### CPS Investigative Tasks

<table>
<thead>
<tr>
<th>A. Meeting Priority Response</th>
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<tbody>
<tr>
<td>1. Refer to Section C of DCS Policy <a href="#">14.3 Screening, Priority Response and Assignment of Child Protective Services Cases</a> for detailed explanation of requirements on meeting the priority response on an assigned investigation.</td>
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<tr>
<td>2. In case the Child Protective Services (CPS) worker cannot locate the child or family, the CPS worker conducts at least two (2) good faith efforts (GFE’s) per child which are defined as multiple, persistent, relevant attempts to locate the child within the identified response time. The CPS worker, at a minimum makes one (1) or more visits to the alleged child victim’s (ACV) residence, and goes to the school, childcare center or babysitter’s home, or contacts one or more witness for additional information (refer to DCS Policy <a href="#">14.5, CPS: Locating the Child and Family</a>).</td>
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<tr>
<td>3. If the alleged child victim is hospitalized, the CPS worker or supervisor contacts the hospital within twenty-four (24) hours of the CPS intake.</td>
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<tr>
<th>B. Convening the Child Protective Investigative Team (CPIT) and Conducting the Alleged Perpetrator Interview</th>
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<tbody>
<tr>
<td>1. The Child Protective Investigative Team (CPIT) must be convened immediately up to twenty-four (24) hours from when a report of severe abuse/neglect (including child sexual abuse) has been received or identified at some point during the life of a CPS case.</td>
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<td>2. To convene CPIT, DCS contacts CPIT members including the District Attorney or his/her designee according to local protocols and gives notification of a report of child sexual abuse or severe abuse. Note that convening CPIT does not meet the priority response timeframe assigned to the case.</td>
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</table>
3. CPIT decisions are documented in **TFACTS**.

4. All CPIT notifications must be documented in the case recordings and include full names and titles of parties contacted (refer to DCS Policy **14.6, Child Protective Investigative Team**).

5. In all investigations involving CPIT, the interview of an alleged perpetrator (AP) must be coordinated with law enforcement per regional protocol.

6. When law enforcement assumes responsibility for interviewing an AP but fails to conduct an interview within forty-five (45) days of the date of the report, the CPS worker proceeds to conduct the interview, after notifying the law enforcement officer responsible. The CPS worker documents this notification and interview in **TFACTS**.

7. When law enforcement assumes responsibility for the interview of an AP, the CPS worker makes every effort to access adequate documentation of the content of the interview.

8. When law enforcement does not provide access to their investigative information, the CPS worker contacts the Lead Investigator (LI), to determine if there should be an additional interview with the AP. The CPS worker should communicate with Law Enforcement on any additional steps they must take. These consultations are documented in **TFACTS**.

9. Upon identification of possible human trafficking, refer to **Work Aid 9: Conducting Investigations on the Commercial Sexual Exploitation of a Minor** for immediate notification and assessment of all ACV’s identified as experiencing CSEM.

10. The outcome of CPIT Case Reviews are to be documented in TFACTS and the form uploaded into TFACTS.

### C. Conducting Interviews

**Interviewing or Observing the Alleged Child Victim(s)**

1. The initial ACV interview must occur within the timeframe required by the assigned priority response or within such timeframe as determined by CPIT. Reasonable concerns about the ACV's safety must outweigh any other consideration of the timing and location of an interview.

2. A minimum of one monthly face to face contact each calendar month is required with each ACV for the duration of the open CPS case.

3. When necessary, the CPS worker notifies the non-offending parent/caregiver of the ACV’s interview prior to the interview or, if not possible, immediately following the ACV’s interview. If the parent/caregiver cannot be notified, or if it is not reasonable to do so, efforts and/or reasons should be documented in **TFACTS**.

4. The ACV’s interview or observation is a face-to-face contact with the ACV for the purpose of asking questions concerning the allegations and observing the ACV’s physical/emotional
condition. The content of the interview and all observations are documented in **TFACTS**.

5. If the ACV does not communicate verbally and when communication is not possible with the CPS worker, the CPS worker must observe the child’s physical condition and behavior, relative to the allegations and best practice standards, and specifically document these observations in **TFACTS**.

6. Every effort must be made for the interview and observation of the ACV to occur away from the AP.

7. When possible, all minimal facts interviews must be conducted in a neutral, safe environment (separate from where the alleged abuse occurred).

8. Forensic interviews should be utilized in sexual abuse allegations and, if necessary, may be conducted in other types of cases. All forensic interviews should be conducted by a trained forensic interviewer.

