Allowing the affected student to withdraw from and, if needed, retake a class without penalty; and/or
- Increasing monitoring, supervision or security at locations or activities where questionable behavior occurred.



Applicable State and Federal Laws

Title IX: Victim Support

In addition to protecting the victim, steps must be taken to remedy the detrimental effects of the ASM. It's common for victims to:

- Lose trust in adults and authority figures;
- Perform worse in school; and
- Skip school or drop out entirely.

To make school as comfortable as possible for victims, districts must provide them appropriate support services. It may be appropriate to refer students to outside mental-health providers who can deliver evidence-based, trauma-focused assessment and treatment.

In addition, the student, their parent(s) and Title IX personnel should collectively develop a plan for how to create a safe, judgment-free learning environment. After the plan is implemented, regular follow-up meetings should be held to ensure the support services are adequate and effective.



Any actions taken to protect and support a victim must not penalize the student.

Applicable State and Federal Laws



Title IX: Offender Punishment

When an investigation is concluded, schools will implement sanctions (as needed). Depending on the severity of the allegations, a district's disciplinary response could include:

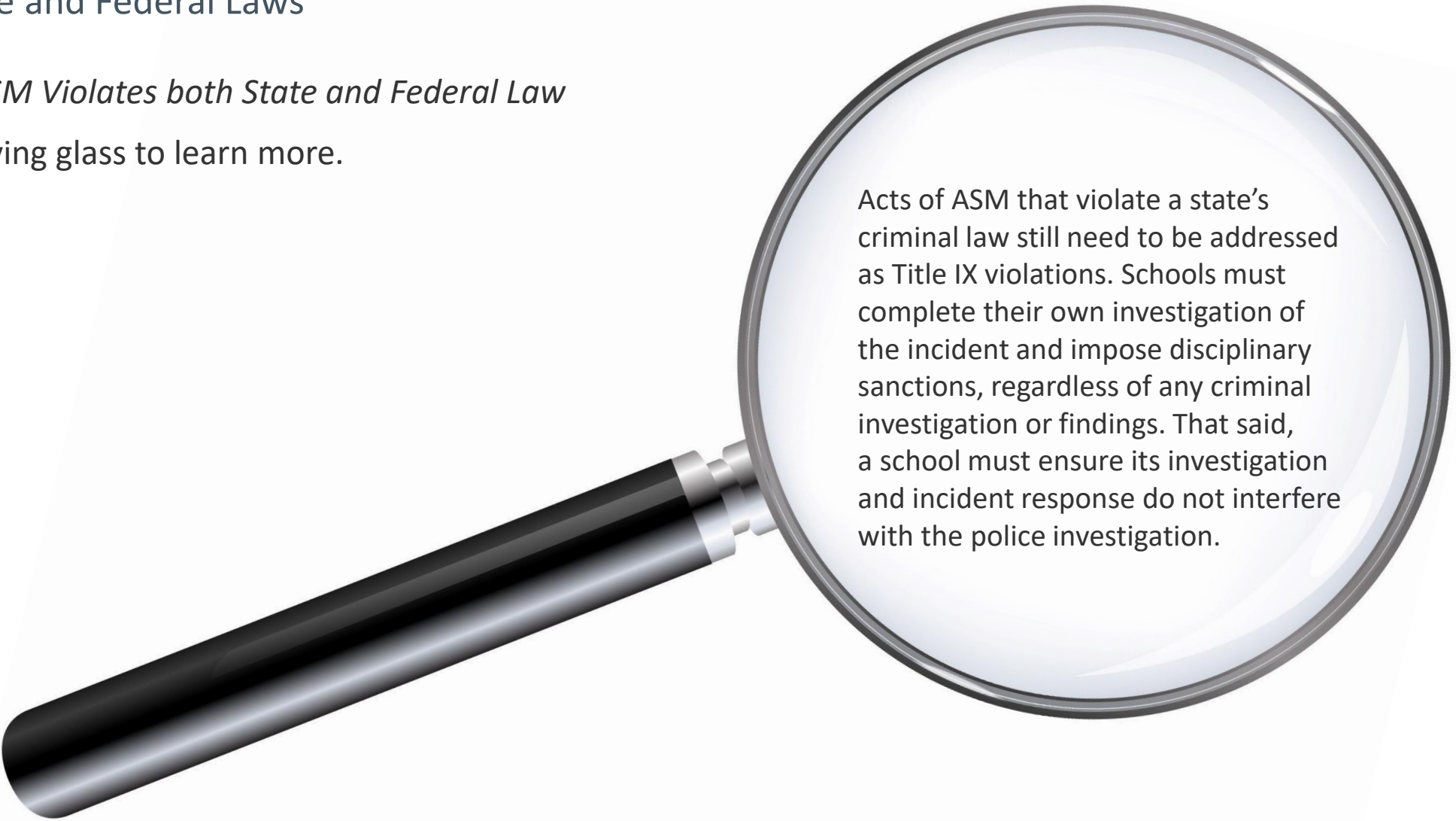
- A warning;
- Probation;
- Extended training; or
- Termination.

Schools that ignore the sexual harassment of students can face legal repercussions. Case law has established that noncompliance with Title IX can result in civil damages.

Applicable State and Federal Laws

Title IX: When ASM Violates both State and Federal Law

Click the magnifying glass to learn more.



Acts of ASM that violate a state's criminal law still need to be addressed as Title IX violations. Schools must complete their own investigation of the incident and impose disciplinary sanctions, regardless of any criminal investigation or findings. That said, a school must ensure its investigation and incident response do not interfere with the police investigation.

