

Rutherford County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Child Abuse and Neglect	Descriptor Code: 6.409	Issued Date: 12/03/09
		Rescinds: 6.409	Issued: 01/15/09

REPORTING

All personnel shall be alert for any evidence of child abuse or neglect.

Child abuse is defined as any wound, injury, disability, or physical or mental condition which is of such nature as to reasonably indicate that it has been caused by brutality, abuse, or neglect or which on the basis of available information reasonably appears to have been caused by such. Staff members having knowledge or suspicion of any child who is suffering from abuse or neglect shall report such harm immediately.^{1,2} The report shall be made to the judge having juvenile jurisdiction, the office of the chief law-enforcement official where the child resides, or to the Department of Children's Services 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.¹

The report shall include:

1. The name, address and age of the child;
2. The name and address of the parents or persons having custody of the child;
3. The nature and extent of the abuse or neglect; and
4. Any evidence to the cause or any other information that may relate to the cause or extent of the abuse or neglect.¹

The person reporting shall be immune from liability³ and his identity shall remain confidential except when the juvenile court determines otherwise.⁴

The director of schools shall develop reporting procedures, including sample indicators of abuse and neglect, and shall disseminate the procedures to all school personnel.⁵ These reporting procedures shall include the appropriate notification to the parents of the child pursuant to State law in the event that the suspected abuse occurs on school property or while the child was under the supervision or care of the school.⁶ However, nothing in the reporting procedures shall eliminate the staff member's legal responsibility to directly make a report to the authorities stated above.⁷

INVESTIGATIONS

School administrators and employees have a duty to cooperate, provide assistance and information in child abuse investigations⁸ 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.⁹

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

Legal References:

1. TCA 37-1-403(a)
2. TCA 37-1-412
3. TCA 37-1-409
4. TCA 37-1-408
5. TRR/MS 0520-1-3-.08(2)(e)
6. P.C. 238 (2009)
7. TCA 37-1-403(g)
8. TCA 37-1-611(b)
9. Tenn. Op. Atty. Gen. No. 87-101 (June 9, 1987)

Cross Reference:

Interrogations and Searches 6.303