



ACCOMMODATING DCS INVESTIGATIONS PROCEDURE (INS-P041)

Clarksville-Montgomery County School System

1.0 SCOPE:

- 1.1 This procedure outlines the process for Principals and Child Abuse Coordinators to accommodate investigations of alleged child abuse conducted by the state of Tennessee's Department of Children's Services (DCS) and/or law enforcement personnel at CMCSS buildings.

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

2.0 RESPONSIBILITY:

- 2.1. Director of Schools
- 2.2. Senior Leadership Team
- 2.3. Chief Human Resources Officer
- 2.4. School Principals
- 2.5. District Lead Counselors
- 2.6. Child Abuse Coordinators
- 2.7. The Department of Children's Services (DCS) is charged with investigating cases of suspected child abuse and conducting all related interviews.

3.0 APPROVAL AUTHORITY:

- 3.1 Chief Academic Officer

4.0 DEFINITIONS:

- 4.1 Protocols: Protocols address behavior/responsibilities of school personnel in accommodating DCS and law enforcement personnel, procedures for DCS to access students and other school personnel, access to student records as well as appropriate methods for bringing the student to the interview and returning student to the classroom.

5.0 PROCEDURE:

- 5.1 Incident of abuse is reported to DCS and DCS begins an investigation.
 - 5.1.1 The district and its employees cooperate fully with the DCS caseworker and/or law enforcement personnel within the limits of the law.
 - 5.1.2 The Child Abuse Coordinator represents the school to DCS and law enforcement personnel in a cordial and professional manner.
- 5.2 Child Abuse Coordinators follow established internal protocols to ensure investigations are properly accommodated.



**ACCOMMODATING DCS INVESTIGATIONS
PROCEDURE (INS-P041)**

Clarksville-Montgomery County School System

- 5.2.1 The school provides a private room for DCS/law enforcement interviews.
- 5.2.2 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.
- 5.3 Child Abuse Coordinator insures the student is 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.
- 5.4 Child Abuse Coordinator prepares the student for the interview by assuring them that they are not in trouble and have done nothing wrong.
 - 5.4.1 The Child Abuse Coordinator informs the student that a DCS caseworker and/or a law enforcement officer is/are here to talk with them
 - 5.4.2 The Child Abuse Coordinator introduces the student to the caseworker and/or officer and assures the student that they will be close by in case the Child Abuse Coordinator is needed.
- 5.5 At the conclusion of the interview, Child Abuse Coordinator takes charge of the student and returns them to class if the student is deemed capable of doing so.
 - 5.5.1 If the student is not prepared to return to class, they should be placed with the school counselor/other designated adult until they are able to return to class.
- 5.6 If the DCS caseworker deems that it is not safe for the student to return home, the student may be placed in custody of the State, and a transport order may be obtained from the appropriate court to remove the child from the school.
 - 5.6.1 In the event removal occurs on school premises, 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 school.
 - 5.6.2 There are times when the judicial order regarding a child's transport may not be in writing yet. In those circumstances, the 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.
- 5.7 The school permits DCS caseworkers to view and/or have copies of student records under the circumstances as set forth below in 5.7.1 through 5.7.5
 - 5.7.1 If the student is in DCS custody/foster care, there should be an order or education passport in place which permits DCS to have access to all student records. Child Abuse Coordinator shall ensure that the school has a copy of the order or education passport for the school file prior to releasing any student information.



ACCOMMODATING DCS INVESTIGATIONS

PROCEDURE (INS-P041)

Clarksville-Montgomery County School System

- 5.7.2 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: valid court order, subpoena, or parental/guardian authorization.
- 5.7.3 If the student is not in DCS custody/foster care or if DCS has not provided an order or education passport, 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.
- 5.7.4 If there is a truancy case and DCS requests attendance information, they should be able to obtain a subpoena or order from the court, or have parent/guardian authorization to access this information.
- 5.7.5 Personal notes made and owned by school personnel will be treated according to guidance provided by State Department of Education legal counsel that states personal notes do not have to be surrendered, but information in those notes must be shared with the caseworker.
- 5.8 As permitted by federal and state law as noted in the exceptions above in Section 5.7, the principal or Child Abuse Coordinator, and other school personnel may answer any questions the DCS caseworker or law enforcement official may have to the best of their abilities.
- 5.9 DCS is always responsible for notifying parents or guardians of DCS intervention.
 - 5.9.1 School personnel do not notify parents or guardians of actions taken by or to be taken by DCS.
- 5.10 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.

6.0 ASSOCIATED DOCUMENTS:

- 6.1 Tennessee Code Annotated 37-1-4-01, et. seq. and 37-1-611, 612
- 6.2 Federal law (20 United States Code 1232g(b)(1)I and 34 Code of Federal Regulations 99.31(5) and 9.36
- 6.3 Reporting Suspected Child Abuse Procedure (INS-F040)
- 6.4 School Protocols
- 6.5 DCS sign-in registers
- 6.6 Record of Referral



**ACCOMMODATING DCS INVESTIGATIONS
PROCEDURE (INS-P041)**

Clarksville-Montgomery County School System

7.0 RECORD RETENTION TABLE:

<u>Identification</u>	<u>Storage</u>	<u>Retention</u>	<u>Disposition</u>	<u>Protection</u>
School Protocols	On-site	Two school years	Destroy after two school years	Secured office
DCS Sign in Registers	On-site	Two school years	Destroy after two school years	Secured office
Record of Referral	On-site	Two school years	Destroy after two school years	Secured office

8.0 REVISION HISTORY:

<u>Date:</u>	<u>Rev.</u>	<u>Description of Revision:</u>
7/15/08		Initial Release
2/20/13	A	Minor grammatical changes.
5/12/15		Updated logo
6/27/16	B	Updated responsibility 2.1.
2/7/17	C	Changed media inquiries statement. Updated TCA reference.
5/23/17	D	Added: 5.6.1, 5.6.2, 5.7.1 – 5.7.4. Updated 5.8 to include note of exceptions in section 7.5.
5/26/20	E	Added 2.5 and 6.4.
10/1/20		HUM-P015 has been retired and is now an Instruction document. No changes made to policy content, but document numbers have been updated throughout.
11/7/22	F	Updated throughout to add the Child Abuse Coordinator position.

***** End of Procedure *****