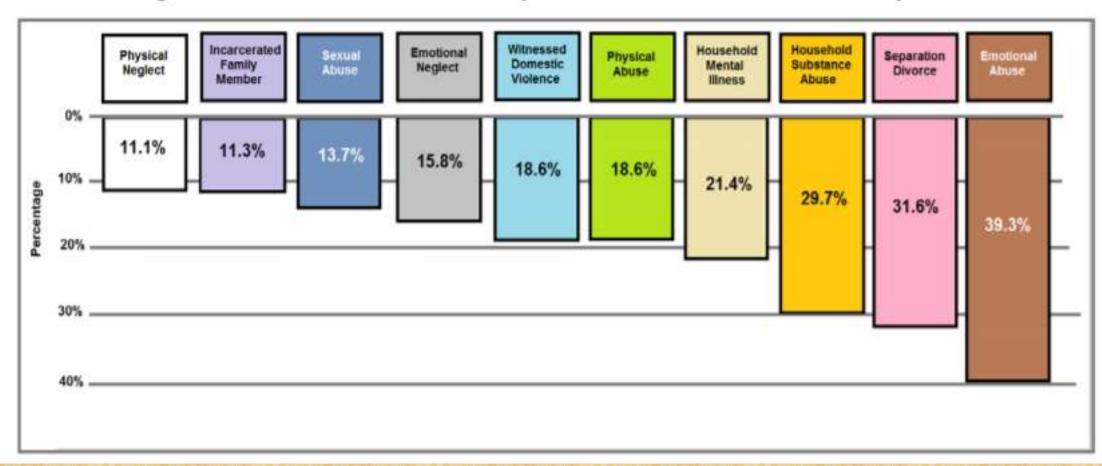


## DISTRICTS ARE ON THE FRONT LINE

Percentage of Alaskan Adults who Reported Adverse Childhood Experiences\*



# DISTRICTS ARE ON THE FRONT LINE

#### Financial

- Dealing with the immediate and long-term consequences of child abuse and neglect is estimated at \$80 billion per year in the United States. (Source: Prevent Child Abuse America, 2012)
- Liability

#### Health

- Children who experience Adverse Childhood Experiences, including abuse and neglect, suffer longterm health effects. Adults who were abused or otherwise traumatized as children have much higher rates of chronic disease, disability and premature death. (Source: Adverse Childhood Experiences (ACE) Study, Centers for Disease Control, 1998)
- Children with an ACES score of 6 or higher live, on average, two decades shorter than children with an ACES score of 0.
- Generational Trauma
- Access and Observations



### WHAT WE KNOW ...

• More than 93% of the time, the victim somehow knew the offender. With victims under 11 years old,

less than 2% of the offenses involved a stranger.

The median age of female victims statewide was **17** years old, while the most common age was **15**.

The median age of male victims statewide was **12** years old, while the most common age was **4**.

In 2015, the national rate of substantiated child maltreatment was 9.2 per 1,000 children age 0-17 years. In comparison, the rate in Alaska for the same year was 15.6 per 1,000, or 69.3% higher.

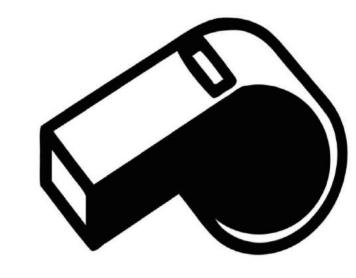
• Alaska Native females were reported to have the highest victimization rate of any gender or racial group, making up 43.7% of all reported victims.

# WHO MUST REPORT?











# DO YOU HAVE TO BE A MANDATORY REPORTER TO MAKE A REPORT?

(b) This section does not prohibit the named persons from reporting cases that have come to their attention in their nonoccupational capacities, nor does it prohibit any other person from reporting a child's harm that the person has reasonable cause to suspect is a result of child abuse or neglect. These reports shall be made to the nearest office of the department.

(a) Except as provided in (b) of this section, a person who, in good faith, makes a report under this chapter, permits an interview under AS 47.17.027, or participates in judicial proceedings related to the submission of reports under this chapter, is immune from civil or criminal liability that might otherwise be incurred or imposed for making the report or permitting the interview, except that a person who knowingly makes an untimely report is not immune from civil or criminal liability based on the delay in making the report.



## HOW DO YOU REPORT?

# Care enough to call: 1-800-478-4444 Email: reportchildabuse@alaska.gov or Fax: 907-269-3939

https://dcced.maps.arcgis.com/apps/webappviewer/in dex.html?id=fd93ecc4ae43457c85b84958f2dd2336

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Kotzebue			
Name	Kotzebue		and stay
Agency Jurisdiction	Kotzebue PD	teta.	10
Agency Phone	442-3351		
Agency Fax			
Physical Address	258-B Third Avenue, Kotzebue, AK 99752	· ///	
Mailing Address	P.O. Box 550, Kotzebue, AK 99752		
OCS Mandatory	1-800-478-4444	1 The	K. Mark
Zoom to			

## WHAT MUST BE REPORTED?

#### Child abuse

(3) "child abuse or neglect" means the physical injury or neglect, mental injury, sexual abuse, sexual exploitation, or maltreatment of a child under the age of 18 by a person under circumstances that indicate that the child's health or welfare is harmed or threatened thereby;