9. If the ACV is alleged to have physical injuries or other observable conditions, the CPS worker makes a direct observation and provides a written description of observed conditions and/or injuries, or the lack thereof, in **TFACTS**. At a minimum, the documentation describes details of location, color, length, shape, and size of any injury.

10. Photographs must be taken, or drawings are made to supplement the written description. The CPS worker also photographs any objects allegedly used to abuse a child. All photographs must be labeled with the ACV’s name, date and time taken, location where the photograph was taken, and name of person taking the photograph. Photographs of objects are labeled with the name of the object in addition to the information listed above.

11. Physical observation of the child’s body may include asking the child or parent/caregiver to lift child’s clothing to assist in the determination of child safety particularly when the child is non-verbal. Absent a court order giving specific permission, parental permission must be obtained before removing any article of clothing.

12. If immediate harm factors are present, as determined by formal and informal assessments, a safety intervention must be considered, including the use of an Immediate Protection Agreement (IPA). The IPA must be discussed with and approved by the LI in consultation with the applicable RGC. In no case is a child left at risk while these discussions are being held. Form **CS-0701, Immediate Protection Agreement** must be completed and each immediate harm factor identified, unless protective custody is immediately necessary (see DCS Policy **14.9 Child Protective Services Immediate Protection Agreements**).
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<tr>
<td>13. If the ACV’s parent/caregiver refuses to allow him or her to be interviewed or observed, the CPS worker immediately notifies the LI, who immediately consults with applicable RGC. These notifications and consultations (without providing the content of consultations) must be documented in <strong>TFACTS</strong>.</td>
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<td>14. Conducting Interviews with Children with Disabilities</td>
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<td>15. Prior to conducting an interview, including the Initial ACV interview, the CPS worker determines whether the child is able to effectively communicate by contacting a non-offending family member and/or professional partner such as 1:1 aides, occupational therapists, physical therapists, behaviorists, speech therapists, and/or nurses with knowledge of the child’s ability to communicate unless the immediate safety of the child would be compromised.</td>
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<td>16. For school-aged children, the CPS worker contacts the child’s teacher and/or school administrator to determine the child’s verbal skills and applicable methods of interview.</td>
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<td><strong>Note</strong>: Even if the initial contact has occurred, professional partners are to be contacted as collaterals.</td>
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<td>17. The CPS worker obtains and reviews copies of any documentation of services provided to the child such as Individual Education Plan (IEP) or Section 504 Plan within the school system, Individual Service Plan with the Department of Intellectual and Developmental Disabilities, and/or any other service providers.</td>
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<td>18. If alternative forms of communication are identified to better obtain information from the child, the CPS worker coordinates with speech services such as speech therapist(s), speech pathologist(s) and/or special educator(s) or staff to assist/interpret in the interview process. The CPS worker has the assisting professional sign form <strong>CS-1226, Confidentiality Agreement for CPS Interviews</strong>.</td>
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<tr>
<td><strong>Note</strong>: The CPS worker must evaluate the ability of the assisting/interpreting professional to remain unbiased in translation of the child’s communication with the CPS worker prior to and during the interview.</td>
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<td>19. The CPS worker begins the interview through establishing meaningful rapport and developing a baseline to:</td>
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<td>20. Create a relaxed, supportive environment that reduces anxiety and establishes trust;</td>
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<td>21. Identify strengths;</td>
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<td>22. Identify any cognitive and/or social needs; and/or</td>
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23. Assess the child’s mode of communication.

**Note:** If the CPS worker receives reports of the child being non-verbal or non-communicative, they will still attempt to interview and/or observe the child to assess for safety and risk factors.

24. Interviewing the Non-Offending Parent or Caregiver

a) It is highly recommended, that the interview with the non-offending parent/caregiver occur on the same day the ACV is interviewed. If this is not possible, efforts and/or reasons should be documented. The parent/caregiver interview must be fully documented in TFACTS.

b) The CPS worker or CPIT member(s) interviews the ACV’s non-offending parents or caregiver. If a CPIT member conducts this interview, the CPS worker should also be in attendance. The CPS worker must obtain information from the interviewer to construct adequate documentation of the process and content of the interview.

c) During the initial contact with the parent/caregiver/family involved in the CPS report the CPS worker informs each non-offending parent/caregiver of the allegations under investigation and the CPS process, as well as their rights and responsibilities (Clients Rights Handbook). Form CS-0050, Case Intake Packet Documents and Native American Heritage Verification is signed by the parent/caregiver acknowledging receipt of the handbook.