District Policies about ASM

Six Items a District's ASM Policy Should Include

All schools should have clear policies and procedures that explicitly detail:

- A definition of ASM;
- Examples of acceptable and unacceptable boundaries and behaviors;
- Mechanisms for reporting ASM;
- An outline of the investigative process;
- ASM prevention strategies, including parent and student training; and
- Possible consequences for policy violations.



Interaction

Click the **Interaction** button to edit this object

District Policies about ASM

Boundaries and Behavior: Meeting with Students

Boundaries and Behavior: Physical Contact

Boundaries and Behavior: Transportation

Boundaries and Behavior: Off-Campus Activities

Boundaries and Behavior: Attendance


Boundaries and Behavior: Social Media

District Policies about ASM

Boundaries and Behavior: An Overview

Forming healthy relationships and maintaining appropriate boundaries with students is a critical part of your job. However, you must consider the perceptions of other people as you interact with students. Specifically, you must be extremely careful when it comes to:

- Meeting with students
- Physical contact
- Transportation
- Off-limit areas



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District Policies about ASM



You do *not* meet your mandated reporting obligation if you file an anonymous report with the district.

Mechanisms for Reporting ASM

Districts should be vigilant about preventing ASM. Their policies should:

- Advise employees how to identify and report behaviors and situations indicative of ASM;
- Indicate to which designated school officials you should report behavior that violates the ASM policy;
- Describe the mandatory reporting obligations of the state in which the school is located;
- List emergency numbers, website URLs and/or email addresses for school resource officers, local law enforcement, Title IX coordinators and Child Protective Services; and
- Describe how people who are not mandatory reporters can anonymously report suspected ASM.

ASM offenders don't want to be caught. Potential offenders may refrain from crossing the line with students if they know the school community will report all complaints, rumors and questionable behavior.

District Policies about ASM

*ASM Prevention Strategies:
Parent and Student Training*

Parents are the district’s natural allies in terms of ASM prevention. Schools should provide parents opportunities to participate in ASM-awareness trainings. Teaching parents and guardians about how the district works to protect students will help build trust.

Click each paper on the corkboard to the right to learn what topics should be addressed in parents’ ASM-awareness training.



District Policies about ASM

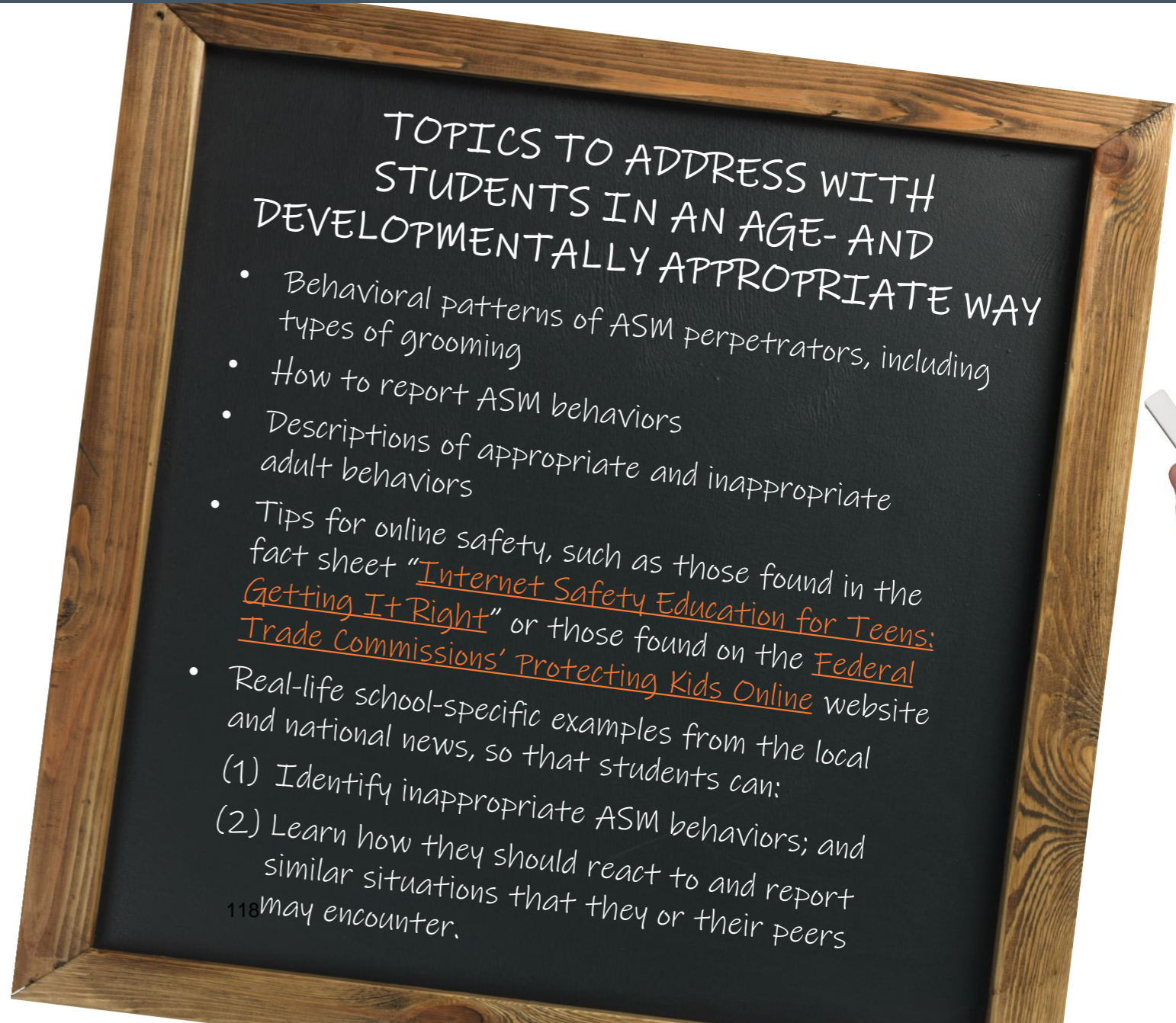
*ASM Prevention Strategies:
Parent and Student Training, continued*

