

**RECOMMENDED PROCEDURES FOR LOCAL AGREEMENTS BETWEEN  
SCHOOLS AND LOCAL DEPARTMENTS OF SOCIAL SERVICES**

The revised agreement was approved by the Virginia Department of Education and the Virginia Department of Social Services on January 25, 2002.

The following procedures have been developed by the Department of Education and the Department of Social Services with input from local school divisions and social services agencies. It is recommended that local school divisions and departments of social services adopt a model Interagency Agreement. This model is offered as a suggested protocol for handling suspected child abuse and neglect reports.

**SECTION I – REPORTING CHILD ABUSE AND NEGLECT BY SCHOOL  
EMPLOYEES**

**A. Responsibilities of Local School Division Employees**

1. According to Virginia state law, any teacher or other person employed in a public school is a mandated reporter. As such, any teacher or other person employed in a public school is required to report all instances of suspected abuse and neglect of children under age 18 to local departments of social services.
2. In order to facilitate a more efficient reporting process, each division will designate a contact person or persons (each division can determine a division level or school level contact) to whom all reports from school staff on suspected child abuse or neglect will be made. A back-up person should also be designated. The obligation of the designated contact person to report cases of suspected child abuse or neglect brought to his attention by staff members is not discretionary and the contact person shall assure that the case is duly reported.
3. When the contact person receives reports of suspected child abuse or neglect from school staff, the contact person will immediately transmit the report to the local department of social services or to the State Hotline (1-800-552-7096).
4. If a complainant believes that a delay resulting from following these procedures would be detrimental to the child, he may report this case directly and then inform the designated contact person of his referral. Nothing in these recommended procedures prohibits a mandated reporter from reporting child abuse and neglect directly to a local DSS.
5. When reporting child abuse or neglect, the local school employee must share with the local department of social services all information that

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establishes the basis for the suspicion of abuse or neglect of the alleged victim child.

**B. Responsibilities of Local Departments of Social Services**

1. Local departments of social services shall have the capability of receiving reports on a 24-hours-a-day, 7-day-a-week basis.
2. Local departments of social services shall provide information and cooperate in training the local school division personnel regarding their responsibilities to report suspected child abuse or neglect, methods of reporting suspected incidents, and the role and functions of the local departments of social services in child abuse and neglect.

**SECTION II – INVESTIGATIONS OF CHILD ABUSE AND NEGLECT WHEN THE CHILD IS ALLEGED TO HAVE BEEN ABUSED/NEGLECTED IN AN IN-HOME SETTING**

**A. Responsibilities of Local School Divisions**

1. The school division shall allow the local child protective services worker to interview the child or siblings without consent of parents/guardians. In order to protect the family's right to privacy the interview shall be in private. The interview may include school personnel upon the discretion of the Child Protective Services (CPS) worker.
2. The local school division shall cooperate with the Child Protective Services worker, and provide the following resources, as appropriate:
  - a. Private room or other space for interviews of child(ren);
  - b. Pertinent directory type information such as home and work phone numbers of child's parents/guardians and home address for child(ren).
  - c. The Federal Education Rights and Privacy Act (FERPA) prohibits the sharing of student information without explicit parental consent unless the Child Protective Services worker has a court order to review the record. However, in an emergency or health/safety situation, the school could provide access to the record. The school determines what constitutes an emergency.

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**B. Responsibilities of Local Departments of Social Services**

1. Upon receipt of the complaint, the local social services department will conduct an immediate investigation. The local child protective services worker assigned to investigate will contact the designated school contact person to arrange, if necessary, for:
  - a. Securing further information in regard to the complaint;
  - b. Obtaining records and/or documentation relative to the complaint on which may be the basis for the complaint;
  - c. Obtaining child's home address and work and home telephone numbers of his parents or guardians.
  - d. Making arrangements to see and interview the child at school when necessary.
2. If the investigation requires the Child Protective Services worker to go onto school premises, the local Child Protective Services worker shall inform the principal or designee upon arriving at the school of why he/she is at the school and the need for private space to interview the victim child.
3. The Child Protective Services worker shall complete the investigation and make a disposition within 45 calendar days (or 60 days when an extension is documented to be necessary).
4. If the initial report was made by a school employee, that individual shall receive a written communication from the local department of social services informing him that the investigation has been completed, and either that the disposition was "Unfounded," or that "Appropriate action has been taken."

**SECTION III - INVESTIGATIONS OF CHILD ABUSE AND NEGLECT WHEN THE  
CHILD IS ALLEGED TO HAVE BEEN ABUSED/NEGLECTED BY  
A SCHOOL EMPLOYEE**

**A. Responsibilities of Local School Divisions**

1. The local school division superintendent's designee, if there is no conflict

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of interest, shall participate in planning the investigation when the report names a school division employee as the alleged abuser or neglecter.

