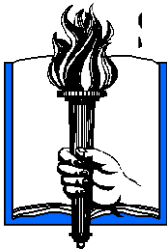


**MURFREESBORO CITY SCHOOLS
ADMINISTRATIVE DIRECTIVES**



Descriptor Term: Child Abuse and/or Child Neglect	Descriptor No: AD STU15	Effective Date: 6/12
Revised: 4/19; 7/19		

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

2

3 Child abuse and neglect includes, but is not limited to the following:

4

5 **Physical Abuse** - Non-accidental physical trauma or injury inflicted by a parent or caretaker on a
6 child. It also includes a parent's or a caretaker's failure to protect a child from another person
7 who perpetrated physical abuse on a child. In its most severe form, physical abuse is likely to
8 cause great bodily harm or death.

9

10 **Neglect** - Failure to provide for a child's physical survival needs to the extent that there is harm
11 or risk of harm to the child's health or safety. This may include, but is not limited to
12 abandonment, lack of supervision, lack of adequate nutrition that places the child below the
13 normal growth curve, lack of shelter, lack of medical or dental that results in health-threatening
14 conditions, and the inability to meet basic clothing needs of a child. In its most severe form,
15 physical neglect may result in great bodily harm or death.

16

17 **Sexual Abuse** - Includes penetration or external touching of a child's intimate parts, oral sex
18 with a child, indecent exposure or any other sexual act performed in a child's presence for sexual
19 gratification, sexual use of a child for prostitution, and the manufacturing of child pornography.
20 Child sexual abuse is also the willful failure of the parent or the child's caretaker to make a
21 reasonable effort to stop child sexual abuse by another person.

22

23 **Psychological Harm** - A repeated pattern of caregiver behavior or extreme incident(s) that
24 convey to children that they are worthless, flawed, unloved, unwanted, endangered, or only of
25 value in meeting another's needs and may include both abusive acts against a child and failure to
26 act, or neglectful behavior when age-appropriate action is required for a child's health
27 development. It can occur as part of a one-time incident but is usually chronic.

28

29 Any school employee who knows or reasonably suspects that a child's health or welfare has been
30 or appears to have been harmed as a result of abuse or neglect must report such abuse or neglect

31 to the Tennessee Department of Children’s Services. If the allegations of abuse or neglect
32 involve a district employee, the school’s Principal and Assistant Director of Human Resources
33 and ESP should also be notified.

34
35 Reports should be directed as follows:

36
37 Tennessee Department of Children’s Services 1-855-209-4226 or
38 1-877-237-0004
39 Assistant Superintendent for Human Resources
40 and ESP 615-893-2313

41
42 Pursuant to T.C.A. §37-1-410(a)(5), a person acting in good faith and making a report of harm,
43 as required by T.C.A. §37-1-403, shall not be liable in any civil or criminal action that is based
44 solely upon:

- 45
46 1. The person’s decision to report what the person believed to be harm;
47 2. The person’s belief that reporting the harm was required by law; or
48 3. The fact that a report of harm was made.²
49

50 51 **SUSPICION OF EMPLOYEE MISCONDUCT**

52
53 Pursuant to T.C.A. §37-1-403(i), any school official, personnel, employee or member of the
54 Board who is aware of a report or investigation of employee misconduct on the part of any
55 employee of the school system that in any way involves known or alleged child abuse, including,
56 but not limited to, child physical or sexual abuse or neglect, shall immediately upon knowledge
57 of such information notify the Department of Children's Services, the Juvenile Court Judge, or
58 the Murfreesboro Police Department.

59
60 If a teacher, school official or any other school personnel has knowledge or reasonable cause to
61 suspect that a child who attends a MCS school may be a victim of child abuse or child sexual
62 abuse sufficient to require reporting and that the abuse occurred on school grounds or while the
63 child was under the supervision or care of the school, then the principal or other person
64 designated by the school shall verbally notify the parent or legal guardian of the child that a
65 report pursuant to this section has been made and shall provide other information relevant to the
66 future wellbeing of the child while under the supervision or care of the school. The verbal notice
67 shall be made in coordination with the Department of Children's Services to the parent or legal
68 guardian within twenty-four (24) hours from the time the school, school teacher, school official
69 or other school personnel reports the abuse to the Department of Children's Services, Juvenile
70 Court Judge or the Murfreesboro Police Department; provided, that in no event may the notice be
71 later than twenty-four (24) hours from the time the report was made. **The notice shall not be
72 given to any parent or legal guardian if there is reasonable cause to believe that the parent
73 or legal guardian may be the perpetrator or in any way responsible for the child abuse or
74 child sexual abuse.**