d) The CPS worker should also work to gather information about relatives, friends, and significant kin that could provide resources or potential placement opportunities. This information should be documented in TFACTS.

e) During the initial contact, the CPS worker also inquires if there is any Native American lineage or ancestry that might make the child/family eligible for membership in any Native American Tribe. If the family confirms that they do have Native American lineage, conduct the investigation according to DCS policy 14.7, Child Protective Investigation Track, and follow instructions as outlined in DCS Policy 16.24, Children of Native American Heritage to comply with the Indian Child Welfare Act of 1978 (ICWA) guidelines. Efforts to identify the tribe and notifications made to the Bureau of Indian Affairs must be documented in TFACTS. To document that an inquiry was made and that no Native American heritage exists, CS-0050, Case Intake Packet Documents and Native American Heritage Verification must be completed, as well as any other required forms.

f) If the parent/caregiver declines to participate in an interview, the CPS worker must consult with their LI to determine next steps and document in TFACTS the CPS worker’s attempts to obtain the parent/caregiver’s participation.
25. Interviewing or Observing other Children and/or Interviewing Other Adults Living in the Home

26. The CPS worker interviews/observes all children residing in the household of the ACV and document the interview/observations in TFACTS.

27. Prior to interviewing any child who is not listed or identified as an ACV, the CPS worker obtains permission for the interview and any photographs from the child’s parent/caregiver.

28. If the AP resides in a different household from that of the ACV, the child(ren) residing in the AP’s home are interviewed as possible victims or witnesses.

29. Prior to interviewing any child who is not listed or identified as an ACV, the CPS worker obtains permission for the interview from the child’s parent/caregiver.

30. Other adults living in the home are interviewed in an effort to gather additional information as well as to assist in the assessment of risk and safety.

31. Interviewing the AP if they differ from the Parent/Caregiver (Note: The AP must be interviewed even when the ACV does not disclose)

a) Law enforcement and DCS work collaboratively to interview the AP, when applicable.

b) If there is more than one AP, interviews are conducted separately.

c) If the AP declines to participate in an interview, the CPS worker must consult with the LI and document in TFACTS the CPS worker’s attempts to obtain the AP’s participation.

d) If the AP is a minor child, the CPS worker consults with the LI and obtains and documents the verbal consent of the parent, custodian or legal guardian before interviewing the minor child. The CPS worker also documents the name and address of the parent, custodial, or legal guardian in the Person’s Tab of TFACTS under the “in care of” field.

e) If the AP is a child in DCS custody, the CPS worker contacts the LI who consults the applicable RGC to determine if DCS interviews the child. The occurrence of these consultations is documented in TFACTS.

32. Interviewing the Witness(es)

33. The CPS worker interviews all other persons who may have witnessed the abuse or neglect or have relevant information regarding the circumstances of the ACV and family, including referents, other adults in the home or community, professionals, or staff of other agencies.
| D. Notifying all Judicial Entities and Licensing Facilities of Case Initiation and Closure | 1. Each region must work with the local juvenile court judges and District Attorneys to establish local protocols of notification for every child abuse and neglect referral and the summary of the results of the investigation.  
  2. If an investigation involves other agencies with investigative and/or licensure responsibilities (e.g., law enforcement, DMHSA licensed facilities, DHS daycare, DIDD, or DCS licensure), the applicable agency is notified, by the CPS worker, no later than the next business day after consultation with the LI. The name of the agency and person notified is documented on the applicable screens in **TFACTS**.  
  3. When DCS staff learn that the terms of a court order are violated, the worker and/or supervisor notifies the RGC/designee. |
| --- | --- |
| E. Conducting Home Visits | 1. The CPS worker observes the home environment of the ACV (including second homes, if the ACV resides in two (2) locations), including all areas related to the allegations in the report and in compliance with standards of best practice.  
  2. The overall environment must be described in **TFACTS**, with details of any conditions that appear to pose a risk to the ACV’s safety.  
  3. The CPS worker may provide additional documentation through photographs and video. The CPS worker documents on the photograph the ACV’s name, the date and time, address or location, and person taking the photographs. In addition, the CPS worker documents this information in **TFACTS**.  
  4. Documentation of the home visits is documented within ten (10) business days from the date of contact.  
  **Note:** The CPS worker must obtain permission to enter the home. |
| F. Conducting other site visits or location of the incident(s) | If the report or investigation suggests that the alleged abuse occurred in a setting other than the home (e.g., a day care center, park, school, etc.), the CPS worker also visits the site to observe the setting and assess conditions that pose a risk to the ACV, and other potential victims. |
| G. Completing assessment tools | The CPS worker or SIU worker completes the Safety Assessment and/or Family Advocacy Support Tool (FAST), as applicable, within the required timeframes and practice requirements to support decisions related to safety, permanency and well-being of the child. The CPS worker refers to the **Protocol for Completion of the Family Advocacy and Support Tool (FAST)** for specific |
The narratives in the FAST and/or case recordings will identify extended family and other supports and service providers, include the child and family’s telling of their own story, explore the pathway that has led to the family’s involvement with the child welfare system, including individual and family functioning over time, and any historical factors that have contributed to the concerns identified in the initial assessment of risk and safety. The worker will document the specific challenges, factors, and patterns that lead to child maltreatment in the family’s daily life. The worker will inquire and document times the family managed challenging situations successfully, and identify competencies and resources family members can utilize to promote change and reduce the risk of maltreatment and identify barriers to change.

