



REPORTING SUSPECTED CHILD ABUSE PROCEDURE (INS-P040)

Clarksville-Montgomery County School System

1.0 SCOPE:

- 1.1 This procedure outlines the process for Clarksville-Montgomery County School System (CMCSS) employees to report any suspicions of child abuse as required by district policy per T.C.A. §37-1-403(b).

The online version of this policy is official.
Therefore, all printed versions of this document
are unofficial copies.

2.0 RESPONSIBILITY:

- 2.1 All CMCSS Employees

3.0 APPROVAL AUTHORITY:

- 3.1 District Lead School Counselors
- 3.2 Legal Counsel - This procedure will be reviewed and approved by legal counsel every two (2) years or upon any changes to the procedure content.

4.0 DEFINITIONS:

- 4.1.1 **4.1 Physical abuse:** Non-accidental trauma or physical injury of a child, or failure to protect a child from harm. More specifically, physical abuse exists when a person is suffering from, has sustained or may be in immediate danger of suffering from or sustaining a wound, injury, disability or physical or mental condition caused by brutality, neglect or other actions or inactions of a parent, relative, guardian or caretaker.
- 4.1.2 **Neglect:** Failure to provide for a child's physical survival needs to the extent that there is harm, or risk of harm, to the child's health or safety. More specifically a child may be neglected if any of the situations outlined in T.C.A. § 37-1-102(b)(13) exist.
- 4.1.3 **Sexual abuse:** When a child is involved in intentional sexual acts that produce sexual arousal and/or gratification for the perpetrator or sexual behaviors/situations in which there is a sexual component. Child sexual abuse is also defined as indicated in T.C.A. §37-1-602(a)(3).
- 4.1.4 **Mental Injury:** An injury to the intellectual or psychological capacity of a child as evidenced by a discernable substantial impairment in the child's ability to function within the child's normal range of performance and behavior, with due regard to the child's culture. T.C.A. §37-1-602(a)(7).

5.0 PROCEDURE:

- 5.1 Any CMCSS employee who suspects child abuse by a parent, relative, guardian, or caretaker who is someone other than a CMCSS employee must relate their suspicions immediately by telephone, or online to Central Intake, DCS, Child Protective Services and notify the building level Child Abuse Coordinator.
- 5.1.1 **Telephone referrals** – call **Central Intake** at **1-855-209-4226** (Educators only) or **1-877-237-0004** and complete **INS-F140**. This line is manned 24-hours a day by Central Intake personnel.



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- 5.1.2 **Online referrals** –Online referrals are for non-emergency situations only as per DCS. If the child is at risk in the home, the central-intake hotline should be called. For online referrals complete INS-F140 DCS Referral Form and complete the online report at <https://apps.tn.gov/carat/referral/emergency.html> Completed forms are emailed to leadcounselors@cmcoss.net. **Online referrals are for non-emergency (non-physical or sexual abuse concerns) situations only per DCS.**
- 5.2 If the person who suspects child abuse does not have access to a telephone, the Child Abuse Coordinator in the building or area will be contacted and make a telephone available.
- 5.3 Child Abuse Coordinators must maintain a record of all referrals/supporting documentation (DCS Referral Form, Verification of Receipt, etc.) and maintain these in a secure location at the building/site level. Record of referrals should include the referral ID #, who made the call, the reported concerns, and the name of the DCS staff member contacted. Due to the sensitive nature of this information, it must be maintained in a secure, confidential manner.
- 5.3.1 After DCS Central Intake has been notified, the employee or Child Abuse Coordinator shall email a copy of the record of referral to the District Lead School Counselors (leadcounselors@cmcoss.net) and the Child Abuse Coordinator assigned to that location.
- 5.3.2 Additionally, any CMCSS employee who suspects child abuse that is of a **severe physical or sexual nature** must report their suspicions directly to the SRO by telephone, if SRO not available the Level Director should be contacted, who will notify the Clarksville Police Department or Montgomery County Sheriff's Office as appropriate
- 5.4 The employee making the report should provide as much of the following information as possible to DCS, if known:
- 5.4.1 Name, address and age of the child as well as the nature of the harm or specific incident(s) that precipitated the report such as specific allegation(s), date(s) and description(s) of the injuries or danger.
- 5.4.2 Name address and person responsible for the care of the child.
- 5.4.3 Identities of alleged perpetrator(s) and their relationship to the victim.
- 5.4.4 Witnesses to the incident(s) and how to reach those witnesses.
- 5.4.5 Details of any physical evidence available.
- 5.4.6 Perpetrator's current access to the child, present condition of the child (alone, in need of medical attention, etc.).
- 5.4.7 The location of the child and directions to get there.
- 5.4.8 Facts that led to the report, how the referent came to know the information.
- 5.4.9 School's past experience with the family and any other agencies known to be working with the family.



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5.4.10 Reporter's thoughts at the likelihood of further harm to the child(ren).

5.5 School personnel will take no action to verify or investigate the complaint.

5.6 Under normal circumstances, DCS will provide a referral number that allows the referent to view referral details. Referral information/updates will be available from the DCS online using the referral ID by going to <https://carat.app.tn.gov/carat/tracking/>.

5.7 Any CMCSS employee who has reported child abuse that is of a **severe physical** or **sexual nature** must alert the school's assigned SRO by telephone. If the SRO is not reached a call should be made to the Level Director.