75
76 Once notice is given as required by T.C.A. §37-1-403(i)(2) as described above, the principal or
77 other designated person shall provide to the parent or legal guardian all school information and
78 records relevant to the alleged abuse or sexual abuse, if requested by the parent or legal guardian;
79 provided, that the information is edited to protect the confidentiality of the identity of the person
80 who made the report, any other person whose life or safety may be endangered by the disclosure
81 and any information made confidential pursuant to federal law or by the Tennessee Open

82 Records Law. The information and records described above shall not include records of other
83 agencies or departments.³

84 85 **SUSPICION OF ABUSE WHILE ON SCHOOL GROUNDS OR UNDER SCHOOL** 86 **SUPERVISION OR CARE**

87
88 Pursuant to T.C.A. §37-1-605(d), notwithstanding T.C.A. § 37-5-107 or § 37-1-612 or any other
89 law to the contrary, if a school teacher, school official or any other school personnel has
90 knowledge or reasonable cause to suspect that a child who attends Murfreesboro City Schools
91 may be a victim of child abuse or child sexual abuse sufficient to require reporting pursuant to
92 T.C.A. §37-1-605 and that the abuse occurred on school grounds or while the child was under
93 the supervision or care of the school, then the principal or other person designated by the school
94 shall verbally notify the parent or legal guardian of the child that a report pursuant to this section
95 has been made and shall provide other information relevant to the future well-being of the child
96 while under the supervision or care of the school.

97
98 The verbal notice shall be made in coordination with the Department of Children's Services to
99 the parent or legal guardian within twenty-four (24) hours from the time the school, school
100 teacher, school official or other school personnel reports the abuse to the Department of
101 Children's Services; provided, that in no event may the notice be later than twenty-four (24)
102 hours from the time the report was made. **The notice shall not be given to any parent or legal**
103 **guardian if there is reasonable cause to believe that the parent or legal guardian may be the**
104 **perpetrator or in any way responsible for the child abuse or child sexual abuse.**

105
106 Once notice is given pursuant to subdivision T.C.A. §37-1-606(d)(1), the principal or other
107 designated person shall provide to the parent or legal guardian all school information and records
108 relevant to the alleged abuse or sexual abuse, if requested by the parent or legal guardian;
109 provided, that the information is edited to protect the confidentiality of the identity of the person
110 who made the report, any other person whose life or safety may be endangered by the disclosure,
111 and any information made confidential pursuant to federal law or the Tennessee Open Records
112 Law. Such information and records disclosed to the parent or legal guardian shall not include
113 records of other agencies or departments.⁴

114
115 The report shall include to the extent known to the reporter:

- 116 1. The name, address, telephone number and age of the child;
- 117 2. The name, address, telephone number of the parents or persons responsible for care of the
118 child;
- 119 3. The facts requiring the report; and
- 120 4. Any other pertinent information.⁵

121
122 The person reporting shall be immune from liability and the person's identity shall remain
123 confidential except when the juvenile court determines otherwise.⁹

124 125 **INVESTIGATIONS**

126
127 School administrators and employees have a duty to cooperate, provide assistance and
128 information in child abuse investigations⁶ including permitting child abuse review teams to
129 conduct interviews while the child is at school. The principal may control the time, place and
130 circumstances of the interview, but may not insist that a school employee be present even if the
131 suspected abuser is a school employee or another student. The principal is not in violation of any
132 laws by failing to inform parents that the child is to be interviewed even if the suspected abuser
133 is not a member of the child's household.⁷

134 Board Related Policy 6.409

135

136

137

Legal References:

138

139 1. T.C.A. §37-1-403

140 2. T.C.A. §37-1-410

141 3. T.C.A. §37-1-403(i)

142 4. T.C.A. §37-1-605(d)

143 5. T.C.A. §37-1-403(a)

144 6. T.C.A. §37-1-611(b)

145 7. Tenn. Op. Atty. Gen. No. 87-101 (June 9, 1987)

146 8. T.C.A. §37-1-412

147 9. T.C.A. §37-1-409

148 10. TRR/MS 0520-1-3-.08(2)(e)