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<th>H. Contacting the referent, when identified</th>
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<tbody>
<tr>
<td>1. If the referent’s name, address or telephone number are available, the CPS worker makes sufficient efforts to contact him or her to verify information in the report and to obtain additional relevant information.</td>
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<td>2. The assigned CPS worker reviews the notification section on the assigned referral or searches the intake screen in the referent tab in TFACTS, to determine if they must send a Confidential Notification Letter for Reporter. The CPS worker is responsible for mailing the referent a letter when requested and noted on the referral.</td>
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<td>3. The CPS worker must return phone calls promptly from the referent as the CPS worker’s phone number is available in the Child Abuse Reporting and Tracking (CARAT) system.</td>
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<tr>
<th>I. Reviewing DCS family history and other external historical and case relevant documents, as available</th>
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<tr>
<td>The CPS worker reviews the following types of information when applicable and available:</td>
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<tr>
<td>a) DCS History</td>
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<td>b) Court records</td>
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<td>c) Police records</td>
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<td>d) Public records (utilities, rental information)</td>
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<tr>
<td>e) Sex Offender Registries: All adults in the home and all adults who supervise or have regular contact shall be checked on the following registries:</td>
</tr>
<tr>
<td>♦ National Sex Offender Registry: <a href="https://www.nsopw.gov/?AspxAutoDetectCookieSupport=1">https://www.nsopw.gov/?AspxAutoDetectCookieSupport=1</a></td>
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</table>
f) Drug Offender Registry: [https://apps.tn.gov/methor/](https://apps.tn.gov/methor/)
g) Medical Records
   - For infants born with and identified as being affected by substance abuse or experiencing signs of withdrawal, these records are required in order to address the health and substance use disorder treatment needs of the infant and in determining needed service referrals.

h) Educational Records
i) Mental Health Records
j) Community or Other Social Service Agencies
k) Any other available and applicable records

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<tr>
<th>J. Requesting and arranging medical exams, if applicable</th>
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<tr>
<td>There are two (2) types of medical exams in CPS:</td>
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<tr>
<td>1. Medical treatment: The purpose of medical treatment is to provide care for a child who is ill or injured.</td>
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<td>- If the CPS worker conducting an investigation encounters an ACV who needs medical treatment, the CPSI asks the non-offending parent/caregiver to identify the ACV’s physician, to make arrangements for the ACV to receive medical treatment and ensure that the ACV has transportation to the appointment.</td>
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<tr>
<td>2. Forensic medical exam: The purpose of the forensic medical exam is to assess the ACV’s medical condition, obtain a diagnosis, determine if the ACV needs treatment, assess the ACV’s risk of further harm, or aid in making a classification decision. The forensic medical evaluation is conducted by a competent practitioner with expertise necessary to assess the medical condition.</td>
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<tr>
<td>a) When there is an allegation of sexual abuse and one (1) or more of the following are present, the CPS worker must refer the child for a forensic medical evaluation. These circumstances include an ACV who:</td>
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<td>- Has pain or bleeding;</td>
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<tr>
<td>- Has symptoms of a sexually transmitted infection (STI);</td>
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♦ Is under the age of five (5) and there is an allegation of penetration;
♦ Is delayed or has limited communication skills and there is an allegation of penetration; or
♦ Is ten (10) or younger and there is a disclosure of penetration.

