



All personnel shall be alert for any evidence of child abuse or neglect. 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 judge having juvenile jurisdiction, the county Sheriff, the chief law enforcement official where the child resides or the Department of Children's Services.

MNPS treats any incidents of child abuse or neglect with the utmost gravity and care. Therefore, all MNPS personnel are required to **immediately** report suspected child abuse or neglect to each of the following:

- Department of Children's Services – Central Intake.
- Metropolitan Nashville Police Department – In a building with a School Resource Officer (SRO), notify the SRO; in a building without an SRO, call MNPD.
- The Office of the Assistant Superintendent of Student Services at the MNPS Central Office – If the suspected child abuse involves an MNPS employee, the principal or administrator shall also notify the MNPS Human Resources Department.

#### **Administrator Responsibility for Reporting Abuse to Parents or Legal Guardians**

Pursuant to TCA 37-1-403, if a teacher, school official or other school personnel has knowledge or reasonable cause to suspect that a child who attends such school may be the victim of child abuse or child sexual abuse sufficient to require reporting pursuant to this section and that such abuse occurred on school grounds or while the child was under supervision or care of the school ( including transportation to and from school), then the principal or other person designated by the school shall verbally notify the parent or legal guardian of such child that a report pursuant to this section has been made and shall provide other information relevant to the future well-being of the child while under the supervision or care of the school to the parent or legal guardian within **twenty four (24) hours**. Such notice shall **not** be sent to any parent or legal guardian if there is reasonable cause to believe that such parent or legal guardian may be the perpetrator or in any way responsible for the child abuse or child sexual abuse.

Once notice is sent, the principal or other designated person shall provide to such 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, provided such information

***Date Published***  
***April, 2009***

***Revision History***  
***May, 2007***

***Review***  
***Annually***

## **Reporting Child Abuse and Neglect SP 6.117**

is edited to protect the confidentiality and identity of the person who made the report, or other person whose life or safety may be endangered by the disclosure, and any information made confidential by federal law.

Within a six-hour period of reporting the neglect and/or abuse, the reporting person(s) shall then make a written summary of his/her report. One copy will be sent to the Assistant Superintendent of Student Services, one copy shall be retained in the principal's office, and the person making the report shall keep one copy. Nothing in the reporting procedures shall eliminate the staff member's legal responsibility to directly make a report to the authorities stated above.

A report of child abuse shall include, to the extent known, the following:

- The name, address and age of the child;
- The name and address of the person(s) responsible for the care of the child;
- The nature and extent of the abuse or neglect; and
- Any other pertinent information that may relate to the cause or extent of the abuse or neglect.

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.

Abuse and neglect reports are not part of the educational record and shall be maintained separately from the educational record in a secured location. They are not subject to the disclosure and other requirements of the Federal Education Rights and Privacy Act (FERPA).

### **Indicators of Child Abuse**

Child abuse is defined as any wound, injury, disability, or physical or mental condition that is of such nature as to reasonably indicate that it has been caused by brutality, abuse, or neglect or that, on the basis of available information, reasonable appears to have been caused by such.

Possible indicators of abuse or neglect include:

- The child has repeated injuries that are not properly treated or adequately explained.
- The child begins acting in unusual ways ranging from disruptive and aggressive behaviors to passive and withdrawn behaviors.
- The child acts in the role of parent toward their brothers and sisters or even toward their own parents.
- The child may have disturbed sleep (nightmares, bed wetting, fear of sleeping alone, needing a nightlight, etc.).
- The child loses his/her appetite, overeats, or may report being hungry.
- There is a sudden drop in school grades or participation in activities.
- The child may act in stylized ways, such as sexual behavior that is not normal for his/her age group.

- The child may report abusive or neglectful acts.

### **Investigations**

School administrators and employees have a duty to cooperate with, and provide assistance and information, in child abuse investigation. This includes permitting child abuse review teams to conduct interviews while the child is at school. The principal may reasonably 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 shall not be 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. The principal also cannot insist that a parent be present during the interview.

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, if requested. 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". However, the usual procedure for documenting that records have been viewed shall be followed.

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.

### **References/Authority**

TCA §37-1-403

TCA §37-1-403(h)

TCA §37-1-409

TCA §37-1-410

TCA §37-1-605

TCA §37-1-605(d) (1)

TCA §37-1-605(d) (2)

TCA §10-7-504(a) (4)

TCA §37-1-611(b)

Tenn. Op. Atty. Gen. 87-101(June 9, 1987)

Federal Educational Rights and Privacy Act (FERPA) 20 USC 1232g, 34 CFR 99.31 (a) (10)