5.7.1 If warranted, an employee may be instructed to call "911" to report suspicions of abuse, upon alerting the SRO or Level Director via e-mail or phone. A "Referral ID" from DCS will be provided to law enforcement personnel who respond to the "911" call if requested.

5.7.2 If an allegation of abuse is made against a CMCSS employee, volunteer or contractor, the CMCSS Employee must also report the incident to Chief Human Resources Officer/designee immediately via e-mail or phone after submitting a DCS referral.

5.7.3 Only if the alleged abuse is made against a CMCSS employee, volunteer, or contractor, or if the abuse occurred on school grounds or while the child was under the supervision or care of the school, the administrator will notify parent/guardian of the student.

5.7.4 In accordance with state law, if the suspected abuse or neglect, involves a current or previous employee or individual otherwise affiliated with the school, the reporter is required to report directly to DCS. DCS and law enforcement may be contacted prior to notifying the Child Abuse Coordinator in these situations. As noted in Section 5.7.2, if the suspected abuse involves a current employee, the Chief Human Resources Officer/designee must be notified after reporting to DCS and law enforcement.

5.8 DCS will provide a referral ID that will allow the referent to view updates on the DCS online system. Follow-up by DCS under normal circumstances is as follows:

5.8.1 DCS referrals can be tracked by going to <https://carat.app.tn.gov/carat/tracking/>.

5.8.2 No other action beyond tracking the referral through the online system should be taken.

6.0 ASSOCIATED DOCUMENTS:

6.1 Tennessee Code Annotated §§ 37-1-611, 612, 37-1-102(b), 37-1-403, 37-1-602, 39-15-401, 39-15-402, 49-6-1601

6.2 Federal law (20 United States Code 1232g(b)(1) and 34 Code of Federal Regulations 99.31(5) and 9.36

6.3 State of Tennessee Department of Children's Services, Applicable Administrative Policies and Procedures

6.4 Reporting Suspected Child Abuse (INS-A085)



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6.5 Accommodating DCS Investigations (INS-A086)

6.6 Accommodating DCS Investigations Procedure (INS-P041)

6.7 Department of Children's Services Referral (INS-F140)

6.8 Training Guidelines for Reporting Suspected Child Abuse and Accommodating DCS Investigations (INS-G016)

6.9 E-mails

6.10 Referral Records

7.0 RECORD RETENTION TABLE:

<u>Identification</u>	<u>Storage</u>	<u>Retention</u>	<u>Disposition</u>	<u>Protection</u>
E-mails	HR Computer	Two school years	Shred	Locked offices/building
Referral Record	On Site	Two school years	Shred	Secured file/office

8.0 REVISION HISTORY:

<u>Date:</u>	<u>Rev.</u>	<u>Description of Revision:</u>
7/15/08		Initial Release
7/27/09	A	Insert additional information in section 5.8 and update flowchart
1/27/11	B	Updated Flowchart Regarding Parent/Guardian Notifications of Abuse if Warranted by Circumstances of Alleged Abuse
4/26/11	C	Added requirement for schools to provide copy of DCS referral to Human Resources (5.4 above) Added requirement for schools to call "911" if instructed by Human Resources and to obtain a case Reference Number from DCS to provide to law enforcement personnel responding to the "911" call
5/11/12	D	In flowchart, regarding change made above in revision C- switched to '...contact DCS, then call 911...'. Changed DCS # to : 1-855-209-4226 per Jeanine Chester
7/23/12	E	Updated DCS Central Intake phone numbers. Updated HUM-F050.
8/27/12	F	Added approval authority "This procedure will be reviewed and approved by legal counsel every two (2) years or upon any changes to the procedure content. Approval signatures kept on file."
6/13/14	G	Updated wording in 5.8, deleted 5.8.2, revised flowchart, updated logo
10/8/14	H	Updated DCS fax number in 5.1.2 and flowchart



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4/8/2015	I	Legal counsel review, updated TN code annotation
2/7/17	J	Updated contact information and added online referral information.
9/8/17	K	Added 5.8.2.
1/31/18	L	Updated DCS Central Intake fax number. Updated flowchart.
5/3/18	M	Added "If the child is at risk in the home, the central-intake hotline should be called" to 5.1.2.
8/17/18	N	5.4, removed telephone, added fax. Added 5.4.1. 5.8.1, added para. 2. Updated flowchart.
11/8/18	O	Added information for educator only line. Removed references to faxing and replaced with online referral instructions. Added additional public number, 1-877-54ABUSE.
7/16/19	P	3.1, replaced CHRO with District Lead School Counselors. 3.2, removed signatures kept on file (electronic approval is accepted). 5.1, removed, "if the suspected abuse is not...". 5.1.2, added Online Referral information. 5.6, changed CHRO to District Lead School Counselors. 5.3.1, removed reference to school administrators. 5.7 et al, significant changes, see previous revision. Updated flowchart.
8/11/20	Q	Updated flowchart.
9/30/20		HUM-P014 retired and changed to an Instruction document. No changes made to procedure content, other than changes to document numbers throughout.
11/7/22	R	Updated throughout to add the position of the Child Abuse Coordinator and make updates to bring the procedure into compliance with changes to state law.

*** * * E n d o f P r o c e d u r e * * ***