

Southwest Georgia STEM Charter School
Policy S5: Mandatory Reporting Of Child Abuse
Adopted: September 7, 2020
Amended: September 14, 2023
Amended: January 23, 2025

The Governing Board of Southwest Georgia STEM Charter hereby adopts the following policy regarding reports of child abuse which shall be effective on the date the policy is adopted by the Board.

1. All employees of the Governing Board, including all teachers, administrators, school counselors, visiting teachers, as well as all school social workers, school psychologists, and all other personnel employed by the Board and volunteers, who have reason or cause to believe that a child is being or has been abused or subject to maltreatment to the Department of Children and Family Services and/or Law Enforcement as required by O.C.G.A. § 19-7-5.
2. In accordance with O.C.G.A. § 19-7-5, any employee or volunteer of Southwest Georgia STEM Charter shall report to the school leader or school counselor immediately, but in no case later than 24 hours from the time there is reasonable cause to believe that a child under the age of eighteen (18):
 - a. has had physical injury or injuries inflicted upon the child other than by accidental means by a parent, caregiver, or any person who attends to any child as an employee or volunteer of the school;
 - b. has been neglected, emotionally abused, or exploited by a parent, caregiver, or any person who care for their child or serves as an employee or volunteer of the school,
 - c. has been sexually assaulted or sexually abused.
3. The report shall be made regardless of whether it is based on privileged/confidential communication.
4. The employee shall include all pertinent factual evidence, dates, names, incidents, witnesses, and other evidentiary information causing suspicion of abuse or neglect in the report. Such documentation shall be retained separately from a student's cumulative file.
5. The Counselor, Principal, or designee shall make a report of child abuse and neglect to the appropriate Department of Family and Children Services ("DFCS") as soon as reasonably possible, but no later than twenty-four (24) hours from the time there is reasonable cause to believe that suspected child abuse has occurred. The reporting shall follow the process for reporting of child abuse in Randolph County.
6. Under no circumstances shall the principal or designee to whom a report of child abuse has been made exercise any control, restraint, modification or make other change to the information provided by a mandated reporter, although the reporter may be consulted prior to the making of a report and may provide any additional, relevant and necessary information when making the report.
7. All board members, employees and volunteers of Southwest Georgia STEM Charter School are required to undergo training as to what constitutes child abuse and neglect, what the state statutes are, and how to properly report such cases.
8. The Counselor and/or Principal will provide training annually on the identification of children suspected of being neglected or abused. The training will include procedures for reporting such cases. Initial training may be provided through an approved online

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provider.
10. If any employee has reasonable cause to suspect child abuse, sexual abuse, molestation, neglect or exploitation has occurred, the employee must report it or face criminal penalties and employment penalties, including but not limited to termination. When in doubt, the employee shall report the suspicion to protect the interest of the child and to fulfill their legal duty to report.

10. If any employee is aware of an allegation of child abuse of a student by a parent or caregiver (including an employee), the allegation shall be reported immediately and in accordance with this policy and as soon as possible. Employees should not wait until the end of the day or the following day to make a report under any circumstances. If the employee is unable to reach an administrator after several reasonable attempts, the employee should make the report themselves by calling the Child Abuse hotline (1-855-GACHILD). If an employee is made aware of allegations after-hours and feels the child is in immediate danger, the employee should call the hotline as well.
11. If any employee is alleged to have committed child abuse or neglect, in addition to submitting a report to DFCS, the Principal shall conduct a prompt investigation to determine whether any inappropriate or unprofessional conduct was taken by the employee. The Principal should:
- Solicit the assistance of involved school employees to assist in their investigation;
 - Contact DFCS and request all documents pertaining to the employees' case, as allowed by law;
 - Interview the employee, if possible.