Students likewise play a critical role in preventing ASM. In fact, students are usually aware of ASM incidents before anyone else.

Schools should teach students:

- How to avoid situations that make them feel uncomfortable;
- How to refuse inappropriate behavior; and
- How to report educators who perpetrate ASM behaviors.

Potential offenders might be discouraged from behaving inappropriately when they know students have been taught what ASM is and how to report it.



End of Section

You have completed this section of the course. You must complete all sections and take the test to receive credit for this course.

Click on the next section in the left-hand navigation bar. If you've completed all sections, please click "Take Test."





Recognizing and Responding to Child Neglect and Abuse in Oregon

Objectives

The purpose of this course is to help educators understand, recognize, respond to and reliably report suspected child neglect and abuse.

Course topics include:

1. Neglect
2. Physical Abuse
3. Sexual Abuse
4. Emotional Abuse
5. Speaking with a Victim
6. Understanding Child Neglect and Abuse



Overview

In 2014, an estimated 1,580 children lost their life to child neglect and abuse. The concept of harming a child is unimaginable to most people, although when children are neglected or abused, it's often by the people they love, people who love them, or people in whose care they are entrusted.

Children and adolescents spend a large portion of their time in school, making educators one of the most valuable resources in recognizing and reporting cases of child maltreatment.

Federal legislation identifies a minimum set of acts or behaviors that define child neglect and abuse. However, each state also provides its own definitions, and not all state definitions include the same information.

Of the estimated 702,000 instances of child neglect abuse in 2014, 92% of the perpetrators were parents.



For this course, the term “educator” applies not only to the classroom teacher, but to all school personnel who work directly with children.

Definition

There is no single, universal definition of child maltreatment, but there are four commonly recognized forms:

- Neglect
- Physical abuse
- Sexual abuse
- Emotional abuse

Some states also include parental substance abuse, children witnessing domestic violence and abandonment in their child protection laws.



1

Chapter
Neglect

Topics in this chapter include:

- Physical Neglect
- Medical Neglect
- Inadequate Supervision
- Educational Neglect
- Emotional Neglect
- Indicators of Neglect

Neglect

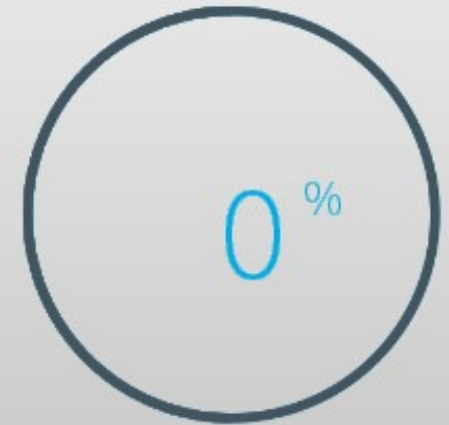
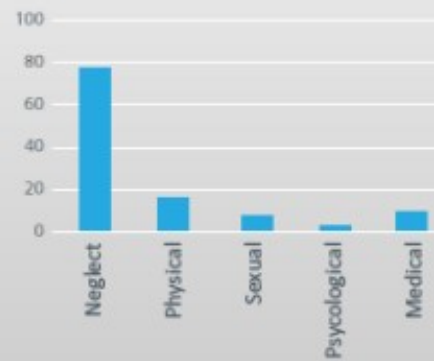
Neglect is overwhelmingly the most common crime perpetrated against children. Neglect is the failure of a parent or caretaker to provide needed food, clothing, shelter, medical care or supervision to the degree that the child's health, safety and well-being are threatened. Acts of neglect vary based on the age and developmental level of a child and the extent of the neglect.

While other forms of maltreatment are mostly episodic, neglect tends to be chronic. Because of this, children often become accustomed to their way of life and may not recognize what is missing.

Categories of neglect include, but are not limited to:

- Physical neglect
- Medical neglect
- Inadequate supervision
- Educational neglect
- Emotional neglect

Neglect was the most common type of maltreatment at 78%.



The percentage of child victims by sex was similar for boys and girls (48.7 and 50.9%, respectively). Source: [Child Health USA 2014](#).

Physical Neglect

Physical neglect is one of the most widely recognized forms of neglect. Physical neglect includes:

- **Abandonment**, which is specifically named in many state child protection laws. It is the failure to provide reasonable care and supervision of a child. A child is considered to be abandoned when:
 - The parent's identity or whereabouts are unknown;
 - The child has been left alone in circumstances where the child suffers serious harm; or
 - A parent fails to maintain contact or provide reasonable support for their child within a specified period.
- **Expulsion** is the blatant refusal of custody, such as the permanent or indefinite exclusion of a child from the home, without arranging adequate care.
- **Shuttling** is repeatedly leaving a child in the custody of others for days or weeks at a time.
- **Nutritional neglect** is when a child is undernourished or goes without food for long periods.
- **Clothing neglect** is the lack of appropriate clothing, such as not having warm clothes or shoes in winter.