b) When there is an allegation of sexual abuse and one (1) or more of the following are present, it is recommended that the CPS worker consult with their LI to determine the need for a forensic medical evaluation:
♦ Any child who is delayed or non-verbal;
♦ Any child under five (5); or
♦ Other special circumstances based on the investigator’s judgement, at the request of the family, or if there is a conflict with any other recommendations or guidelines from a Child Advocacy Center, medical facility, or any other person or agency that provides forensic medical examinations.

c) For non-sexual abuse cases, the CPS worker obtains a forensic medical evaluation when the case involves obvious severe injury/conditions, or when a medical opinion is needed to evaluate the injuries and the consistency of the explanation with the injury.

d) To the extent possible, the CPS worker works with the non-offending parent/caregiver to arrange this treatment or exam. The CPS worker, in coordination with the LI and CPIT members, when necessary, identifies the applicable practitioner to perform this exam, regardless of insurance coverage or TennCare eligibility.

e) The practitioner who performs the forensic medical exam may or may not be the ACV’s physician. If the parents refuse to pay, or have no insurance coverage, or there is no TennCare provided, the cost for the medical exam can be covered by DCS. Form [CS-0533, Health Services Authorization for Non-TennCare Eligible] must be completed for certain non-TennCare eligible children.

f) If the parents are unable to transport the ACV, the CPS worker may transport the ACV and the ACV’s parent(s) to the appointment.

g) The CPS worker will not transport an ACV to a medical appointment without the written permission ([CS 0827, Non-Custodial Consent for Transportation]) of the parent/caregiver.

h) If the parent/caregiver transports the ACV, the CPS worker may meet the family at the practitioners’ office or clinic.
K. Conducting Case Consultations

CPS workers conduct regular case consultations as required by policy and needs of the investigations. Case consultations are conducted:

1. On all investigations with the LI when required. Case consultations are documented in TFACTS as an Administrative Review or within case approvals. Refer to DCS Policy 4.4, Performance and Case Supervision Practice Guidelines and Criteria for specific requirements.

2. With regional legal counsel when required (refer to DCS Policy 14.9, Non-Custodial Immediate Protection Agreements and DCS Policy 14.12, Removal: Safety and Permanency Considerations). The CPS worker should document that the consultation occurred but specific details of the consultation are not to be included.

3. With the regional Safety Nurse for children with complex or serious medical needs when required. The CPS worker should document the consultation in TFACTS.

4. With a Master of Social Work (MSW) or an individual with an advanced clinical degree to discuss minimizing trauma as a result of removing the child from the home.

L. Completing other CPS investigative activities/tasks as necessary

1. The CPS worker must establish, in TFACTS, all case participants to include the ACV, parent/caregiver, siblings, and other relevant household members.

2. When necessary, the CPS worker facilitates Child and Family Team Meetings (CFTM) by referring to the Child and Family Team Meeting Guide. CFTMs occur at any time a CPS worker or family member determines it would be beneficial to the child and family or when:

   a) A child is entering state custody (unless the ACV’s immediate safety would be compromised);

      ♦ The applicable RGC is notified immediately upon the team’s decision to recommend custody or continued custody to a Juvenile Court Judge,

      ♦ The meeting date, attendance and outcomes are documented in TFACTS by the CPS worker and/or CFTM Facilitator.

   b) The CPS worker is unable to attend the medical appointment, then he/she contacts the practitioner prior to the appointment to describe the CPS concerns and conducts a follow up discussion with the practitioner after the ACV is treated.

   j) The CPS worker obtains a written copy of the medical report upon completion of the exam. The relevant parts of the report should be uploaded into TFACTS and summarized within case recordings. Records that cannot be uploaded into TFACTS should be maintained in a supplemental hard copy file.
b) An **Immediate Protection Agreement (CS-0701)** is developed which results in voluntary custodial interference;

c) An immediate harm factor has been identified that places the child at risk of an emergency removal into state custody; or

d) The outcomes of the FAST assessment process suggest that immediate intervention is recommended or there are high risk factors identified and no protective capacities for the child’s ongoing safety are present.

3. The CPS worker arranges for psychological and/or medical evaluation services

   a) The CPS worker obtains a psychological or medical evaluation of ACVs, parent/caregivers, or APs to evaluate the existence and/or extent of psychological harm or impairment, if such evaluation may be useful in assessing potential risk of harm to an ACV or is otherwise relevant to the investigation. The cost of the psychological or medical evaluation can be covered by DCS by completing form **CS-0533, Health Services Authorization for Non-TennCare Eligible**. This same procedure may be used for children and/or their parents.

   b) If the parent/caregiver refuses to allow an ACV to participate in this evaluation, or refuses to participate him/herself, the CPS worker contacts the LI who consults with applicable RGC regarding the possibility of acquiring an investigative order for an evaluation. These consultations are documented on the applicable screens in **TFACTS**.

