

## DEPARTMENT OF SOCIAL SERVICES

## CHILDREN'S DIVISION

P.O. BOX 88

JEFFERSON CITY, MISSOURI

July 22, 2004

MEMORANDUM**What's Inside:**

- Interviewing a Child in School
- Building Local Relationships

TO: REGIONAL EXECUTIVE STAFF, CIRCUIT MANAGERS, AND CHILDREN'S DIVISION STAFF

FROM: FREDERIC M. SIMMENS, DIRECTOR

SUBJECTS: CHANGES IN POLICY RELATED TO LEGISLATIVE CHANGES TO MISSOURI LAW, CHAPTER 210, RSMo: INVESTIGATION PROCEDURES INVOLVING SCHOOL AND CHILDCARE FACILITIES.

REFERENCE: CHILDREN'S DIVISION – Child Welfare Manual – Section 2, Chapter 4.3.8.b School Employees, Chapter 4.3.8.d Child Care Facility, and Chapter 4.3.8.e School or Day Care

DISCUSSION:

**This memorandum supersedes CD04-65**

This memorandum is to introduce new policy related to Senate Bill 803/945 which went into effect June 24, 2004, in (Section 210.145.4) upon Governor Holden's signature. This new law impacts the interviews conducted in schools/childcare facilities by Children's Division (CD) staff.

**When The Alleged Perpetrator Is The Parent:**

CD staff may meet with a child on school property or childcare facility property other than in a school or childcare facility building where the abuse allegedly occurred. This is a change from the 2003 legislation in House Bill 613, which did not allow CD staff to meet with a child in any school or child care facility.

**When The Alleged Perpetrator Is Not The Parent, Current Policy Will Continue As Follows:**

**When neither parent is the alleged abuser**, the CD worker must notify one of the parents of a child who is the subject of the ca/n report prior to interviewing the child. When attempting to locate one of the child's parents, the CD worker shall attempt a minimum of three (3) contacts, using all available modes of contact. If the alleged abuser is "unknown" the CD worker is to use his/her professional judgment in deciding whether to contact the parent/guardian prior to interviewing the child. **Note:** In situations where the alleged abuse/neglect occurred in a school,

child care facility, foster home, or residential facility, these cases will be assigned to the Out-of-Home Investigation (OHI) unit.

**In emergency situations**, ensuring the safety of the child shall take precedence. The CD worker will need to use professional judgment to decide if an extensive search to contact the parents will put the child at risk. In these situations, the CD worker should proceed with the interview and contact the parents at his/her earliest opportunity.

**When a parent wishes to be present during the interview**, pursuant to current policy, the CD/OHI worker shall make arrangements with the parents to interview the child in their presence, in a desired location, such as their home. Local staff are expected to support OHI investigators by providing courtesy child victim interviews, pursuant to current policy, when mandated victim contact time frames are an issue.

### **Building Local Relationships Regarding Interviewing Children in Schools:**

**To strengthen the relationship between local school officials and local Children's Division staff and pursuant to Section 210.145, RSMo**, Public School District Liaison(s) and Chief Investigators must develop protocols to ensure information regarding a ca/n report is shared with appropriate school personnel. County offices should contact each school district or private school within the county to review developed protocols to ensure all mandates are met. Current confidentiality laws should be reviewed and discussed to assist in identifying what information will be shared to assist in providing timely, quality services to the child and family. A copy of a letter that will be sent to school and child care personnel is attached to this memorandum.

#### NECESSARY ACTION:

1. Review this memorandum and Child Welfare Manual – Section 2, Chapter 4.3.8.b School Employees, Chapter 4.3.8.d Child Care Facility, and Chapter 4.3.8.e School or Day Care with all Children's Division Staff.
2. All comments and questions regarding this memorandum should be cleared through normal supervisory channels.

FS/SC/ct