Physical Neglect, continued

Additional types of physical neglect include inadequate hygiene, failure to address obvious hazards in the home, and/or a reckless disregard for a child's safety and welfare (e.g., driving while intoxicated with a child in the car, leaving a young child in a car unattended, etc.).

Neglect laws often exclude circumstances in which a child's needs are not met because of low socio-economic status or an inability to provide.

It is unclear when homelessness should be considered neglect. Some states specifically omit homelessness as a form of neglect. However, homeless children are more at risk for other types of neglect.





Some states define **medical neglect** as the failure to provide needed medical treatment or mental healthcare to a child. Types of medical neglect are listed below:

- **Refusal of healthcare** is the failure to provide or allow needed medical care as recommended by a competent healthcare professional.
- **Delay in healthcare** is the failure to seek timely and appropriate medical care for a serious health problem that a reasonable person could recognize as needing medical attention.
- **Delay or refusal in psychological care** is the failure to seek or provide treatment for an emotional or behavioral problem that most people would recognize as needing professional attention (e.g., suicidal behaviors).

There are exemptions in some states for parents who choose to not seek medical care due to religious beliefs.

Inadequate Supervision



Inadequate supervision involves leaving a child inadequately supervised for extended periods of time, or allowing a child to remain away from home without attempting to determine where the child is. Some states specify the amount of time children at different ages can be left alone.

Inappropriate care involves leaving a child in the care of someone who should not be trusted to provide care for a child, such as leaving a child with another young child, or leaving a child with a known child abuser.

Other types of inadequate supervision include:

- Leaving a child with an appropriate caregiver several days longer than planned;
- Leaving the child with a caregiver who is not adequately supervising the child; and
- Not keeping the child from engaging in risky, illegal or harmful behaviors.

Educational Neglect

Parents are responsible for meeting certain requirements regarding the education of children. About half the states include the **educational neglect** a child as part of their definition of neglect.

Failure to enroll a school-age child in school is one type of educational neglect. Another type is **chronic truancy** — that is, not sending a school-age child to school without valid reasons for keeping him/her home.

Inattention to special-education needs involves refusing to allow a child to receive recommended remedial-education services, without a reasonable cause for doing so.



Emotional Neglect

Emotional neglect is more difficult to assess than other types of neglect. It often occurs along with other forms of neglect or abuse.

Inadequate nurturing or affection involves the persistent, marked inattention to a child's needs for emotional support or attention.

Permitting maladaptive behavior occurs when a parent or caregiver is aware that a child is engaging in risky, maladaptive behaviors but does not intervene.



Indicators of Neglect, Student

Indicators of neglect are likely visible in the appearance and behavior of a child. Consider reporting possible neglect if/when you notice that a *child*:

- Is frequently absent from school.
- Wears dirty clothing, has clothing is significantly too small or too big; has clothing that's torn, or has clothing inappropriate for the weather.
- Is often hungry; hoards, steals or begs for food; seems emaciated; or has a distended stomach.
- Often appears listless and tired, and has little energy.
- Frequently reports caring for younger siblings, or shares that there is no adult at home to provide care.
- Has unattended medical or dental problems, such as infected sores or decaying teeth.
- Demonstrates poor hygiene or smells of urine and feces.



Indicators of Neglect, Caregiver

Consider reporting possible neglect if/when a *parent or adult caregiver* repeatedly:

- Appears to be indifferent to a child;
- Seems apathetic or depressed;
- Behaves irrationally or in a bizarre manner; or
- Is abusing alcohol or drugs.

In these cases, it is common to see a parent-child role reversal, where children begin assuming parental roles and responsibilities.



2

Chapter

Physical Abuse

Topics in this chapter include:

- Physical Abuse
- Indicators of Physical Abuse

Physical Abuse



Physical abuse includes any non-accidental physical injury caused by the actions of a caretaker. Abusive behaviors that typically cause harm include, but are not limited to:

- Striking
- Kicking
- Pushing
- Shaking
- Whipping
- Burning
- Biting

Many states' definitions of physical abuse include circumstances that create a significant risk of harm to a child's health or welfare. These actions are considered abusive regardless of whether harm was intended.

Acts of discipline, such as spanking, are not considered abusive when they are reasonable and do not cause bodily injury; many states include this exception in their laws.

Indicators of Physical Abuse, Student and Caregiver

Consider the possibility of reporting possible physical abuse if/when a *student*:

- Has unexplained burns, bites, bruises or broken bones;
- Has fading bruises or other marks noticeable after an absence from school;
- Seems frightened of parents and protests or cries when it is time to go home;
- Shrinks at the approach of adults;
- Reports injuries caused by a parent or another adult caregiver; or
- Provides explanations for injuries that don't make sense.

Consider the possibility of reporting possible physical abuse when a *parent or adult caregiver*:

- Offers a conflicting or unconvincing explanation for a child's injury;
- Uses harsh physical discipline with a child;
- Shows little concern for a child; or
- Asks teachers or other caregivers to use harsh physical discipline if a child misbehaves.



Signs of physical abuse are difficult to interpret with absolute certainty and may be confused with normal childhood injuries.

