



# **Why Training Educators on Youth Suicide Awareness and Prevention Is Important**

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**Responsibilities of a “First Responder”**

**Under**

**Federal Child Abuse and Neglect Laws**

**And**

**Alaska Child Abuse and Neglect Laws**



# ***How is Child Abuse and Neglect Defined in Federal Law? <sup>1</sup>***

Federal legislation lays the groundwork for State laws on child maltreatment by identifying a minimum set of acts or behaviors that define child abuse and neglect. The Federal Child Abuse Prevention and Treatment Act (CAPTA), (42 U.S.C.A 5106g), as amended and reauthorized by the CAPTA Reauthorization Act of 2010, defines child abuse and neglect as, at minimum:

*“Any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation; or an act or failure to act which presents an imminent risk of serious harm.”*

As relating to issues surrounding suicidal ideation, suicide attempts or suicides we need to explore specifically the area of “Neglect.”

**Neglect** is the failure of a parent, guardian, or other caregiver to provide for a child’s basic needs. Neglect may be: <sup>2</sup>

Physical (e.g., failure to provide necessary food or shelter, or lack of appropriate supervision)

Medical (e.g., failure to provide necessary medical or mental health treatment)<sup>2</sup>

Educational (e.g., failure to educate a child or attend to special education needs)

**Emotional** (e.g., inattention to a child’s emotional needs, failure to provide psychological care, or permitting the child to use alcohol or other drugs)

And under law, who is responsible to report Child Abuse or Neglect (First Responder): <sup>3</sup>

## **Professionals Required to Report**

Approximately 48 States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands designate professions whose members are mandated by law to report child maltreatment.<sup>1</sup> Individuals designated as mandatory reporters typically have frequent contact with children. Such individuals may include:

- Social workers
- Teachers, principals, and other school personnel
- Physicians, nurses, and other health-care workers
- Counselors, therapists, and other mental health professionals
- Child care providers
- Medical examiners or coroners
- Law enforcement officers

What about my state -Alaska?

## State Statutes Results

### Child Abuse and Neglect

#### Definitions of Child Abuse and Neglect

To better understand this issue and to view it across States, see the *Definitions of Child Abuse and Neglect: Summary of State Laws* ([PDF](#) - 442 KB) publication.

#### Physical Abuse

**Citation: Alaska Stat. § 47.17.290**

*Child abuse or neglect* means the physical injury or neglect, mental injury, sexual abuse, sexual exploitation, or maltreatment of a child under age 18 by a person under circumstances that indicate that the child's health or welfare is harmed or threatened.

*Maltreatment* means an act or omission that results in circumstances in which there is reasonable cause to suspect that a child may be a child in need of aid, as described in § 47.10.011, except that, for purposes of this chapter, the act or omission need not have been committed by the child's parent, custodian, or guardian.

#### Neglect

**Citation: Alaska Stat. § 47.17.290**

*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.

#### Sexual Abuse

**Citation: § 47.17.290**

*Child abuse or neglect* includes sexual abuse or sexual exploitation.

*Sexual exploitation* includes the following conduct by a person responsible for the child's welfare:

- Allowing, permitting, or encouraging a child to engage in prostitution
- Allowing, permitting, or encouraging a child to engage in actual or simulated activities of a sexual nature that are prohibited by criminal statute

#### Emotional Abuse

**Citation: Alaska Stat. § 47.17.290**

*Mental injury* means a serious injury to the child as evidenced by an observable and substantial impairment in the child's ability to function in a developmentally appropriate manner and the existence of that impairment is supported by the opinion of a qualified expert witness.

## **Abandonment**

This issue is not addressed in the statutes reviewed.

## **Standards for Reporting**

**Citation: Alaska Stat. § 47.17.290**

A report is required when circumstances indicate that the child's health or welfare is harmed or threatened with harm.

