

## **Child Abuse**

### **REPORT REQUIRED**

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused or neglected<sup>1</sup>, or a victim of human trafficking, or is a victim of female genital mutilation, shall immediately make an oral or written report, including but not limited to electronic submission, to a local law enforcement agency or the Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's or County Attorney in accordance with [KRS 620.030](#).<sup>2</sup>

After making that report, the employee shall then immediately notify the Principal of the suspected abuse. If the Principal is suspected of child abuse, the employee shall notify the Superintendent/designee.

Upon notification, the Principal or the Superintendent/designee shall facilitate the cooperation of the school with the investigation of the report. Any person who knowingly causes intimidation, retaliation, or obstruction in the investigation of the report shall be guilty of a Class A misdemeanor.

Only agencies designated by law are authorized to conduct an investigation of a report of alleged child abuse. Therefore, the District shall not first investigate a claim before an employee makes a report to the proper authorities. However, in certain situations, reports involving claims made under state and federal laws, such as Title IX, shall require the District, after making the required report, to conduct an independent investigation of the allegations in order to determine appropriate personnel action.

### **WRITTEN REPORT**

The person reporting shall, if requested, in addition to the report required above, file with the local law enforcement agency or the Kentucky State Police or the Commonwealth's or County Attorney or the Cabinet for Health and Family Services or its designated representative within forty-eight (48) hours of the original report a written report containing specific information regarding the child, the child's parents or guardians, and the person allegedly responsible for the abuse or neglect.

### **WRITTEN RECORDS**

Copies of reports kept by the District that are submitted to authorities in compliance with the child abuse law are educational records and subject to inspection by the parents of the alleged victim of child abuse. Whether the records are considered "internal records", and not maintained with the students' "permanent records", is immaterial if such records are directly related to students and are maintained by the school or District.

### **INTERVIEWS**

If the student is an alleged victim of abuse or neglect, school officials shall follow directions provided by the investigating officer or Cabinet for Health and Family Services representative as to whether to contact a parent<sup>3</sup> and shall provide the Cabinet access to a child subject to an investigation or assessment without parental consent.<sup>4</sup>

**Child Abuse****AGENCY CUSTODY**

If, as a result of dependency, neglect, or abuse, a child has been placed in the custody of the Cabinet, the Principal, or any Assistant Principal, of the school in which the child is enrolled, and the District's Director of Pupil Personnel shall be notified of the names of persons authorized to contact the child at school, in accordance with school visitation or communication policy, or remove the child from school grounds.

The notification shall be provided to the school by the Cabinet:

- a) By written notice via email or fax on the day that a court order is entered and again on any day that a change is made with regard to persons authorized to contact or remove the child from school. Verbal notification shall occur on the next school day immediately following the day a court order is entered or a change is made if the court order or change occurs after the end of the current school day; and
- b) By email, fax, or hand delivery of a copy of the court order within ten (10) calendar days following the Cabinet's receipt of the court order of a change of custody or change in contact or removal authority.

**OTHER**

Each school shall prominently display the statewide child abuse hotline number administered by the Cabinet for Health and Family Services, the National Human Trafficking Reporting Hotline number administered by the United States Department for Health and Human Services, and the Safe Haven Baby Boxes Crisis Line number administered by the Safe Haven Baby Boxes national organization or any equivalent successor entity.

**REFERENCES:**

- <sup>1</sup>[KRS 600.020](#)
  - <sup>2</sup>[KRS 620.030](#); [KRS 620.040](#)
  - <sup>3</sup>[OAG 85-134](#); [OAG 92-138](#)
  - <sup>4</sup>[KRS 620.072](#)  
[KRS 17.160](#); [KRS 17.165](#); [KRS 17.545](#); [KRS 17.580](#)  
[KRS 156.095](#); [KRS 158.041](#); [KRS 199.990](#); [KRS 209.020](#)  
[KRS 508.125](#)  
[KRS 620.050](#); [KRS 620.146](#)  
[OAG 77-407](#); [OAG 77-506](#); [OAG 80-50](#); [OAG 85-134](#)
- 34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights  
Regulations Implementing Title IX

**RELATED POLICIES:**

03.19; 09.1231; 09.3; 09.31; 09.42811; 09.4361; 10.5

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