Indicators of Physical Abuse, continued

Bruises are the most common injury caused by physical abuse. Bruises from normal childhood mishaps usually occur to the “less fleshy” parts of one’s body, such as the forehead, elbows, knees and shins. It’s less common for children to sustain bruises to the “fleshy” parts of their bodies, such as their cheeks, abdomen, thighs and buttocks.

Most bruises do not have a recognizable shape. Bruises that appear as loop marks or hand marks, or that show a recognizable source (such as a belt) strongly suggest physical abuse. Also, watch for:

- An unusual amount of bruising;
- Bruises on different areas of the body;
- Multiple bruises in various stages of healing; and
- Bruises that indicate multiple strikes from a single object (e.g., a stick or a cord).

Internal abdominal injuries are difficult to recognize. Symptoms of abdominal injuries include:

- Pain or bruising in the abdominal area;
- A child guarding his/her body;
- An elevated heart rate;
- Signs of shock;
- A distended abdomen;
- A firm or rigid-feeling abdomen; and
- Low blood pressure.



Indicators of Physical Abuse, continued 2

Fractures can result from direct blows, from twisting one's limbs or from falling. Fractures can be identified by:

- Swelling or bruising over a bone;
- A deformity in an arm or a leg;
- Pain in an injured area that gets worse when the area is moved or when pressure is applied;
- Loss of function in an injured area; or
- A bump or opening in the skin where an injury occurred.

A child with broken ribs may have difficulty breathing and may take quick, shallow breaths.



Indicators of Physical Abuse, continued 3

Head traumas are the leading cause of death from physical abuse. Head trauma may be the result of a direct blow to the head or from severe shaking (commonly referred to as “shaken baby syndrome”).

When a child has a skull fracture, there may be blood or clear fluid leaking from the nose or ears, there may be eye pupils of unequal size, there may be bruises or discoloration around the eyes or behind the ears, or there may be swelling or a dent on part of the head.

Less severe head trauma cases may be recognized through the following symptoms:

- Sudden changes in behavior or mood, such as anxiety, irritability or depression;
- Vomiting;
- Dizziness, confusion or memory loss;
- Partial paralysis or numbness; or
- A headache.

In the most severe cases of head trauma, a child may become unconscious, suffer seizures or go into shock. These symptoms indicate a child is in dire need of emergency medical attention.



Indicators of Physical Abuse, continued 4

Burns can be identified via the following indicators:

- Cigarette burns are round and are the size of cigarettes.
- Grease burns may leave a trail of the substance “dripping or running” down the skin.
- Scalding patterns from immersing a child into hot water often have clear burn lines.
- There may be areas of the skin that are less burnt because of folds in the skin.

Bites inflicted by animals may be difficult to distinguish from bites from other humans. However, bites from animals are typically smaller, deeper and narrower than human bites. Also, animal bites may show signs of the flesh being ripped or torn .



3

Chapter

Sexual Abuse

Topics in this chapter include:

- Sexual Abuse
- Indicators of Sexual Abuse

Sexual Abuse

All states include sexual abuse as part of their child-protection laws. **Sexual abuse** occurs when an adult engages in inappropriate sexual behavior with a child, or when a child is exposed to inappropriate sexual behavior.

Sexual abuse can include any of the following behaviors:

- Oral, anal or genital penetration;
- Fondling of a child's genitals, breasts or buttocks;
- Making the child fondle an adult's genitals;
- Indecent exposure;
- Sexual exploitation of children (e.g., involving a child in prostitution or in the production of child pornography);
- Inadequate or inappropriate supervision of a child's voluntary sexual activities; and/or
- Exposing a child to pornographic materials.

The term **sexual abuse** typically refers to situations where a child is abused by a parent or another family member.

Sexual assault typically implies a forced or coerced sexual act by someone from outside the family. It may also include sexual acts committed by a person under the age of 18 when the perpetrator is significantly older than the victim, or when the perpetrator is in a position of power or control over a child.

The charges appropriate for a given case varies by state.



In some states, the definition of sexual abuse includes sex trafficking (i.e., the trafficking of children for sexual purposes).

Sexual Abuse, continued



Sexual abuse impacts a child's behavior, school performance, attention, self-perception and emotional regulation. Many victims of sexual abuse become so consumed with the emotional effects of the abuse that they lack the energy they need to engage fully in learning.

After being sexually abused, children are at risk of developing significant emotional and behavioral difficulties. Victims may experience any combination of the following:

- A sense of guilt for their role in the abuse;
- Anger at their parents for not knowing about the abuse;
- Feelings of powerlessness;
- Feeling like they are "damaged goods"; and
- A fear that people will treat them differently because of the abuse.

Sexual Abuse, continued 2

Victims of sexual abuse may also experience **mental health disorders**, including major depression.

Likewise, victims may start acting aggressively or engaging in age-inappropriate sexual behaviors. A child who has been sexually abused may approach adults seductively, assuming adults will be pleased by their behavior. Or s/he may abuse their peers or younger children as a way of trying to make sense of the abuse.

In addition, sexual-abuse victims often experience **posttraumatic stress disorder (PTSD)**, characterized by:

- Having Intrusive, reoccurring thoughts of the traumatic experience;
- Avoiding reminders of the trauma (e.g., places, people, sounds or smells that trigger memories);
- Numbing oneself emotionally;
- Behaving irritably;
- Having difficulties sleeping or concentrating; and
- Physical and emotional hyperarousal (e.g., mood swings that are disproportionate for the situation).



