

<b>System-wide Policy:</b> <b>HR0585 - Mandatory Reporting</b>	
<b>Version: 1</b>	<b>Effective Date: 02/01/2023</b>

## SECTION 1. Policy Statement

The purpose of this policy is to inform employees and other members of the University community of their obligation to report compliance concerns, including violations of the University's policies on sexual harassment, sexual assault, dating and domestic violence and stalking, and their mandatory responsibility to report reasonable suspicions of child abuse or child sexual abuse.

## SECTION 2. Reason for the Policy

This policy articulates the legal reporting obligations for members of the University community with respect to fraud, waste, and abuse; child abuse; and child sexual abuse.

## SECTION 3. Scope and Application

### 1. Responsible Reporting of Suspected Violations and University Response

#### (a) General Statement of Reporting Obligation

- (1) Employees are expected to report any good faith concern that compliance violations might have occurred, including, but not limited to, the following: violations of state or federal law or regulations, fraud in the operations or government programs; misappropriation of state or federal resources; acts that endanger the health and safety of the public or employees; and mismanagement of programs, funds, and/or abuses of authority.
- (2) Employees are expected to report compliance concerns at the earliest possible opportunity by contacting their immediate supervisor, their next-level supervisor, the appropriate campus/institute compliance officer, the Office of Audit and Compliance, or the institutional Compliance office.
- (3) Employees wishing to remain anonymous should report their concerns online or by phone to the UT Compliance Hotline (<http://www.tennessee.edu/hotline> or 1-865-461-2771). Employees may also report concerns anonymously to the State Comptroller's Fraud Hotline (1-800-232-5454).
- (4) Employees must report incidents covered by the campus/institute policies on sexual harassment, sexual assault, dating and domestic violence, and stalking directly to the campus/institute Title IX coordinator or through any other reporting channels outlined in those campus/institute policies.

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(5) Employees are expected to cooperate fully in investigations. As required by Fiscal Policy FI0130—Fraud, Waste and Abuse, department heads and other management officials must report suspected fraud, waste and abuse of University resources, and all allegations of such activity made to them, immediately to the Office of Audit and Compliance.

**(b) Mandatory Reporting of Child Abuse and Child Sexual Abuse.**

(1) Employees must comply with Tennessee laws on mandatory reporting of child abuse and child sexual abuse. Tennessee laws mandate reporting by any person who has knowledge of physical or mental harm to a child if: (1) the nature of the harm reasonably indicates it was caused by brutality, abuse, or neglect; or (2) on the basis of available information, the harm reasonably appears to have been caused by brutality, abuse, or neglect. Tennessee law also mandates reporting by any person who knows or has reasonable cause to suspect that a child has been sexually abused, regardless of whether it appears the child has sustained an injury as a result of the abuse. The Tennessee mandatory reporting laws apply to all University employees, contractors, and volunteers, even if they are not Covered Adults subject to the requirements of SA0575—Programs for Minors, and even if the child abuse or child sexual abuse does not occur in connection with a Covered Program under SA0575.

(2) In the event of a life threatening emergency, a report of child abuse or child sexual abuse should be made by calling 911. In other cases, a report of child abuse or child sexual abuse must be made immediately to one of the following authorities outside the University:

- The Tennessee Department of Children’s Services (call the Central Intake Child Abuse Hotline at 1-877-542-2873 or 1-877-237-0004) or report through the Department’s secure portal at <https://apps.tn.gov/carat/>).
- The sheriff of the county where the child resides
- The chief law enforcement official of the city where the child resides
- A judge having juvenile jurisdiction over the child

(3) University police departments are not included in the list of authorities. Reporting to University police, a supervisor, or any other University official or employee does not satisfy an individual’s duty to report child abuse or child sexual abuse to one of the authorities listed above.

(4) Protection from Retaliatory Discharge.

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Tennessee law provides immunity from civil and criminal liability for any person who makes a good faith report of suspected child abuse or child sexual abuse. In addition, no person making a good faith report of suspected child abuse or child sexual abuse, or participating in any investigation thereof, shall be subject to retaliation by the University.

**(c) Additional Internal Reporting for University Employees**

Reporting to University police, a supervisor, or any other University official or employee does not satisfy an individual’s statutory duty to report child abuse or child sexual abuse to one of the external authorities listed above. However, after reporting child abuse or child sexual abuse to one of the external authorities listed above, a University employee shall also provide notice of the report to his/her supervisor, University police, or the Office of the General Counsel. The identity of a University employee who reports an incident of child abuse or child sexual abuse shall be kept confidential and shall not be disclosed except as authorized by law.

Upon receiving such a report, the employee’s supervisor, University police, or the Office of the General Counsel shall ensure that the Tennessee mandatory reporting statute has been followed and coordinate an appropriate University response with state officials and local law enforcement, which may necessitate notifying other University employees with a need to know about the report.

Persons who have been identified by the University as “campus security authorities” for purposes of compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) shall evaluate whether there is also a legal duty to report the incident to the University Unit responsible for compiling and reporting crime statistics.

**SECTION 4. Responsible Official & Additional Contacts**

This Responsible Official and Additional Contacts section contains those who are responsible or share certain policy responsibilities, organized by subject matter, such as monitoring compliance with the policy, providing additional guidance on policy clarifications, organizing policy training, updating the policy, etc.

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[Knoxville]

Subject Matter	Office Name	Telephone Number (xxx) xxx-xxxx	Email/Web Address
Human Resources	Kim McCulloch	(865) 974-1472	kmccul13@utk.edu

[Chattanooga]

Subject Matter	Office Name	Telephone Number (xxx) xxx-xxxx	Email/Web Address
Human Resources	Laure Pou	(423) 425-5742	Laure-pou@utc.edu

[Martin]

Subject Matter	Office Name	Telephone Number (xxx) xxx-xxxx	Email/Web Address
Human Resources		(731) 881-7845	hr@utm.edu

[Southern]

Subject Matter	Office Name	Telephone Number (xxx) xxx-xxxx	Email/Web Address
Human Resources	George Cheatham	(931) 424-2031	gcheat@utsouthern.edu

## SECTION 5. Related Policies/Guidance Documents

Code of Conduct

Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking