

**INTERAGENCY AGREEMENT BETWEEN  
PATRICK COUNTY SCHOOL SYSTEM  
AND  
PATRICK COUNTY DEPARTMENT OF SOCIAL SERVICES**

**SECTION I – LEGAL BASE**

The Code of Virginia Section 63.2-1503 designates LDSS as the public agencies responsible for receiving and responding to complaints and reports of child abuse and neglect.

The Code of Virginia Section 63.2-1511A requires that complaints against teachers, principals or other local school board employees for child abuse and neglect be investigated in accordance with sections 63.2-1503, 63.2-1505 and 63.2-1516.1 of the Code of Virginia.

The Code of Virginia Section 63.2-1511 requires each local department of social services and school divisions to adopt a written interagency agreement as a protocol for investigation of child abuse and neglect reports.

**SECTION II – PATRICK COUNTY SCHOOL SYSTEMS EMPLOYEES' REPORTS OF SUSPECTED CHILD ABUSE AND NEGLECT**

- A. Responsibilities of the Patrick County Schools
1. Patrick County School Division will provide information to its personnel regarding the child abuse and neglect requirements (Code of Virginia Section 63.2-1509) and local procedures for reporting suspected incidences of child abuse or neglect.
  2. The Patrick County Schools will identify one person to act as a liaison with the Patrick County Department Social Services to facilitate communication and collaboration between both agencies.
  3. Pursuant to the Code of Virginia, Section 63.2-1509, Patrick County Schools employees will Report suspected child abuse and neglect within 24 hours of first suspicion. Patrick County School employees shall have the following responsibilities:
    - a. When a Patrick County School employee has information that a child under age 18 may be abused or neglected, the employee must immediately report such suspected abuse or neglect to Patrick County Department of Social Services or to the Virginia Child Abuse Hotline, 1-800-552-7096.
    - b. The Patrick County School employee will inform his or her school's administrator or designee of the suspected child abuse or neglect according to the Patrick County School's policies and procedures.
    - c. The Patrick County Schools employees will adhere to the Patrick County Schools procedures and policies as they pertain to documenting the submission of the Child Protective Services (CPS) report of child abuse and neglect.

**B. Responsibilities of the Patrick County Department of Social Services**

1. The Patrick County Department of Social Services will identify one person to act as liaison with the Patrick County Schools to facilitate communications and collaboration between both agencies.
2. The Patrick County Department of Social Services will provide information to the Patrick County School System about how to recognize and report suspected child abuse and neglect.

**SECTION III – INVESTIGATION OR FAMILY ASSESSMENT OF CHILD ABUSE AND NEGLECT BY A NON-SCHOOL, EMPLOYEE**

**A. Responsibilities of the Patrick County Schools**

1. The school site administrator, or designee, will cooperate with the CPS worker during an investigation or family assessment of child abuse and neglect by a non-school employee by providing the following resources:
  - a. Documentation and or information relative to the complaint;
  - b. Pertinent directory information, such as the child and family's contact Information;
  - c. A room or space to interview children and or staff that ensures privacy and is free from interruptions. Pursuant to the Code of Virginia, Section 63.2-1518, consent of the parent, legal guardian or school personnel to conduct the CPS interviews at school is not required.
2. The Federal Education Rights and Privacy Act (FERPA) prohibits the sharing of student Information without explicit parental consent unless the CPS 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. It is the responsibility of the Patrick County Public Schools to determine what constitutes an emergency.

**B. Responsibilities of the Patrick County Department of Social Services**

1. The Patrick County Department of Social Services shall provide information to Patrick County Schools employees about the role and function of the Patrick County Department of Social Services in responding to reports of suspected child abuse and neglect.
2. The Patrick County Department of Social Services shall have the capability of receiving reports on a 24-hours-a-day, 7-days-a-week basis.
3. The Code of Virginia, Section 63.2-1503, requires the Patrick County Department of Social Services to determine the validity of all CPS reports. The Code of Virginia, Section

63.2-1508, establishes the following elements of a valid report: the alleged victim is under the age of eighteen at the time of the report; the alleged abuser is the alleged victim child's parent or other caretaker; the local department receiving the report has jurisdiction' and the circumstances describe suspected child abuse or neglect as defined in the Code of Virginia, Section 63.2-100. If the report is determined to be valid, the local department will conduct a family assessment or investigation.

4. Upon receipt of the complaint, the Patrick County Department of Social Services' CPS worker will conduct an immediate investigation or family assessment based on the assessed response time as determined by the CPS Intake Unit. The assigned CPS worker will contact the school site administrator or designee to:
  - a. Secure further information and/or documentation relative to the complaint;
  - b. Obtain the child and family's contact information;
  - c. Arrange to see and interview the child and siblings at school when necessary. Pursuant to the Code of Virginia, Section 63.2-1518, consent of the parent, legal guardian or school personnel to conduct the CPS interviews at school is not required.
5. The CPS worker may take photographs of the alleged child victim at school. Consent of the parent or other person responsible for such child to take photographs is not required pursuant to Section 63.2-1520 of the Code of Virginia.
6. If the initial report was made by a school employee, that individual shall receive a written communication from the Patrick County Department of Social Services informing them that the investigation or family assessment has been completed and a description of the actions taken.
7. Pursuant to the Code of Virginia, Section 63-2-1505. B7, if the abuser is a full-time, part time, permanent or temporary employee in a Patrick County School, Patrick County Department of Social Services shall notify the relevant school board of the founded disposition at the same time the subject is notified of the founded disposition. This includes founded dispositions in investigations involving the employee's own children or children in the care of the employee.

## **SECTION IV – INVESTIGATION OF CHILD ABUSE OF NEGLECT BY A SCHOOL EMPLOYEE IN THE COURSE OF HIS/HER EMPLOYMENT**

### **A. Responsibilities of the Patrick County School Division**

1. During an investigation of child abuse or neglect by a school employee in the course of his/her employment, the school site administrator or designee will determine if he or she will participate in the planning of a joint investigation or if there is a conflict of interest.
2. It is understood that the CPS worker will be the lead interviewer in the joint investigation and no school employee will begin the interview process without the CPS worker. An investigator with the Patrick County Sheriff's Department will also be a member of the investigation team.
3. The school site administrator or his or her designee will provide logistical support and information to the CPS worker to assist in the investigation to include:
  - a. Room/private space for interviews of staff and children that ensures privacy and is free from interruptions;
  - b. An escort for the CPS worker to the site of the alleged abuse or neglect;
  - c. Pertinent policies and procedures, such as those related to the use of reasonable force and the use of appropriate restraining techniques;
  - d. Records and written statements pertaining to the alleged abuse or neglect;
  - e. Names, functions, and roles of the involved parties;
  - f. Work schedules and contact information of staff;
  - g. Phone numbers and or addresses of collateral children's parents/guardians in order for the CPS worker to obtain permission to interview them as witnesses;

### **B. Responsibilities of Patrick County Department of Social Services**

1. Patrick County Department of Social Services shall provide information to the school division about the role and function of Patrick County Department of Social Services in responding to reports of suspected child abuse and neglect by employees of the school division.
2. Patrick County Department of Social Services will investigate a complaint of suspected child abuse or neglect involving a teacher, principal or other school employees pursuant to Section 63.2-1503 , 63.2-1505 and 63.2-1516.1 of the Code of Virginia.

3. Patrick County Department of Social Services will conduct an immediate investigation upon receipt and validation of a report about suspected incidents of child abuse or neglect by a school employee.
4. Patrick County Department of Social Services will keep the school site administrator or designee apprised of the investigation's status.
5. Patrick County Department of Social Services will make a disposition within 45 days, or 60 days when extension is documented to be necessary, or 90 days if the investigation is being conducted with law enforcement pursuant to Section 63.2-1505 of the Code of Virginia.
6. The Code of Virginia, Section 63.2-1511 C, requires the CPS worker to determine that there was willful misconduct or gross negligence by the school employee in addition to the standard requiring a preponderance of the evidence for a founded disposition.
7. The CPS worker shall provide both verbal and written notification of the findings to the site administrator and to Patrick County School superintendent (22VAC 40-730-110). The written notification must include:
  - a. The identity of the abuser/neglector and victim, the type of abuse/neglect and the disposition;
  - b. A summary of the investigation and how the disposition is supported.
8. If the initial report was made by a school employee, that individual shall receive a written communication from Patrick County Department of Social Services informing them that the investigation has been completed and a description of the action taken.
9. Pursuant to Section 63.2-1503 P of the Code of Virginia, Patrick County Department of Social Services shall immediately notify the Superintendent of the Patrick County School System and Virginia Department of Education (DOE), when an individual holding a license issued by the Board of Education is the subject of a founded complaint of child abuse or neglect and shall transmit identifying information regarding the individual to the Board of Education. Patrick County Department of Social Services shall immediately notify the Superintendent of the Patrick County School System and DOE if the founded complaint of child abuse or neglect is overturned on an administrative appeal.

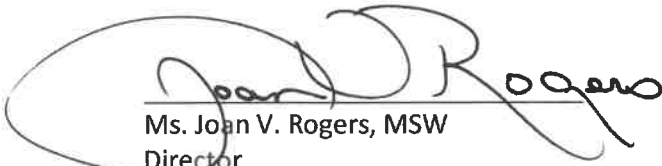
## **SECTION V – INFORMATION SHARING AND CONFIDENTIALITY**

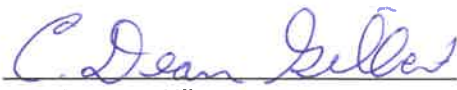
- A. Information shall be shared between the CPS Unit of Patrick County Department of Social Services and the Patrick County School System that is accurate, complete, timely, and pertinent so as to ensure fairness in determination of the disposition of the complaint.

- B. All information gathered as a result of a child abuse and neglect investigation or family assessment shall be treated confidentially, in accordance with applicable social services and education requirements.
  
- C. The Federal Education Rights and Privacy Act (FERPA) prohibits the sharing of student information without explicit parental consent unless the CPS 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. It is the responsibility of the school division to determine what constitutes an emergency.

**SECTION VI – EXECUTION OF AGREEMENT**

- A. Patrick County Department of Social Services and Patrick County School System shall report annually on the status of this agreement to the State Board of Social Services and to the Board of Education, respectively. Once this interagency agreement is adopted, an annual report is not necessary unless the agreement has been substantially modified.
  
- B. This Agreement shall become effective immediately upon signature of both parties. Signature of both parties shall constitute acceptance of this Agreement as well as assurance of the distribution and implementation of the procedures described herein. This Agreement shall be reviewed by both parties on a periodic basis or as needed.

  
\_\_\_\_\_  
Ms. Joan V. Rogers, MSW  
Director  
Patrick County Department of Social Services  
  
09/10/2020  
DATE

  
\_\_\_\_\_  
Mr. C. Dean Gilbert,  
Superintendent  
Patrick County School System  
  
9/10/2020  
Date