## **Persons Responsible for the Child**

**Citation: Alaska Stat. § 47.17.290**

*A person responsible for the child's welfare* includes:

The child's parent, guardian, or foster parent

A person responsible for the child's care at the time of the alleged child abuse or neglect

A person responsible for the child's welfare in a public or private residential agency or institution

## **Exceptions**

**Citation: Alaska Stat. § 47.17.020(d)**

A religious healing practitioner is not required to report as neglect of a child the failure to provide medical attention to the child if the child is provided treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by an accredited practitioner of the church or denomination.

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## **Mandatory Reporters of Child Abuse and Neglect**

To better understand this issue and to view it across States, see the *Mandatory Reporters of Child Abuse and Neglect: Summary of State Laws* ([PDF](#) - 633 KB) publication.

## **Professionals Required to Report**

**Citation: Alaska Stat. §§ 47.17.020; 47.17.023**

The following persons are required to report:

Health practitioners or administrative officers of institutions

School teachers and administrators or child care providers

Paid employees of domestic violence and sexual assault programs, crisis intervention and prevention programs, or organizations that provide counseling or treatment to individuals seeking to control their use of drugs or alcohol

Peace officers or officers of the Department of Corrections

Persons who process or produce visual or printed matter, either privately or commercially  
Members of a child fatality review team or the multidisciplinary child protection team

### **Reporting by Other Persons**

**Citation: Alaska Stat. § 47.17.020**

Mandated reporters may report cases that come to their attention in their nonoccupational capacities.  
Any other person who has reasonable cause to suspect that a child has been harmed may report.

### **Standards for Making a Report**

**Citation: Alaska Stat. §§ 47.17.020; 47.17.023**

A report must be made when:

In the performance of his or her occupational duties, a reporter has reasonable cause to suspect that a child has suffered harm as a result of abuse or neglect.  
A person has reasonable cause to suspect that visual or printed matter depicts a child engaged in the unlawful exploitation of a minor.

### **Privileged Communications**

**Citation: Alaska Stat. § 47.17.060**

Neither the physician-patient nor the husband-wife privilege is recognized.

### **Inclusion of Reporter's Name in Report**

Not addressed in statutes reviewed.

### **Disclosure of Reporter Identity**

Not addressed in statutes reviewed.

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## **Penalties for Failure to Report and False Reporting of Child Abuse and Neglect**

To better understand this issue and to view it across States, see the *Penalties for Failure to Report and False Reporting of Child Abuse and Neglect: Summary of State Laws* ([PDF](#) - 166 KB) publication.

### **Failure to Report**

**Alaska Stat. § 47.17.068**

A person who fails to comply with the laws requiring reports of child abuse or neglect or child pornography and who knew or should have known that the circumstances gave rise to the need for a report is guilty of a Class A misdemeanor.

### **False Reporting**

This issue is not addressed in the statutes reviewed.

## **What does this have to do with providing training for educators in youth suicide awareness and prevention?**

Teachers, under definition of “First Responders” and from the 48 states that name professionals required to report Child Abuse and Neglect, are required to report Child Abuse and Neglect. States usually do an adequate job training educators on how to recognize / identify children who might be victims of physical abuse. However, when it comes to training on identifying and recognizing children who are neglected...especially under the “emotional neglect” definition states many times fall far short in providing this training even though it named with the same intensity that physical abuse is discussed. The “failure to act” when a young person is demonstrating “warning signs” (that four out of five do) that they may be struggling depression and with thoughts of suicide is a failure to “Report.” Ignorance to how-to recognize “warning signs” of suicidal ideation is no longer a valid defense with now over 18 states requiring such training and with suicide named as the 2<sup>nd</sup> leading cause of death for our youth ages 10-24.

**The Jason Foundation, Inc.** is the nation’s premiere provider of In-Service / Professional Development training for educators nationwide. From 2015 through 2016, The Jason Foundation’s National Network of Affiliate Offices providing training for almost 300,000 educators in the U.S.. We are unique in that not only do we provide more trainings for educators in youth suicide awareness and prevention that anyone else in the nation, we never charge for our services.