

<b>Section J:</b>  <b>Students</b>	<b>Knox County Board of Education</b>		
	Descriptor Term:	Descriptor Code:	Issued:
	<b>Child Abuse and Neglect</b>	<b>J-400</b>	<b>7/95</b>
		Reviewed:	Revised:
	<b>9/17</b>	<b>11/17</b>	

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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> 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. The information should include, to the extent known by the reporter, the name, address, telephone number of the child and parents or 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 school principal or other appropriate school administrators; 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. The principal shall notify the social worker to serve as the liaison to the Department of Children Services.
  - b. Suspected child abuse and/or neglect by a Knox County Schools employee.
    - (1) The employee must immediately report the suspect child abuse or neglect to:
      - (a) The Department of Children Services (DCS) or the Chief Law Enforcement Officer;
      - (b) The school principal, Human Resources, or other appropriate system administrators.
    - (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. 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.

d. Additional requirement if the abuse occurred on school grounds or while the child was under the supervision or care of the school:

If 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 state statute 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 notice shall be within 24 hours from the time the report is given to the Department of Children's Services, judge, or chief law enforcement officer. In any event 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 the 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, with the information redacted 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 or state law. The information and records described herein shall not include records or documents of other agencies.

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".

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 unless compelling reasons exist to do so.

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).

Approved as to Legal Form 9/29/2017  
By Knox County Law Director  
*/Gary T. Dupler/Deputy Law Director*