#### Neglect

(11) "neglect" means the failure by a person responsible for the child's welfare to provide necessary food, care, clothing, shelter, or medical attention for a child;

#### Sex offense

- Sexual Abuse of a Minor
- Sexual Assault
- Online Enticement
- Indecent Exposure



## WHEN MUST THE REPORT BE MADE?

(a) The following persons who, in the performance of their occupational duties, their appointed duties under (8) of this subsection, or their volunteer duties under (9) of this subsection, have reasonable cause to suspect that a child has suffered harm as a result of child abuse or neglect shall immediately report the harm to the nearest office of the department and, if the harm appears to be a result of a suspected sex offense, shall immediately report the harm to the nearest law enforcement agency:

#### immediately





### CAN THE DISTRICT INVESTIGATE FIRST?

(15) "reasonable cause to suspect" means cause, based on all the facts and circumstances known to the person, that would lead a reasonable person to believe that something might be the case;



### WHAT IF WE DON'T HAVE ANY EVIDENCE?

A fact may be proved by direct evidence, by circumstantial evidence, or by both.

Direct evidence is given when a witness testifies about an event that the witness personally saw or heard.

Circumstantial evidence is given when a witness did not personally see or hear an event but saw or heard something that, standing alone or taken together with other evidence, may lead a juror to conclude that the event occurred.

Both types of evidence are admissible and may be considered by you. Neither is necessarily entitled to any greater weight than the other.

## WHAT IF WE DON'T HAVE ANY EVIDENCE?

Child tells teacher "My dad touches me down there."

- Is this evidence?
- If so, what kind of evidence?
- Do you have to report?

 Student tells a teacher "Everyone knows that Student Y is in a relationship with Teacher X and I saw them coming out of a hotel room late at night. Their clothes looked really messed up."

- Is this evidence?
- If so, what kind of evidence?
- Do you have to report?



## WHAT IF WE DON'T HAVE ANY EVIDENCE?

### Brittany Zamora lawsuit: School admits principal didn't report rumors to police, parents

Lily Altavena The Republic | azcentral.com Published 6:00 a.m. MT Jul. 1, 2019 | Updated 8:41 a.m. MT Jul. 1, 2019

#### "Kids spread rumors and kids say things"

#### "The kids loved her"

"I didn't think it was anything like [sexual abuse], but I was a little bit concerned and I had seen

some unprofessional be

The victim's family is also suing the sooner. Forty-three days passed from students about a possible inathe time Zamora was arrested.

### Predator in the classroom: Brittany Zamora sentenced to 20 years for sexually abusing student

# CAN STAFF OR A TEACHER JUST TELL THEIR SUPERVISOR OR ADMINISTRATOR?

(g) A person required to report child abuse or neglect under (a) of this section who makes the report to the person's job supervisor or to another individual working for the entity that employs the person is not relieved of the obligation to make a report required under (a) of this section.

# DOES HIPAA PREVENT SOMEONE FROM REPORTING?

#### § 164.512 Uses and disclosures for which an authorization or opportunity to agree or object is not required.

A covered entity may use or disclose protected health information without the written authorization of the individual, as described in § 164.508, or the opportunity for the individual to agree or object as described in § 164.510, in the situations covered by this section, subject to the applicable requirements of this section. When the covered entity is required by this section to inform the individual of, or when t individual may agree to, a use or disclosure permitted by this section, the covered entity's information and the individual's agreement may be given orally.

(a) Standard: Uses and disclosures required by law. (1) A covered entity may use or disclose protected health information to the extent that such use or disclosure is required by law and the use or disclosure complies with and is limited to the relevant requirements of such law.

(2) A covered entity must meet the requirements described in paragraph (c), (e), or (f) of this section for uses or disclosures required by law.

(b) Standard: uses and disclosures for public health activities. (1) Permitted disclosures. A covered entity may disclose protected health information for the public health activities and purposes described in this paragraph to:

(i) A public health authority that is authorized by law to collect or receive such information for the purpose of preventing or controlling disease, injury, or disability, including, but not limited to, the reporting of disease, injury, vital events such as birth or death, and the conduct of public health surveillance, public health investigations, and public health interventions; or, at the direction of a public health authority, to e official of a foreign government agency that is acting in collaboration with a public health authority;

(ii) A public health authority or other appropriate government authority authorized by law to receive reports of child abuse or neglect;

# WHAT ABOUT NON-CRIMINAL BOUNDARIES?

#### Lawsuit: Collier school board, Parkside Elementary mishandled claims of sex abuse by ex-teacher

In one example, the lawsuits allege Manley contacted female students through Snapchat where they would talk and exchange pictu The school's Youth Relations Deputy reported know communications to administration during the 2017 Water polo coach, lawsuit alleges

the lawsuits.

The suit, filed in Orange County Superior Court earlier this month, also alleges Cunningham, now the IUSD athletic director, Astor, and other University officials repeatedly ignored player and parent complaints about Hojreh's "weird" and "creepy" behavior toward female athletes and violations of district policies prior to the sexual abuse of the player.

