



# Tennessee School Boards Association

Descriptor Term:

**Child Abuse and Neglect**

Descriptor Code:

**6.409**

Issued Date:

**01/12/98**

Rescinds:

Issued:

1 **REPORTING**

2  
3 All personnel shall be alert for any evidence of child abuse or neglect.

4  
5 Child abuse is defined as any wound, injury, disability, or physical or mental condition which is of such  
6 nature as to reasonably indicate that it has been caused by brutality, abuse, or neglect or which on the basis  
7 of available information reasonably appears to have been caused by such. Staff members having knowledge  
8 or suspicion of any child who is suffering from abuse or neglect shall report such harm immediately.<sup>1,2</sup>  
9 The report shall be made to the judge having juvenile jurisdiction or to the county office of the Department  
10 of Human Services or to the office of the chief law-enforcement official where the child resides.<sup>1</sup>

11  
12 The report shall include:

- 13  
14 1. The name, address and age of the child;  
15 2. The name and address of the parents or persons having custody of the child;  
16 3. The nature and extent of the abuse or neglect; and  
17 4. Any evidence to the cause or any other information that may relate to the cause or extent of the  
18 abuse or neglect.<sup>1</sup>

19  
20 The person reporting shall be immune from liability<sup>3</sup> and his identity shall remain confidential except when  
21 the juvenile court determines otherwise.<sup>4</sup>

22  
23 The director of schools shall develop reporting procedures, including sample indicators of abuse and neglect,  
24 and shall disseminate the procedures to all school personnel.<sup>5</sup>

25  
26 **INVESTIGATIONS**

27  
28 School administrators and employees have a duty to cooperate, provide assistance and information in child  
29 abuse investigations <sup>6</sup> including permitting child abuse review teams to conduct interviews while the child  
30 is at school; the principal may control the time, place and circumstances of the interview, but may not insist  
31 that a school employee be present even if the suspected abuser is a school employee or another student. The  
32 principal is not in violation of any laws by failing to inform parents that the child is to be interviewed even  
33 if the suspected abuser is not a member of the child's household.<sup>7</sup>

34  
35 Legal References:

- 36 1. TCA 37-1-403  
37 2. TCA 37-1-412  
38 3. TCA 37-1-409  
39 4. TCA 37-1-408  
40 5. TRR/MS 0520-1-3-.08(2)(e)  
41 6. TCA 37-1-611(b)  
7. Tenn. Op. Atty. Gen. No. 87-101 (June 9, 1987)

34  
35 Cross Reference:

Interrogations and Searches 6.303