State of Tennessee
Department of Children's Services

Administrative Policies and Procedures: 14.25

Subject:	Special Investigations Unit Child Protective Services Investigations
Authority:	TCA 37-5-105 (3), 37-5-106, 37-1-401 *et seq*, 37-1-601 *et seq*
Standards	**COA:** PA-CFS 5.08-5.10, PA-CFS 5.12; **DCS Standards of Practice**: 5-201, 5-202, 5-203, 5-401, 5-402
Application:	To All Department of Children's Services Child Protective Services Special Investigations Employees

Policy Statement:

The Department of Children's Services (DCS) Special Investigations Unit (SIU) conducts investigations on allegations of child abuse and neglect which occur while a child is in DCS custody or when the case involves non-custodial children where the alleged perpetrator (AP) is acting in an official employment, volunteer, or foster care capacity. The SIU conducts investigations where the allegations would affect the employment or volunteer status of those working with children.

Purpose:

To provide DCS SIU employees with additional guidelines for conducting timely and effective investigations.

Procedures:

A. SIU Case Criteria	1. SIU is responsible for conducting investigations when the abuse or neglect occurred while the child was in custody.
	2. SIU is responsible for conducting investigations when the abuse or neglect involves children who are not in the legal custody of DCS, but they are under the supervision or care of an individual(s)functioning in an official employment or volunteer capacity within the following but not limited to:
	♦ Detention facilities
	♦ Licensed foster homes
	♦ Licensed day care/childcare agencies
	♦ Unlicensed daycare facilities with more than four (4) children not including related children
	♦ Schools
	♦ Religious organizations
	♦ Youth groups

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	3. SIU investigates all allegations of abuse and/or neglect of children residing in a DCS employee's home and/or when the AP is the DCS employee and/or any caregiver residing in the employee's home. At the discretion of the Director of Investigations and the General Counsel, or their designees, a SIU investigator and legal counsel may be used from another region to conduct the investigation).
	Note: Regional staff may request assistance from SIU on macro cases or mega family investigations through the Director of Investigations, or designee.
	Note: For exceptions to this criteria refer to DCS Policy *14.3 Screening, Priority Response, and Assignment of Child Protective Services Cases*.
B. Investigative Responsibilities	SIU staff refer to DCS Policy *14.6 Child Protective Investigation Team (CPIT)*, *14.7 Child Protective Services Investigation Track* and *Work Aid 3 Child Protective Services Investigative Tasks and Responsibilities* for initiating and conducting an investigation.
	1. **Home Visits**
	a) A child's primary placement is considered the child's home for purposes of making a home visit (e.g. foster home, YDC, residential facility).
	b) If the placement has recently changed or the child experienced a move in connection with the circumstances that resulted in the allegations, the SIU investigator completes the following:
	♦ Conducts a home visit and interviews the alleged child victim (ACV) in the new placement; and
	♦ Conducts a home visit and interviews collateral contacts where the alleged incident occurred.
	2. **Coordinated Investigations**
	a) SIU may coordinate investigative activities with other state agencies that share jurisdiction to include (but not limited to):
	♦ DCS Licensing
	♦ Department of Human Services (DHS)
	♦ Department of Intellectual and Developmental Disabilities (DIDD)
	♦ Department of Education
	b) Due to confidentiality, all SIU cases should be presented to the CPIT with only the following present:
	♦ Investigator(s);
	♦ SIU supervisor(s); and
	♦ Office of Child Safety Management.
	Note: All other DCS employees should leave the room during the presentation to preserve confidentiality. Exceptions to this are

coordinated investigations between regional Child Protective Services (CPS) investigators and SIU staff.

3. **Investigations Involving Foster Homes**

The SIU Investigator:

- ♦ Notifies the foster parents of their right to access a DCS foster parent(s) advocate;

Note: The advocate is permitted to be present at all portions of the investigation when the accused foster parent(s) are present. All information received by the advocate therein remains confidential.