Sexual Abuse, continued 3

In most sexual abuse cases, a period of grooming takes place. **Grooming** involves an adult increasingly and persistently invading the boundaries of a vulnerable child. Initially, children may welcome attention from an adult. An then, as the boundary invasions become increasingly inappropriate, the child may justify the adult's behavior because of the "special relationship" they share.

It's important to note that while all sexual grooming involves boundary invasions, not all boundary invasions constitute sexual grooming. Some boundary invasions between an adult and a child are understandable and justified. For example, a teacher's aide may need to change a student after a toileting accident. Or a coach may have to touch students while teaching them wrestling, football or gymnastics.



Indicators of Sexual Abuse, Student

Consider the possibility of reporting possible sexual abuse if/when a *student*:

- Demonstrates bizarre, sophisticated or unusual sexual knowledge or behavior;
- Suddenly refuses to change for gym or participate in physical activities;
- Reports nightmares or bed-wetting;
- Experiences a sudden change in appetite; or
- Becomes pregnant (particularly if the child is younger than 14 years old).

Although indicators of sexual abuse are difficult to recognize, some include:

- Injuries to the genitals that make it difficult to walk or sit;
- Torn, stained or bloodied underwear; or
- Itching in the genital area. (Genital itching may indicate a sexually transmitted disease.)

It may be more difficult to detect the symptoms of sexual abuse in adolescents because of their increased knowledge of sexuality. That said, teens that exhibit intense promiscuity, self-injurious or suicidal behaviors may be revealing conflicts they're unable to handle.



Indicators of Sexual Abuse, Caregiver

In addition to the indicators exhibited by a child, there are indicators exhibited by perpetrators of sexual abuse. Recognizing the indicators in a perpetrator may help to verify suspicions of sexual abuse.

Consider the possibility of sexual abuse if/when a *parent or caregiver*:

- Is unduly protective of a child;
- Severely limits a child's contact with other children, especially children of the opposite sex;
- Is secretive and isolated; or
- Is jealous or controlling with family members.



4

Chapter

Emotional Abuse

Topics in this chapter include:

- Emotional Abuse
- Indicators of Emotional Abuse

Emotional Abuse



Even the most responsible of parents have occasions when they say hurtful things to their children, fail to give them the attention they want, or scare their children with threatening behavior. Emotional abuse involves more than an occasional poor choice of words or an occasional display of insensitive behavior.

Emotional abuse (i.e., psychological abuse) is a pattern of behavior that impairs a child's emotional development or sense of self-worth. Examples of emotional abuse include:

- Constant criticism, ridicule or threats;
- Withholding love, affection or guidance;
- Ignoring a child's attempts to interact;
- Persistent, marked inattention to a child's need for affection, emotional support or attention; or

isolating a child (e.g., confining a child, placing unreasonable limitations on a child's freedom of movement, or restricting the child from interacting with his or her peers).

State laws often define emotional abuse as "injury to the psychological capacity or emotional stability of a child, as evidenced by an observable or substantial change in behavior, emotional response or cognition" and injury as evidenced by anxiety, withdrawal or aggressive behavior.

Indicators of Emotional Maltreatment

Emotional abuse is most often observed through behavioral indicators. It is nearly always present in conjunction with other forms of maltreatment. Consider the possibility of reporting emotional abuse if/when a *child*:

- Shows extremes in behavior (e.g., overly compliant behavior, overly demanding behavior, extreme passivity or extreme aggression);
- Is either inappropriately adult or inappropriately infantile;
- Is delayed in physical or emotional development;
- Displays suicidal behaviors;
- Reports a lack of attachment to his/her parent;
- Runs away from home;
- Shows significant sadness, self-denial, depression, low self-esteem or withdrawal;
- Is unable to form trusting relationships;
- Displays habit disorders (e.g., sucking, biting, rocking, etc.);
- Has phobias, obsessions, compulsions;
- Has conduct disorders (e.g., (is anti-social, violent, destructive or sociopathic); or
- Has neurotic traits (e.g., sleep disorders, speech disorders or the inability to play).



Indicators, continued

Consider the possibility of emotional abuse when if/when a *parent or caregiver*:

- Constantly blames, belittles or berates a child;
- Is unconcerned about a child and refuses to consider offers of help for the child's problems;
- Overtly rejects a child;
- Sees a child as entirely bad, worthless or burdensome;
- Demands a level of physical or academic performance that the child cannot achieve; or
- Looks primarily to the child to provide him/her care, attention and the satisfaction emotional needs.

The behavior of *emotionally abused* children may be similar to the behavior of children who are *emotionally disturbed*. Parental behavior can help to distinguish between the two. The parents of an emotionally disturbed child are usually concerned about their child's welfare and seek help. The parents of an emotionally abused child may ignore that their child has a problem, refuse all offers of help, and/or appear unconcerned.



[State statutes pertaining to all forms of child maltreatment](#)



5

Chapter

Speaking with a Victim

Topics in this chapter include:

- Overview
- How to Speak with a Victim

Overview

Typically, when a child talks about neglect or abuse, s/he confides in someone trustworthy. That “someone” may be you, because school might be the child’s one safe refuge from abusive environment at home.

The thought of talking to a child about neglect or abuse may make you feel uncomfortable. But how you handle such a conversation is critical. It could, quite literally, be the most important discussion the child will ever have.

It’s essential you make the child feel comfortable. You want him/her to disclose as much information as s/he’s willing to do. That’s because your goal is to identify — and ultimately report — suspected child abuse so that a trained professional can investigate the situation.



