



---

## **ACCOMMODATING DCS INVESTIGATIONS PROCEDURE (HUM-P015)**

Clarksville-Montgomery County School System

---

### **1.0 SCOPE:**

- 1.1 This procedure outlines the process for Principals and Department Heads 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. Department Heads
- 2.6. 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 Human Resources 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 school cooperates fully with the DCS caseworker and/or law enforcement personnel within the limits of the law.
  - 5.1.2 The principal or his/her designee represents the school to DCS and law enforcement personnel in a cordial and professional manner.
- 5.2 Principals follow established internal protocols to ensure investigations are properly accommodated.
  - 5.2.1 The school provides a private room for DCS/law enforcement interviews.



**ACCOMMODATING DCS INVESTIGATIONS  
PROCEDURE (HUM-P015)**

Clarksville-Montgomery County School System

---

- 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 The principal or his/her designee insures the child 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 The principal or his/her designee prepares the child for the interview by assuring him/or that they are not in trouble and have done nothing wrong.
- 5.4.1 The principal or his/her designee informs the child that a DCS caseworker and/or a law enforcement officer is/are here to talk with him/her.
- 5.4.2 The principal or his/her designee introduces the child to the caseworker and/or officer and assures the child that he/she will be close by in case he/she is needed.
- 5.5 At the conclusion of the interview, the principal or his/her designee takes charge of the student and returns him/her to class if the student is deemed capable of doing so.
- 5.5.1 If the child is not in condition to return to class, he/she should be placed with the guidance counselor/other designated adult until he/she is able to return to class.
- 5.6 If the DCS caseworker deems that it is not safe for the child to return home, the child 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, the principal or his/her designee 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 principal or his/her designee shall call the local DCS telephone number (931-503-3200) and speak with Heather Wyatt 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 student records under the circumstances as set forth below in 5.7.1 through 5.1.4
- 5.7.1 If the student is in DCS custody/foster care, there should be an order in place which permits DCS to have access to all student records. The principal or his/her designee shall ensure that he/she has a copy of the order for the school file prior to releasing any student information.
- 5.7.2 If the student is not in DCS custody/foster care, the principal or his/her designee 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.



**ACCOMMODATING DCS INVESTIGATIONS  
PROCEDURE (HUM-P015)**

Clarksville-Montgomery County School System

- 5.7.3 The principal or his/her designee may provide DCS with student enrollment information as long as the student or his/her parent/guardian have not opted out of the directory information.
- 5.7.4 If there is a truancy case and DCS requests attendance information, it 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 his/ her designated representative, 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 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 ([HUM-P014](#))
- 6.4 School Protocols
- 6.5 DCS sign-in registers
- 6.6 Record of Referral

**7.0 RECORD RETENTION TABLE:**

<u>Identification</u>	<u>Storage</u>	<u>Retention</u>	<u>Disposition</u>	<u>Protection</u>
-----------------------	----------------	------------------	--------------------	-------------------



**ACCOMMODATING DCS INVESTIGATIONS  
PROCEDURE (HUM-P015)**

Clarksville-Montgomery County School System

---

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 (if used)	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.

**9.0 FLOWCHART:**

9.1 A flowchart detailing this process can be found below.

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

**ACCOMMODATING DCS INVESTIGATIONS  
PROCEDURE (HUM-P015)**

Clarksville-Montgomery County School System