If an employee refuses to cooperate in the school system's investigation, the employee may be disciplined for insubordination. The investigation and investigative report shall detail the steps taken to investigate the allegation:

- the findings as to whether the employee engaged in unprofessional or inappropriate conduct;
 - the recommendation of what action should be taken, if any, as a result of the investigation;
 - the rationale for recommended action, if any, or rationale for lack of action, if any.
12. The following definitions shall apply to this policy.
- Child:** Any individual who is under the age of 18 years, if alleged to be a deprived child, abused child, or unruly child.
 - Child Abuse:**
 - Physical injury or death inflicted upon a child by a parent, guardian, legal custodian, or other person responsible for the care of such child by other than accidental means; provided, however, that physical forms of discipline may be used as long as there is no physical injury to the child;
 - Neglect of a child by a parent, guardian, legal custodian, or other person responsible for the care of such child;
 - Emotional abuse of a child;
 - Sexual abuse or sexual exploitation of a child;
 - Prenatal abuse of a child by a parent;
 - An act or failure to act that presents an imminent risk of serious harm to the child's physical, mental, or emotional health;
 - Trafficking a child for labor servitude.

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- c. School Leader: For the purposes of this policy, the staff member responsible for the overall operation of Southwest Georgia STEM Charter School.
- d. Injury: Bruises, cuts, or complaint of pain related to a physical altercation or direct contact with a child.
- e. Neglect: Lack of supervision, abandonment, and/or disregard for the child's basic needs for food, shelter, medical care or education that places the child at substantial risk of harm.
- f. Sexual Abuse/Exploitation: Invasion of privacy, or staff voyeurism for sexual gratification including an adult employing, using, persuading, enticing or coercing a youth under the age of 18 to engage in any act which involves: sexual intercourse (genital-genital, oral-genital, anal-genital, or oral-anal between)

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persons of the same or opposite sex, bestiality, masturbation, lewd exhibition of the genitals or pubic area of any person, flagellation or torture by or upon a person who is nude, physical restraint of a person who is nude, physical contact in an act of apparent sexual stimulation or gratification with any person's clothed or unclothed genitals, pubic area, buttocks or a female's clothed or unclothed breasts, defecation or urination for the purpose of sexual stimulation, penetration of the vagina or rectum by any object except when done as part of a recognized medical procedure conducted by a person who allows, permits, encourages or requires a youth to participate in prostitution or sexually explicit conduct for the purpose of producing any visual or print medium.

- g. Youth on Youth Sexual Act: Contact between any youth (regardless of their ages) that involves:
 - i. Contact between the penis and vagina or the penis and anus, including penetration (however slight); or
 - ii. Contact between the mouth and the penis, vagina or anus; or
 - iii. Penetration of the anal or genital opening of another person by a hand, finger, or other object.
- h. Youth on Youth Abusive Sexual Contact: Contact between youth that involves intentional touching, either directly or indirectly, or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks when the intent is not to harm or debilitate.

16. Student Reporting of Alleged Sexually Inappropriate Behavior

- a. Any student (or parent or friend of a student) who has been the victim of an act of sexual abuse or sexual misconduct by a teacher, administrator, other school system employee, or volunteer affiliated with the school should make an oral report of the act to any teacher, counselor, school nurse, or administrator at his/her school.
- b. Any teacher, counselor or administrator receiving a report of sexual abuse or sexual misconduct of a student by a teacher, administrator, other employee, or volunteer affiliated with the school shall make an oral report of the incident immediately by telephone or otherwise to the school principal or principal's designee, and shall submit a written report of the incident to the school principal or principal's designee within 24 hours. If the principal is the person accused of the sexual abuse or sexual misconduct, the oral and written reports should be made to the superintendent or the superintendent's designee.

18. Sexual Misconduct

- a. Reports of acts of sexual misconduct against a student by a teacher, administrator, other employee, or volunteer not covered by O.C.G.A. §§ 19-7-5 or 20-2-1184 shall be investigated immediately by school personnel. If the investigation of the allegation of sexual misconduct indicates a reasonable cause to believe that the report of sexual misconduct is valid, the school principal or principal's designee shall make an immediate written report to the superintendent and the Professional Standards Commission Ethics Division (if applicable).