How to Speak with a Victim 1-4



When speaking with a possible victim of neglect or abuse:

1. Talk to the victim in private. Choose a comfortable area where you can't be overheard.
2. Don't be emotional. Maintain an open posture. Be calm and reassuring so the child stays relaxed. Don't show disgust about the abuse or the abuser; the child may think your disgust is directed at him/her for the acts forced s/he endured. In addition, even if the abuser committed a horrible act, he may still be someone the child loves.
3. Speak to a child at his/her level. Don't use terms unfamiliar to the child. And don't correct the child if s/he uses inappropriate language to describe what happened, or as part of an emotional outburst.
4. Listen intently. Show you're paying attention by nodding your head and using simple phrases like, "I see." Don't plead for information or coerce a child to share more than s/he wants.

How to Speak with a Victim 5-6

5. Take the child seriously. Don't try to judge the child's truthfulness; a Public Child Services Agency (PCSA) will investigate the matter to determine what happened. Just let the child know what s/he's saying is important, and that sharing it is the right thing to do.
6. Obtain the information needed to make a report. Ask these four important who/what/when/where questions:
 - I. Who did this to you?
 - II. What happened?
 - III. When did this happen?
 - IV. Where were you when this happened?

Then, follow-up with open-ended questions such as, "What happened next?" Refrain from asking "why" questions. A child may think that you're asking him/her to justify his/her comments.



How to Speak with a Victim 7-8

7. Help the child devise a safety plan. Talk about what the child should do if the abuse persists. If it does continue, encourage her/him to talk to you or another trusted adult right away. Suggest other people who can help.
8. Don't make promises or create misleading expectations. Let the child know you'll do everything you can to help. But don't promise the abuse will end. If you do, and the abuse endures, the child may no longer trust you. Also, don't promise a happy ending. Although steps will be taken to protect the child, s/he may be removed from her/his home, someone the child loves may be jailed, or the child's family may endure great amounts of stress.



How to Speak with a Victim 9-10

9. Explain to the child what will happen next. Don't allow the child to think you will keep the conversation secret. Explain what you will do and what s/he can expect. Talk positively about what will happen and reassure the child that it's all to help and protect her/him.
10. Don't delay in making a report. If necessary, ask someone to assume your responsibilities so you can contact a law enforcement or a PCSA. Discuss the situation with someone before the child leaves school so protective measures can be enacted as needed.



Immediately after your conversation with the child, write down what she said. Be as detailed as possible, using the child's exact words.

6 Chapter

Understanding Child Neglect and Abuse

Topics in this chapter include:

- Effects of Child Neglect and Abuse
- Risk Factors
- Protective Factors

Effects of Child Neglect and Abuse

A growing body of evidence indicates that neglect and abuse can affect a child's cognitive, emotional, social and behavioral development. In fact, a child's brain structure and chemical activity can actually be changed.

How a kid is impacted depends on her/his age at the time of the maltreatment, the identity of the perpetrator, whether the child had dependable nurturing individual in her/his life, the type and severity of the maltreatment, how long the maltreatment lasted, and other factors.

Genetics predispose us to develop in certain ways. But our life experiences — including our parental interactions — significantly impact how those pre-dispositions are expressed. Genetics and life experience *both* play a role in brain development. And the brain adapts to negative experiences just as readily as it adapts to positive ones.



Effects, continued



Children who have been neglected or abused may not be functioning at their chronological age in terms of their cognitive, emotional, social and behavioral skills. They may also display unusual or difficult coping behaviors. For example, abused or maltreated children may:

- Be unable to control their emotions and have frequent outbursts;
- Be quiet and submissive;
- Have difficulties learning in school;
- Have difficulties getting along with siblings or classmates;
- Have unusual eating or sleeping behaviors;
- Attempt to provoke fights or solicit sexual experiences;
- Be socially or emotionally inappropriate for their age; or
- Be unresponsive to affection.

The effects of maltreatment can continue to influence brain development and activity into adolescence and adulthood.

Risk Factors

It is impossible to predict whether a child will be the victim of neglect or abuse. However, researchers have identified various factors common to victims child maltreatment; these are known as **risk factors**. Understanding risk factors can help identify victims of child maltreatment.

Children raised in homes where risk factors are present are more likely to experience abuse or neglect. When multiple risk factors are present, the risk is even greater. However, the presence of risk factors doesn't always mean maltreatment is taking place.



Risk Factors, continued

Some of the most common risk factors include:

- **Immaturity** — Young parents may lack experience with children or be unprepared for the responsibility of raising a child.
- **Stress** — Families struggling with poverty, unstable housing, divorce or unemployment may experience higher levels of stress.
- **Substance abuse** — The effects of substance abuse — as well as the time, energy, and money spent obtaining drugs or alcohol — make it difficult for parents to care for their children.
- **Parental histories** — How a person is raised plays a large part in how s/he parents her/his own child. However, it is incorrect to assume that a maltreated child will grow up to become an abusive or neglectful parent. Two-thirds of parents who were maltreated as children do not maltreat their own children.
- **Attitudes and knowledge** — Negative, misguided attitudes about a child's behavior and inaccurate knowledge about child development are risk factors for child maltreatment:
 - A parent's lack of knowledge about normal child development may result in unrealistic expectations, which can result in inappropriate punishments.
 - Parents who become frustrated and don't know how to manage a child's behavior may lash out at a child.
 - Parents may have attitudes that devalue children or view them as property.