4. A Family Permanency Plan (FPP), which may include a Plan of Safe Care, is developed for each family in need of services, based on an assessment, that includes:

   - Agreed upon goals, desired outcomes, and timeframes for achieving them;
   - Services and supports to be provided, and by whom;
   - Timeframes for evaluating family progress; and
   - The signature of the parent(s) and the ACV, if age appropriate.

**Note:** For non-custodial and custodial cases, services are documented in **TFACTS** on the Family Permanency Plan and/or CFTM Summary (refer to DCS Policies **14.2 Family Permanency Planning for CPS Non-Custodial Cases** and **31.1 Family Permanency Plans**).

5. When working with a child or adult with an intellectual or developmental disability, the team will engage the client around their wishes and develop and implement a Permanency plan that promotes self-determination and enables the fullest and most independent life possible in the community.
a) Permanency planning topics for persons with intellectual and developmental disabilities may include, but are not limited to:

- Health and safety issues;
- Degree of supervision needed;
- Independent living, social, and daily living skills;
- Dietary needs;
- Leisure and vocational interests and aptitudes and the need for greater social inclusion;
- Screening and treatment for co-occurring psychiatric disorders or substance use conditions;
- Medication needs;
- Issues related to adaptive, behavior, and cognitive functioning including concrete and abstract reasoning;
- Specialized supports such as physical, speech, and occupational therapy;
- Ancillary services;
- End of life planning; and
- The need for hospice or palliative care.

b) The Permanency Plan may include helping an IDD child or adult access assistive technology and resources through their insurance or the school system if needed.

c) The Permanency Plan will include opportunities for IDD youth or adults to establish meaningful social relationships, build and maintain natural support system, exercise their rights and responsibilities, and participate in the life of their community.

d) Youth with intellectual and developmental disabilities are at a higher risk of sex abuse. Youth that are IDD should receive support and education regarding sexuality and relationships that have been tailored to their assessed needs, capacity and learning style that include sexual health and development, family planning, prevention of STDs and HIV/AIDS and sexual abuse and exploitation including giving and receiving sexual consent.

6. The CPS worker must complete required forms.

- All required forms are completed, and documents are reviewed with the family as applicable (see the list of required forms and documents in the *Forms and Collateral*)
7. The CPS worker must maintain regular contact with community partners and service providers. Document follow-up conversations regarding any additional tasks to be completed or progress/barriers with service delivery.

8. The CPS worker must make a referral to Tennessee Early Intervention Services (TEIS) for substantiated cases involving children under the age of three (3) by:
   a) Calling 1-800-852-7157, which is a toll free telephone number dedicated by the Department of Education (DOE) for this type of referral, and completing DCS form **CS-0811 Tennessee Early Intervention System (TEIS) Referral** to provide the requested information below:
      ♦ The ACV’s name, date of birth and contact information;
      ♦ The biological and/or custodial parent’s name and contact information;
      ♦ The foster parent’s name and contact information, when applicable; and
      ♦ The CPS worker’s name and contact information.
   b) Notifying the ACV’s parents/non-custodial caregiver or foster parents of the referral and documenting in **TFACTS** that the referral was made.

M. Receiving Additional Referrals on Open Investigations

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<tr>
<th>When an additional allegation(s) has been reported and added to an already open investigation, the CPS worker conducts investigative activities in accordance with this Work Aid in an effort to address the additional concerns. The CPS worker documents the addition of the new allegation(s) in <strong>TFACTS</strong> and consults with the LI.</th>
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<tr>
<td>1. Additional allegations may be added to an already open investigation when:</td>
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<tr>
<td>a) The additional allegations would be assigned to the investigation track; and</td>
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<tr>
<td>b) The already open investigation has been open for less than thirty (30) calendar days without an approved classification; or</td>
</tr>
<tr>
<td>c) The investigation has been open for more than thirty (30) calendar days and the classification has not been approved.</td>
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<tr>
<td>2. If an Assessment case is opened that involves the ACV or family on an already open Investigation, the LI may agree to add the allegations to the already open investigation when:</td>
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<tr>
<td>a) The already open case has been opened for less than thirty (30) calendar days,</td>
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N. Classifying Allegations

Allegations that are not identified as severe are classified within thirty (30) calendar days from the date of intake. Allegations that are identified as severe are classified within sixty (60) calendar days from the date of intake unless there are extenuating circumstances that prevent a classification decision from being made (i.e., results of an autopsy outstanding, at the request of law enforcement, etc.). Each allegation is classified at the discretion of DCS according to one of the following categories (refer to DCS Policy 14.7, Child Protective Services Investigations Track):

- Allegation Substantiated, Perpetrator Substantiated;
- Allegation Substantiated, Perpetrator Unsubstantiated;
- Allegation Substantiated, Perpetrator Unknown;
- Allegation Unsubstantiated, Perpetrator Unsubstantiated;
- Allegation Unsubstantiated, Children with Sexual Behavior Problems;
- Unable to Complete; or
- Administrative Closure.

