

<u>Section J:</u>	<b>Knox County Board of Education</b>		
<b>Students</b>	Descriptor Term:	Descriptor Code:	Issued:
	<b>Child Abuse and Neglect</b>	<b>J-400</b>	<b>7/95</b>
		Reviewed:	Revised:
		<b>12/23</b>	<b>8/22</b>

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

In accordance with Tennessee Law, Knox County Schools acknowledges its responsibility to require employees to immediately report cases of verified or suspected child abuse and neglect.<sup>1</sup> KCS provides child abuse training to all employees working directly with students. Individuals who have reasonable cause to know or suspect that any child has been abused or neglected are, by statute, responsible for immediately reporting such suspicions directly to the Department of Children’s Services.

All Knox County Schools personnel are required to immediately report suspected child abuse or neglect. Each Knox County School shall designate a Child Abuse Coordinator and an Alternate Child Abuse Coordinator. The Director of School Culture shall maintain a list of Child Abuse and Alternate Child Abuse Coordinators including the name of each school and assigned coordinators throughout Knox County Schools. This list shall be updated at least annually. When a report is made, the information should include, to the extent known by the reporter, the name, address, telephone number of the child and parents or legal guardian, birthdate (age) of the child and present whereabouts of the child, if not at home. The following procedures for reporting cases are designated:

1. Reporting Procedures
  - a. Suspected child abuse and/or neglect by someone other than a Knox County Schools employee.
    - (1) The employee must immediately report the suspected child abuse or neglect to:
      - (a) The Department of Children’s Services (DCS) or the Chief Law Enforcement Officer.
      - (b) The Child Abuse Coordinator or Alternate Child Abuse Coordinator; and
      - (c) Knox County Schools Security Department
    - (2) A Knox County Schools Suspected Child Abuse and Neglect Referral form should be completed and maintained separately from the educational record in a secured location designated by the principal and Child Abuse Coordinator. The Child Abuse Coordinator (or Alternate if the Coordinator is not available) or principal shall serve as the liaison to the Department of Children Services and law enforcement.
  - b. Suspected child abuse and/or neglect by a Knox County Schools employee, former employee, or person otherwise affiliated with a school.
    - (1) The employee must immediately report the suspect child abuse or neglect to:
      - (a) The Department of Children Services (DCS) and/or the Chief Law Enforcement Officer;
      - (b) The Child Abuse Coordinator, Alternate Child Abuse Coordinator, and the school principal, Human Resources, or other appropriate system administrators. DCS or Law

Enforcement may be notified first with notification to the Child Abuse Coordinator as soon as possible thereafter.

(2) After waiting twenty-four (24) hours (i.e. business day) from the initial reporting, the Principal, in conjunction with the Human Resources Department, shall begin the investigation via a team approach. Determination of the team members shall be made on a case-by-case basis, which would be sensitive to gender issues.

c. With either procedure, a copy of Knox County Schools' documentation for reporting procedures shall be sent to the local court system, the law enforcement agencies, and the Department of Children Services.

School employees of any type, including but not limited to the Child Abuse Coordinator, shall not provide any information relevant to the suspected child abuse or child sexual abuse to the child's parent or legal guardian, and must refer any questions from the child's parent or legal guardian to the Department of Children's Services and/or the investigating law enforcement agency.<sup>10</sup>

An exception to parental notification does exist when all the following factors are present: 1) federal law mandates disclosure (i.e., Title IX investigation); 2) the parent or legal guardian is not alleged to be the perpetrator or in any way complicit in the abuse or neglect; and 3) the notification is done in conjunction with the Tennessee Department of Children's Services.<sup>10</sup>

The alleged perpetrator of the child abuse or neglect should not be notified that a report of abuse has been made or that there is a pending investigation by the Child Abuse Coordinator, or otherwise, unless compelling reasons exist to do so.

By law, the person reporting in good faith shall be immune from any civil or criminal action and his/her identity shall remain confidential except when the juvenile court determines otherwise.

In cases of suspected abuse and/or neglect, the law requires the school system to provide all school records to the Tennessee Department of Children's Services, juvenile court judge, or the police if requested. This includes any surveillance videos depicting suspected child sexual abuse instances on Knox County Schools property, on a school bus, or at Knox County Schools-sponsored events. Parental permission is unnecessary as the Family Rights and Privacy Act (FERPA) creates an exception for information released "in connection with a health or safety emergency".

Legal References:

1. T.C.A. § 37-1-403.
2. T.C.A. § 37-1-403(h).
3. T.C.A. § 37-1-419.
4. T.C.A. § 37-1-410.
5. T.C.A. § 37-1-605.
6. T.C.A. § 37-1-605(d)(1).
7. T.C.A. § 37-1-602(d)(2).
8. T.C.A. § 10-7-504.
9. Federal Education Rights and Privacy Act (FERPA) 20 U.S.C. § 1232g, 34 CFR § 99.31 (a)(10).
10. T.C.A. § 49-6-1601.

Approved as to Legal Form  
By Knox County Law Director 11/17/2023  
*/Gary T. Dupler/Deputy Law Director*