Two-thirds of parents who were maltreated as children *do not* maltreat their children.

Risk Factors, continued 2

- **Family structure** — Children living in single-parent homes may have a higher risk of experiencing child maltreatment than children living with two parents. Lower income, increased stress and fewer supports all contribute to the risk of maltreatment.
- **Marital conflict and domestic violence** — Children in chaotic or violent homes are likely to experience harmful emotional consequences. These children may be victims of physical abuse themselves, or they may be neglected by parents who are focused on their partners or who are unresponsive to their children.
- **Poverty and unemployment** — Poverty and unemployment are associated with child maltreatment — particularly neglect. Most poor people do not maltreat their children; however, poverty increases factors associated with maltreatment.
- **Social isolation** — Effective parenting is more difficult when parents lack a supportive partner, a supportive family or a supportive community.



Protective Factors



Trauma from neglect and abuse affect children differently. Some kids may experience severe long-term consequences, while others may not. The ability to cope with a negative experience is referred to as **resilience**. Resilience results from a mixture of both risk and protective factors.

Protective factors are conditions or attributes that promote well-being and reduce the risk of negative outcomes. Protective factors help individuals negotiate difficult circumstances and fare better in school, work and life.

Building protective factors for victims of child abuse and neglect can help increase resilience in the short-term. Building protective factors can also promote skills, personal characteristics, knowledge, relationships and opportunities that contribute to positive long-term outcomes.

Protective Factors, continued

What follows is a non-inclusive list of protective factors:

- **Self-efficacy** — A positive internal locus of control.
- **A sense of purpose** — A positive attitude toward religiosity, faith or spirituality.
- **Self-regulation skills** — The ability to control emotions and cognitive thought processes.
- **Problem-solving skills** — The ability to solve challenges.



Protective Factors, continued 2

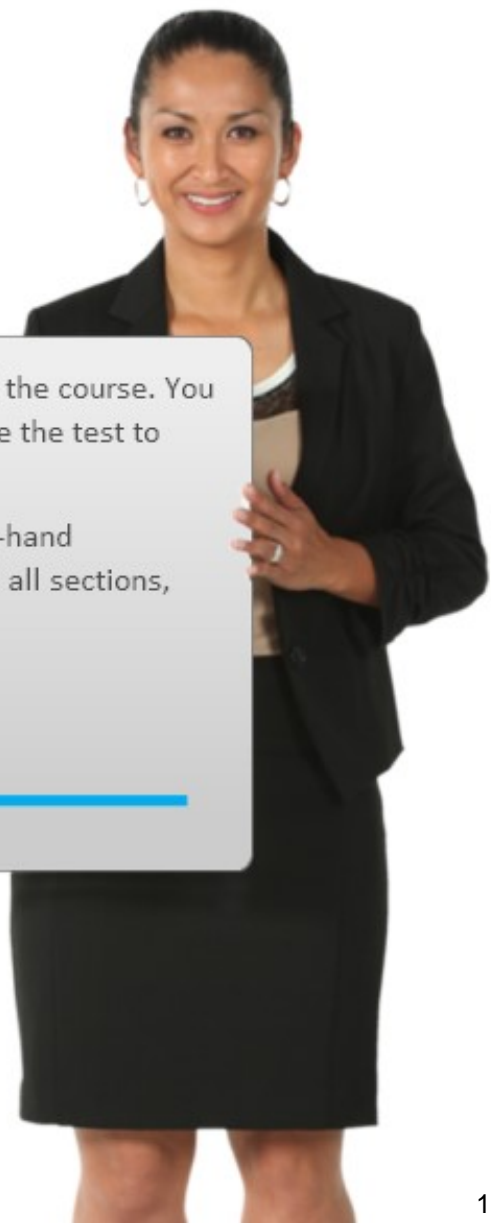
- **Relational skills** — The ability to perform effectively in social situations.
- **Involvement in positive activities** — School connectedness, commitment and engagement.
- **Positive peers** — Support from positive friends.
- **A positive school environment** — A positive school climate and effective programming in schools.



End of Section

You have completed this section of the course. You must complete all sections and take the test to receive credit for this course.

Click on the next section in the left-hand navigation bar. If you've completed all sections, please click "Take Test."





Code: BBFC
Adopted: 2/27/20
Revised/Readopted: 1/16/25

Reporting of Suspected Abuse of a Child

A Board member is a mandatory reporter of child abuse¹. A Board member having reasonable cause to believe that any child with whom the Board member comes in contact with has suffered abuse or that any person with whom the Board member comes in contact with has abused a child shall immediately notify the Oregon Department of Human Services (DHS) or local law enforcement pursuant to Oregon Revised Statute (ORS) 419B.015.

The Board member making a report of child abuse, as required by ORS 419B.010, shall make a report through DHS² or to a law enforcement agency within the county where the Board member making the report is located at the time of the contact.

The report shall contain, if known: the names and addresses of the child and the parents of the child or other persons responsible for the care of the child; the child's age; the nature and extent of the abuse, including any evidence of previous abuse; the explanation given for the abuse; and any other information that the Board member making the report believes might be helpful in establishing the cause of the abuse and the identity of the perpetrator.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
[ORS 419B.005](#)

[ORS 419B.010](#)
[ORS 419B.015](#)

Cross Reference(s):

BBF - Board Member Standards of Conduct

¹ Includes the neglect of a child; abuse is defined in ORS 419B.005.

² How to report abuse or neglect: [Oregon DHS](#). Call 855-503-SAFE (7233)