An allegation and/or AP may be substantiated based on a preponderance of evidence and on proof of one or more of the following factors (also known as validation criteria), linking the abusive or neglectful act(s) to the AP (refer to DCS Policy 14.7, Child Protective Services Investigations Track):

1. The ACV's statement that the abuse or neglect occurred. The following elements are typical in situations of sexual abuse, and shall be considered in assessing the weight to be given to the ACV's statement:
   a) History of relationship
      - Progression of physical touching, from activities that appear acceptable at first, but over time become sexual in nature (typically referred to as grooming).
      - Multiple incidents occurring over a period of time with the same ACV and AP, however a one-time instance could be sufficient for substantiation.
b) Details of Abuse

- Explicit knowledge of sexual activity. The ACV relates explicit details of the sexual experience. This is especially relevant where the details are beyond the knowledge typical of a child of the victim’s age or developmental capacity.

- Specific details of the incident(s), such as a location and/or time. If a specific location/date is not given, the ACV is able to provide other details of the environment. Expected detail should correspond with the child’s age and developmental abilities.

- Consistency in the ACV’s story. If the child is interviewed more than once, the responses and statements are generally consistent from one interview to the next. When statements do not align, the investigator needs to look at other pieces of evidence for corroboration.

- Parts of the story are corroborated by other circumstances and/or witnesses.

c) The ACV indicates that he/she was instructed, asked, and/or threatened to keep the abuse secret.

d) Elements of coercion, persuasion, or threats to get the ACV to engage in the activity are evident.

2. Medical and/or psychological information from a licensed physician, or other treatment professional that corroborates that the child abuse or neglect occurred;

3. An admission by the AP;

4. Information (written or verbal) gathered from credible witness(es) and/or collaterals regarding the abusive or neglectful acts;

5. Circumstantial evidence linking the AP to the abusive or neglectful act(s), including the opportunity for the alleged abuse to have occurred (e.g., ACV was in the care of the AP at the time the abuse occurred and no other reasonable explanation of the cause of the abuse exists in the record, etc.).

6. Physiological indicators or signs of abuse or neglect including, but not limited to, cuts, bruises, burns, broken bones or medically diagnosed physical conditions;

7. Physical evidence discovered that corroborates the allegation of abuse or neglect;

8. The existence of behavioral patterns that may indicate or corroborate the allegation of abuse or neglect.
<table>
<thead>
<tr>
<th>O. Transitioning Cases</th>
<th>Case transition occurs when it is determined that a service need is identified for a non-custodial case or when custodial services are required.</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>If service needs are identified for a family prior to case closure and there is a need for continued assistance/monitoring or completion of action steps following the closure of a CPS case, a transfer may be initiated for in-home case management. Once determined by the CPSI and LI, the CPS worker:</td>
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<tr>
<td>a)</td>
<td>Schedules a pre-conference with the Family Service Worker (FSW) to be assigned to the case. The pre-conference should focus on:</td>
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<td>♦ Sharing information related to the reason for involvement including safety concerns and risk factors;</td>
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<td>♦ The level of cooperation from the family; and</td>
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<td>♦ Any results from the formal and informal assessments.</td>
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<td>♦ Interventions attempted and the effectiveness of those interventions;</td>
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<td>b)</td>
<td>Schedules a transfer CFTM to be held prior to case closure.</td>
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<td></td>
<td>♦ The transfer CFTM should include the family, FSW, CPS worker, LI or designee, providers, and any support persons identified by the family, as applicable (Note: a skilled facilitator is not required for this meeting).</td>
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<td></td>
<td>♦ Families and agency partners should be notified of the date and time of the meeting no less than ten (10) calendar days in advance, in writing, or no less than seven (7) calendar days in advance, by telephone, email, or face-to-face. The method of notification for each invitee shall be documented in TFACTS in the CFTM section of the family case.</td>
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<td>c)</td>
<td>Completes, prior to the transition CFTM and before final case transfer, the following activities from form <strong>CS-1031, CPS Case Transfer Checklist</strong>:</td>
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<td>♦ The Family Permanency Plan;</td>
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<td>♦ Initiates or update the FAST; and</td>
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<td></td>
<td>♦ Update the case service request (CSR), when applicable, for purchased services which are to continue.</td>
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<tr>
<td>d)</td>
<td>Updates documentation in the applicable sections of TFACTS to include details of the transfer CFTM, addresses, telephone numbers, and relationships in the family case for all case members.</td>
</tr>
</tbody>
</table>
2. When a case is transitioned to custodial services, the CPS worker:
   a) Is responsible for formally transitioning the case to an FSW;
   b) Updates TFACTS within five (5) business days of the case transition, and on-going as information is received (refer to DCS policy 14.13, Confidentiality of Child Protective Services Cases);
   c) Contacts the FSW, in non-emergency removals, prior to placing the child into the state’s custody to case conference and share information.
   d) Contacts the FSW or Custodial Supervisor, in emergency removals, to case conference and share information in accordance with local protocols dictating case assignment;
   e) Attends the initial CFTM, when possible and applicable, in accordance the Child and Family Team Meeting Guide.