2. If the investigation involves a school employee as the alleged abuser, the local school division superintendent's designee shall inform the alleged abuser that he has the right to involve a representative of his choice to be present during the interviews. The designee should also inform him if anyone other than the CPS worker is planning to be present.
3. If the investigation involves a school employee as the alleged abuser, the local school division shall cooperate with the needs of the Child Protective Services worker, and provide the following resources, as appropriate:
  - a. Room/private space for interviews of staff and children;
  - b. Accompaniment of the Child Protective Services worker to the site of the alleged abuse;
  - c. Pertinent policies, procedures and records;
  - d. Names, functions, and roles of involved parties;
  - e. Work schedules of staff;
  - f. Phone numbers and/or addresses of collateral children's parents/guardians in order for the Child Protective Services worker to gain permission to interview them as witnesses.

**B. Responsibilities of Local Departments of Social Services**

1. Conduct an immediate investigation upon receiving a report about suspected incidents of child abuse or neglect.
2. If the investigation requires the CPS worker to go onto school premises, the local CPS worker shall inform the site administrator or designee of the allegations being investigated, the subjects named in the report [alleged abuser and alleged victim child(ren)], and the CPS role and expectations, including private space to interview the victim child.
3. If there is no conflict of interest, the CPS worker shall invite the superintendent's designee to participate in the planning of a joint investigation.
4. The CPS worker must request from the administrator the following resources, as appropriate:
  - a) Private room/private space for interviews of staff and children;
  - b) Accompaniment of the CPS worker to the site of the alleged abuse;

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- c) Pertinent policies, procedures and records;
  - d) Names, functions, and roles of involved parties;
  - e) Work schedules of staff;
  
  - f) Phone numbers and addresses of collateral children's parents/guardians in order to gain permission for the CPS worker to interview them as witnesses.
5. The CPS worker shall interview the alleged abuser according to a plan developed jointly with the facility administrator or designee. Where there is an apparent conflict of interest, the CPS worker shall use discretion regarding who is to be present in the interview.
  6. The CPS worker shall inform the alleged abuser that he has the right to involve a representative of his choice to be present during the interviews. The CPS worker should also inform him if anyone other than the CPS worker is planning to be present.
  7. The CPS worker shall provide the alleged abuser with the allegations in writing, and offer to tape record the interview, and provide a copy to the alleged abuser at the earliest convenience.
  8. The CPS worker shall interview collateral staff witnesses, as appropriate, according to a plan developed jointly with the superintendent's designee. Where there is an apparent conflict of interest, the CPS worker shall use discretion regarding who is to be present in the interview.
  9. The CPS worker shall keep the superintendent's designee apprised of the progress of the investigation on an ongoing basis until the investigation is completed.
  10. The CPS worker shall complete the investigation and make a disposition within 45 calendar days (or 60 days when an extension is documented to be necessary).
  11. When the investigation is completed and a disposition is made, the CPS worker shall verbally notify both the alleged abuser and the superintendent's designee. The alleged abuser should be informed first, or at the same time as the designee. A written report of the findings shall be submitted to the alleged abuser along with his disposition notification letter and appeal notification. A copy of the report of findings shall be submitted to the superintendent's designee. This report of findings shall

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include a summary of the investigation, with an explanation of how the information gathered supports the disposition.

12. The local department of social services shall inform the parent, or guardian or agency holding custody of the victim child with written notification of the disposition, at the time the finding is made. The CPS worker may use discretion in determining the extent of investigative findings to share with the parent; however, sufficient detail must be provided for the child's custodian to know what happened to his child, to make plans for the child, and to provide needed support and services.
  
13. If the initial report was made by a school employee, that individual shall receive a written communication from the local department of social services informing him that the investigation has been completed, and either that the disposition was "Unfounded," or that "Appropriate action has been taken."

**SECTION IV - FOLLOW-UP TO THE INVESTIGATION**

- A. The local department of social services may provide post-investigative protective and/or treatment services, and follow-up contacts to the child, family and named abuser.
  
- B. When a school employee is named as the abuser, the local school division may provide post-investigation corrective action, as deemed appropriate by the school, for the school facility and any personnel, including the named abuser. Nothing prohibits local school divisions from implementing disciplinary measures according to the policies and procedures.

**SECTION V. CONFIDENTIALITY**

- A. Information shall be shared between appropriate staff of local departments of social services and local school divisions which is accurate, complete, timely and pertinent so as to assure fairness in determination of the disposition of the complaint.
  
- B. All information gathered shall be treated confidentially, in accordance with applicable social services and education requirements.