- ♦ Reviews the foster home study;

- ♦ Reviews any Corrective Action Plans involving the foster home or foster parents;

- ♦ Interviews the DCS Foster Care and Resource Placement Support staff involved with the foster home;

- ♦ Interviews Contract Provider Case Managers when the home is managed by a private provider;

- ♦ Completes the SIU Family Advocacy and Support Tool (FAST) within five (5) business days of intake; and

- ♦ Consults with DCS Legal staff when required (refer to DCS Policy *14.9, Child Protective Services Immediate Protection Agreements* and *14.12, Removal: Safety and Permanency Considerations*

4. **Custodial Children**

The SIU Investigator:

- ♦ Notifies the FSW within forty-eight (48) hours of the initiation of the investigation to coordinate notification to the biological parents/legal custodian;

- ♦ Coordinates with the applicable DCS staff to request the necessary medical and psychological examinations, referrals for services, and arrange transportation, if needed;

- ♦ Verifies current signatures of required forms in file and complete if out of date and place in the SIU case file;

- ♦ Consults with the FSW and reviews the Family Permanency Plan and Treatment Plan to ensure safety factors are being addressed;

- ♦ Reviews the AP's personnel file specifically related to performance/discipline records.

	5. **Non-Custodial Children residing in a Licensed Facility**: The SIU Investigator: ♦ Notifies the parents or legal custodian(s) regarding the allegation(s) within forty-eight (48) hours of the initial ACV contact; ♦ Notifies the facility representative within forty-eight (48) hours regarding identified services; ♦ Obtains the parent/legal custodian's signature on completed forms, as necessary; ♦ Reviews Treatment Plan for completion and progress to ensure safety factors are being addressed; ♦ Reviews the AP's personnel file specifically related to performance/discipline records. **NOTE:** For all Non-Custodial cases, a face to face contact with the ACV(s) is required each calendar month.
C. Safety & Risk Planning	1. Based upon available information, SIU staff assesses the child's immediate needs to ensure safety and reduce risks. Every effort is made to preserve critical relationships and maintain stability for the child. These decisions are made in conjunction with DCS supervisory staff and, when applicable, an agency participating in a coordinated investigation. 2. Using the FAST, SIU staff assesses safety and risk by completing a global assessment to utilize the outcomes of the assessment to support decision making. 2. Safety concerns and recommendations are addressed following DCS Policies *14.2 Family Permanency Planning for CPS Non-Custody Cases*, *14.9 Child Protective Services Immediate Protection Agreements*, Considerations, and *16.27 Notice of Removal from a Foster Home*. a) **Custodial Children:** ♦ SIU, in coordination with regional staff, and Resource Parent Support determine the ability to meet the safety needs of the child in the current placement. Refer to Policy *16.27 Notice of Removal from a Foster Home*. ♦ SIU requests a Child and Family Team Meeting (CFTM) before moving a child from the current placement, when possible. If this is not immediately possible, the SIU investigator, the FSW, and Team Leader or Team Coordinator discuss the investigation and schedule a CFTM as soon as possible. Refer to the DCS *Child and Family Team Meeting Guide*. ♦ If removal from the placement is warranted, regional staff are responsible for securing the child's placement and transportation to the

	alternate placement. This includes children that are placed from other regions.
	♦ SIU obtains a copy of the corrective action or safety plan from the FSW.
	b) **Non-Custodial Children**:
	If removal of a non-custodial child is warranted when a custodial child is removed from a foster home, SIU staff are responsible for the removal of that child.
D. Notification Procedures	SIU staff makes all applicable notifications as outlined in ***Work Aid 11, Special Investigations Unit Notification and Debriefing Responsibilities***.
E. Case Record composition	SIU case file documentation and organization is conducted as outlined in DCS Policy ***14.16 Child Protective Services Case File Organization***. **Exception:** SIU cases are identified in TFACTS under the <u>child's name.</u>

Forms:	***CS-0826 CPS SIU Notification of Case Initiation and Closure***

Collateral documents:	*Foster Parent Bill of Rights, page 33*
	DHS/DOE Memorandum of Understanding
	Protocol for Foster Home Quality Team
	Work Aid 3 Child Protective Services Investigative Tasks and Responsibilities
	Work Aid 11, Special Investigations Unit Notification and Debriefing Responsibilities
	14.2 Family Permanency Planning for CPS Non-Custody Cases
	14.3 Screening, Priority Response, and Assignment of Child Protective Services Cases
	14.6 Child Protective Investigation Team (CPIT)
	14.7 Child Protective Services Investigation Track
	14.9 Child Protective Services Immediate Protection Agreement
	14.12, Removal: Safety and Permanency Considerations
	14.16 Child Protective Services Case File Organization
	16.27 Notice of Removal from a Foster Home
	16.3, Desired Characteristics of Foster Parents
	16.8, Responsibilities of Approved Foster Homes
	Child and Family Team Meeting Guide

Glossary:	Terms
	None