



## **Training Guidelines for Accommodating DCS Investigations Clarksville-Montgomery County School System (INS-G017)**

**PURPOSE:** To familiarize participants with the roles, responsibilities and functions of both the Department of Children's Services (DCS) and Clarksville-Montgomery County School System (CMCSS) regarding the accommodating investigations into alleged child abuse by DCS.

### **ACCOMMODATING DCS INVESTIGATIONS**

As permitted by federal and state laws, it is the policy of CMCSS to cooperate fully with the Tennessee Department of Children's Services (DCS) in their investigations of alleged child abuse. DCS is charged with investigating cases of suspected child abuse and conducting all related investigations, to include child interviews. Except in cases where school employees are suspected of being the perpetrator, the school is regarded as an appropriate neutral setting for conducting such interviews. Principals and Child Abuse Coordinators will accommodate DCS and law enforcement personnel concerning student access and interviewing both students and school personnel. Principals will permit review of student records in accordance with federal and state laws only.

What responsibilities does the school have in cooperating with the investigations of DCS caseworker's and law enforcement personnel?

1. The district and its employees will cooperate fully with DCS and law enforcement officials within the limits of federal and state law in investigating of alleged child abuse.
2. Principals and Child Abuse Coordinators will accommodate DCS and law enforcement concerning student access and interviewing both students and school personnel.
3. The principal and Child Abuse Coordinator will represent the school to DCS and law enforcement personnel in a cordial and professional manner.

### **SCHOOL PROTOCOLS**

1. Principals in conjunction with Child Abuse Coordinators will develop and follow internal protocols for accommodating DCS investigations. Protocols are to be in place as soon as practicable after the start of school.
2. School personnel should be familiar with the content and location of school protocols.
3. The Lead Counselors are available to assist schools with developing internal protocols.

### **GENERAL GUIDELINES**

#### **A. DCS Access to Students**

1. Schools provide a private room for DCS/law enforcement interviews. Except in cases where school employees are suspected of being the perpetrator, the school is regarded as an appropriate neutral setting for conducting such interviews.
2. The student will be brought to the interview in such a way as to not call attention to the fact that someone from DCS/law enforcement is there to interview them. This may vary from school to school due to the age of the students.
3. Preparing the student for the interview –
  - Advise student a DCS caseworker and/or law enforcement officer is there to talk with him/her.
  - Assure student they are not in trouble and have done nothing wrong.

- Child Abuse Coordinator or designee introduces student to the caseworker/law enforcement officer and assures the student that they will be close by in case the Child Abuse Coordinator is needed.
4. Upon conclusion of the interview, return student to the classroom if student is capable of doing so. If the student is not in condition to return to class, place them with the school counselor or other designated adult until able to return to class.

## **B. Removal of Students**

1. If the DCS caseworker/law enforcement officer deems it unsafe for the student to return home, the student may be placed in State Custody, and a transport order may be obtained from the appropriate court to remove the child from the school.
2. In the event removal occurs on school premises, the principal or Child Abuse Coordinator shall request a copy of the order and shall make a copy of the DCS caseworker's badge. Copies of both should remain in the student's file at the school.
3. There are times when the judicial order regarding a child's transport may not be in writing yet. In those circumstances, the principal or Child Abuse Coordinator shall call the local DCS telephone number (931-503-3200) and speak with the local DCS supervisor or other appropriate supervisor to confirm the existence of the verbal court order, documenting the names and positions of both the DCS caseworker and supervisor who confirms this information. (School officials should verify the case number for the identified student.)

## **C. Access to Student Records/Information**

1. DCS personnel are allowed to view student records/information within the parameters permitted by laws.
2. If the student is in DCS custody/foster care, there should be an order in place that permits DCS to have access to all student records/information. The principal or Child Abuse Coordinator shall ensure that a copy of the order is obtained for the school file prior to releasing any student information.
3. If the student is not in DCS custody/foster care, the principal or Child Abuse Coordinator must have one of the following from the DCS caseworker prior to giving access to, or copies of, student records/information: valid court order, subpoena, or parental/guardian authorization.
4. The principal or Child Abuse Coordinator may provide DCS with student enrollment information as long as the student or student's parent/guardian have not opted out of the directory information.
5. If there is a truancy case and DCS requests attendance information, they should be able to obtain a subpoena or court order, or have parent/guardian authorization to access this information.
6. Personal notes made and owned by school personnel will be treated according to guidance provided by the State Department of Education legal counsel, which states that personal notes do not have to be surrendered, but information in those notes must be shared with the caseworker, as long as it does not violate federal or state privacy laws.

## **D. Communications**

1. As permitted by federal and state law as noted above, the principal, or Child Abuse Coordinator and other school personnel, may answer any questions the DCS caseworker or law enforcement official have to the best of their abilities.
2. DCS is always responsible for notifying parents or guardians of DCS intervention. School personnel do not notify parents or guardians of actions taken by or to be taken by DCS.
3. School personnel must refer all questions or inquiries for information about the investigation from parents or guardians to DCS or the local law enforcement agency. News media inquiries shall be directed to the Chief Communications Officer.

**TRAINING FOLLOW UP PLAN:** Principals and Child Abuse Coordinators will familiarize ALL personnel assigned to their respective buildings/areas with basic procedures for accommodating DCS investigations.

**REFERENCES:** Tennessee Code Annotated §37-1-40-1, et. seq. and §37-1-611, 612; DCS Administrative Policy 14.1 – 14.6; CMCSS Policies and Procedures for Reporting Suspected Child Abuse and Accommodating DCS Investigations

Associated Documents: INS-A085	Accommodating DCS Investigations
INS-P041	Accommodating DCS Investigations Procedure
INS-G016	Training Guidelines for Reporting Suspected Child Abuse

**Direct questions, concerns or comments regarding child abuse related-related issues to District Lead School Counselors, at (931) 553-1130 or by email at [leadcounselors@cmcss.net](mailto:leadcounselors@cmcss.net).**

**If a representative from the Lead Counselor office is not available, a Level Director may be contacted.**