

SCHOOL DISTRICT OF JOHNSON CREEK BOARD OF EDUCATION POLICY	POLICY: 454
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Reporting Child Sexual Assault, Abuse, or Neglect

Children have a constitutional right to an education. Educators need to be alert to conditions that deny that right. They must be keenly aware of the relationship that exists between a successful school experience and good physical, mental, and emotional health.

The district recognizes that the most important role of the school in today’s society is to provide students with the best possible opportunities for education success. The district also recognizes that children who are abused and/or neglected not only are harmed physically and emotionally, but also educationally. The district is committed to providing a positive environment within the school and assisting families and community child protection agencies to provide positive environments in the home and community as well.

The district is aware of its role in the identification and referral of cases of suspected child abuse and neglect. Any school employee who suspects that a child seen in the course of professional duties has been physically, sexually, emotionally or otherwise abused, neglected or threatened with abuse or neglect and that abuse or neglect will occur, shall report this to the appropriate authorities and his/her principal or Pupil Services staff in accordance with established procedures. The building principal or his/her designee shall follow up all such reports in accordance with established procedures.

To assist in dealing with the problem, the Johnson Creek Public Schools shall develop (a) an organized system of identification of suspected abuse or neglect cases, (b) reporting and referral procedures, and (c) an inservice training program for staff members. School personnel must be aware of and sensitive to the causes and indicators of abuse and neglect in order to assure accurate reporting and effective intervention.

It is not the responsibility of school personnel to prove that the child has been abused or neglected or threatened with abuse or neglect, nor to determine whether the child is in need of protection. School personnel shall not contact the child’s family or any other person to determine the cause of any suspected abuse or neglect or threatened abuse or neglect.

No district employee shall be discharged from employment for making a child abuse or neglect report. In addition, state law guarantees immunity from any civil or criminal liability that may result from making a report on child abuse or neglect. State law also provides for the protection of the identity of any individual who makes such a report.

Annual staff inservice programs will include signs of neglect, sexual abuse, emotional abuse and physical abuse. It will also include a review of the mandatory reporter status of staff members

and identification of pupil services staff and administrators who can help with the reporting process.

Definitions, Penalties, and Immunities

1. **ABUSED CHILD:** According to Wisconsin Statutes an abused child is someone who has been subjected to:
 - a. Physical injury which is not accidental
 - b. Sexual assault
 - c. Applied force or grant of permission to engage in prostitution
 - d. Sexual exploitation
 - e. Forced viewing of sexual activity, and/or
 - f. Emotional damage caused to a child by a parent, guardian, legal custodian or other person exercising temporary or permanent control over the child and for which they have failed to obtain treatment necessary to remedy the harm

2. **SEXUAL ABUSE:** Sexual abuse of children by adults includes sexual contact and sexual intercourse and any other acts designed to stimulate the child sexually or to use a child for the sexual stimulation of the perpetrator or of another person.

3. **NEGLECTED CHILD:** Wisconsin Statutes defines “neglect” as refusal or inability for reasons other than poverty to provide necessary care, food, clothing, medical or dental care, or shelter so as to seriously endanger the physical health of the child.

4. **MANDATED REPORTERS:** Persons in a school setting are required to report cases of suspected child abuse or neglect include the following: nurse, social worker, psychologist, teachers, administrators, counselors, physical and occupational therapists, speech therapists, emergency medical technicians (EMTs). Any one of these persons must report if he/she has reasonable cause to suspect that a child seen in the course of professional duties has been abused or neglected or has reason to believe that a child has been threatened with an injury and that abuse or neglect of the child shall occur.

5. **PENALTY FOR NON REPORTING:** Failure to report suspected cases of child abuse or neglect be subject to fines or imprisonment as allowed by law. In addition, staff personnel could be subjected to legal action by an abused child’s parent or guardian, if it is established that the school employee had prior knowledge which, if reported, may have prevented further injury.

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