

# Marion County Board of Education

Monitoring:

Descriptor Term:

Descriptor Code:

Issued Date:

**Review:  
Annually,  
in May**

**Child Abuse and Neglect**

**6.409**

**05/23/17**

Rescinds:

Issued:

**6.409**

**04/24/01**

## REPORTING

All personnel shall be alert for any evidence of child abuse or neglect. Staff members having knowledge or suspicion of any child who is suffering from abuse or neglect shall report such harm immediately. Any person who has knowledge of or is called upon to render aid to any child who is suffering from or has sustained any wound, injury, disability, or physical or mental condition shall report such harm immediately if the harm is of such a nature as to reasonably indicate that it has been caused by brutality, abuse or neglect or that, on the basis of available information, reasonably appears to have been caused by brutality, abuse or neglect. Any person with knowledge of the type of harm described above shall report it, by telephone or otherwise, to the:

- (A) Judge having juvenile jurisdiction over the child;
- (B) Department, in a manner specified by the department, either by contacting a local representative of the department or by utilizing the department's centralized intake procedure, where applicable;
- (C) Sheriff of the county where the child resides; or
- (D) Chief law enforcement official of the municipality where the child resides. 1,2

**ALL STAFF MEMBERS ARE REQUIRED TO NOTIFY THE BUILDING PRINCIPAL OF ABUSE OR NEGLECT WHO IN TURN SHALL IMMEDIATELY NOTIFY THE DIRECTOR OF SCHOOLS.**

The report shall include, to the extent known by the reporter:

1. The name, address, telephone number and age of the child;
2. The name, address, and telephone number of the person responsible for the care of the child;
3. The facts requiring the report;
4. Any other pertinent information.<sup>1</sup>

Any school official, personnel, employee or member of the board of education who is aware of a report or investigation of employee misconduct on the part of any employee of the school system that in any way involves known or alleged child abuse, including, but not limited to, child physical or sexual abuse or neglect, shall immediately upon knowledge of such information notify the department of children's services or anyone listed above of the abuse or alleged abuse.

If a school teacher, school official or any other school personnel has knowledge or reasonable cause to suspect that a child who attends such school may be a victim of child abuse or child sexual abuse sufficient to require reporting pursuant to this policy and that the abuse occurred on school grounds or while the child was under the supervision or care of the school, then the principal or other person designated by the school shall verbally notify the parent or legal guardian of the child that a report pursuant to this section has been made and shall provide other information relevant to the future wellbeing of the child while under the supervision or care of the school.

The verbal notice shall be made in coordination with the department of children's services to the parent or legal guardian within twenty-four (24) hours from the time the school, school teacher, school official or other school personnel reports the abuse to the department of children's services, judge or law enforcement; provided, that in no event may the notice be later than twenty-four (24) hours from the time the report was made. The notice shall not be given to any parent or legal guardian if there is reasonable cause to believe that the parent or legal guardian may be the perpetrator or in any way responsible for the child abuse or child sexual abuse.

Once notice is given, the principal or other designated person shall provide to the parent or legal guardian all school information and records relevant to the alleged abuse or sexual abuse, if requested by the parent or legal guardian; however the information shall be edited to protect the confidentiality of the identity of the person who made the report, and any other person whose life or safety may be endangered by the disclosure and any information made confidential pursuant to federal law or state statute. The information and records described above shall not include records of other agencies or departments.

The person reporting shall be immune from liability<sup>3</sup> and his identity shall remain confidential except when the juvenile court determines otherwise.

The director of schools shall develop reporting procedures, including sample indicators of abuse and neglect, and shall disseminate the procedures to all school personnel.<sup>5</sup>

## INVESTIGATIONS

School administrators and employees have a duty to cooperate, provide assistance and information in child abuse investigations <sup>6</sup> including permitting child abuse review teams to conduct interviews while the child is at school; the principal may control the time, place and circumstances of the interview, but may not insist that a school employee be present even if the suspected abuser is a school employee or another student. The principal is not in violation of any laws by failing to inform parents that the child is to be interviewed even if the suspected abuser is not a member of the child's household.<sup>7</sup>

---

### Legal References:

1. TCA 37-1-403
2. TCA 37-1-412
3. TCA 37-1-409
5. TRR/MS 0520-1-3-.08(2)(e)
6. TCA 37-1-611(b)
7. Tenn. Op. Atty. Gen. No. 87-101 (June 9, 1987)

---

### Cross Reference:

Interrogations and Searches 6.303