P. Closing Cases

To properly close a CPS investigation, all CPS investigative responsibilities referred to in DCS Policy 14.7, Child Protective Services Investigation Track and this Work Aid must be completed, in addition to the following tasks, within sixty (60) calendar days:

1. Complete case recordings that include the following for each contact:
   a) Required TFACTS fields including:
      ◆ Date of contact;
      ◆ Time of contact; and
      ◆ Type of contact (i.e., home visit, office visit, telephone conversation, written correspondence).
   b) A narrative detailing:
      ◆ Name of the person(s) contacted and relationship(s) to victim;
      ◆ Name of the DCS employee making contact;
      ◆ Names of all persons present during contact;
      ◆ Purpose of the contact;
      ◆ Issues discussed and client’s response to those issues;
      ◆ Summary of the substance of the contact, including;
Details of the interactions, discussions, agreements and/or decisions made.
Observations of safety and risk factors.
Observations of child and family including but not limited to specific observable behaviors witnessed, wellness of the children, intellectual or developmental concerns, and need for medical care.

- Corroborating evidence to support the classification;
- Additional issues and or activities identified; and
- Next steps to be taken with the child and family, when applicable.

Note: Case recording narratives must contain case relevant information and must be written in clear and complete sentences. They should not contain slang language, subjective or personal value judgements or administrative activities (e.g., worker is out on leave). Case recordings may contain a summary of information provided in emails or text messages. This type of correspondence may be uploaded into TFACTS. Emails and/or text messages should never be copied into case recordings.

2. Refer to DCS Policy 20.27, Child Death/Near-Death Rapid Response for child death/preliminary near death cases which require additional tasks.

3. Complete Form CS-0740, Child Protective Services Investigation Summary and Classification Decision of Child Abuse/Neglect Referral that documents the classification decision.

4. Document closing case summary in TFACTS.

5. Obtain the approval of the LI on the closure of the case. The LI’s approval signifies that:
   a) All documentation is complete;
   b) All information and decisions have been reviewed;
   c) All collaborative service providers have been notified; and
   d) All notifications have been made.

6. If at the conclusion of an investigation, the CPS worker feels that a person has either verbally or by written or printed communication knowingly and maliciously reported, or caused, encouraged, aided, counseled, or procured another to report, a false accusation of child sexual abuse or abuse/neglect that has resulted in a wound, injury, disability or physical or mental condition, the CPS worker consults with the RGC. This consultation should include discussion surrounding whether the reporter’s allegation was false, or it was more likely than not that the reporter knew,
at the time of making the allegation, that the allegation was false.

- After a determination has been made concerning whether malicious false allegations have been reported, the CPS worker or RGC can refer to the local District Attorney’s office.

7. If an investigation goes beyond sixty (60) calendar days, the LI documents, an Administrative Review, that includes an explanation for the delay and a plan for completing the case (Refer to DCS Policy 4.4 Performance and Case Supervision Practice Guidelines and Criteria).

Note: The CPS worker ensures that all demographic information has been entered into TFACTS for all ACVs and APs. APs that have been substantiated must have an updated address for Due Process notification purposes.

| Q. Following Local Protocols/Procedures | All requirements for local procedures and protocols as documented on CS-0251, Local Administrative Procedures and Procedures are followed. |