

Form JG-1

**DFCS PROTOCOL**1

Effective: November 15, 2022

The District adheres to the reporting child abuse requirements found in O.C.G.A §§ 19-7-5 and 20-2-751.7 (“mandatory reporting”), as well as the Professional Standards Commission’s state mandated reporter process for students, volunteers, and employees to follow when reporting instances of abuse, including alleged inappropriate sexual or abusive behavior by another school employee.

Any student who has been the victim at school, home, or any location of an act of abuse, sexual abuse, sexual misconduct, neglect or other inappropriate behavior by a teacher, administrator or other school system employee is urged to make a report of the act to any teacher, counselor, or administrator at his/her school. Any parent/guardian or friend of a student who becomes aware a student has been the victim of abuse is also urged to make a report directly to DFCS.

**What is the purpose of the mandatory reporting law?**

The Georgia law mandates reports of suspected child abuse by school employees. O.C.G.A. § 19-7-5(a) states that its purpose is to provide for the protection of children. Mandatory reporting of abuse is intended “to cause the protective services of the state to be brought to bear on the situation”. Finally, it states that the law “shall be liberally construed so as to carry out the[se] purposes”.

**What is child abuse?**

Child abuse includes, but is not limited to, physical injury; death; neglect; exploitation; sexual abuse and sexual exploitation (including prostitution or sexually explicit conduct); verbal, psychological, or emotional abuse. O.C.G.A. § 19-7-5.

**To whom do these requirements apply?**

*All District employees and volunteers are mandatory reporters under the law.*

Anyone “employed by or volunteering at a business or an organization, whether public, private, for profit, not for profit, or voluntary, that provides care, treatment, education, training, supervision, coaching, counseling, recreational programs, or shelter to children” is a mandatory reporter. O.C.G.A. § 19-7-5(b)(5).

**When does the report have to be made?**

A report of **suspected abuse**, “shall be made **immediately**, but in no case later than 24 hours from the time there is reasonable cause to believe that suspected child abuse has occurred. When a report is being made by electronic submission or facsimile . . . it shall be done in the manner specified by the Division. Oral reports shall be followed by a laterreport in writing, if requested, to a child welfare agency providing protective services . . . or, in the absence of such agency, to an appropriate police authority or district attorney.” O.C.G.A. § 19-7-5(e).

**What are the professional repercussions for District staff for failure to report or an untimely report?**

In addition to professional repercussions, such as termination of employment, a person required to report a suspected case of child abuse who knowingly and willfully fails to do so shall be guilty of a criminal misdemeanor. O.C.G.A. § 19-7-5(h).

**What does the law say about how to make report?**

*If danger is imminent, call 911 and then DFCS at 1-855-422-4453.*

If a person is required to report child abuse, “that person shall notify the person in charge of the facility, or the designated delegate thereof, and the person so notified shall report or cause a report to be made in accordance with this Code section. An employee or volunteer who makes a report to the person designated pursuant to this paragraph shall be deemed to have fully complied with this subsection.” O.C.G.A. § 19-7-5.

*See below for the District’s method by which the Principal or designee shall report or cause a report to be made.*

The Principal/facility head or designee “may be consulted prior to the making of a report and may provide any additional, relevant, and necessary information when making the report”; however, under no circumstances shall any person, including the Principal or designee, “*exercise any control, restraint, modification, or make other change to the information provided by the reporter*”. O.C.G.A. § 19-7-5.

**How does an employee report abuse?**

As discussed above, Department of Family and Children Services (DFCS) must be immediately notified, but in no case later than 24 hours; from the time there is reasonable cause to believe a child has been abused. All District employees and volunteers are mandated reporters.

* Contact the person in charge of the facility or his/her designee.
* If the designee is not available, the mandated reporter shall make the report on his/her own.
* The principal or person in charge of the facility should be informed of the report (not given a copy of the report). We recommend that the email be sent to the principal and campus police officer that only includes the name of the student and that a report was made.
* For reports on sexual cases Crimes Against Children “CAC” reports:
  + Crimes Against Children (CAC) Reports:
  + The school designee MUST contact Cobb County School District Police Department (CCSDPD) at 678-594-8620 to have them notify the local school’s police office and the appropriate law enforcement agency.

The mandated reporter can make a report using one of the following options:

* Option One: An oral report by telephone to 1-855-422-4453. This is a 24-hour reporting line.
* Option Two: A written report, Georgia Child Protective Services Mandated Reporter Form (Form JG-4**)**, by electronic submission to cpsintake@dhs.ga.gov
  + No other email address should be used to cc: or bc: this email.
* Option Three: Facsimile of Form JG-4 to 229-317-9663

The District employee should not call the student at home and ask about the suspected abuse; nor make any contact with any member of the student’s family unless the contact is with another student and is necessary to determine if reasonable cause exists to report this student may also be a victim of abuse. Asking for more information than is necessary to make a DFCS referral may have negative repercussions on the student and the ability of law enforcement to handle the matter. Form JG-4 should be completed to the best of the reporter’s ability with accessible information at the time of the report.

The mandated reporter should also contact Cobb County School District Police Department (CCSDPD) at 678-594-8620 in order to have them notify the local school’s police office and the appropriate law enforcement agency.

In addition, the principal or person in charge of the facility should be informed of the report. Form JG-4 should also be emailed to [childabusereport@cobbk12.org](mailto:childabusereport@cobbk12.org) within the same 24-hour reporting window.

**How do reporters know who the school or facility designee will be?**

Each year, the person in charge of the school or facility is required to appoint a designee or designees (i.e. school administrators, school counselors, school social worker, etc.). The identities of designees should be communicated to all school employees and to the appropriate Level Assistant Superintendent. At least one designee should be on the premises of the facility during the business hours of the facility.

**What is the role of the designee?**

The person in charge of the facility or the designee will assist reporters, including volunteers and staff, with reports to DFCS as discussed above.

However, **under no circumstances** will the person in charge of the designee, “exercise **any** control, restraint, modification, or make other change to the information provided by the reporter” but he or she “may provide any additional, relevant, and necessary information when making the report.”

Therefore, the person in charge of the facility **cannot** advise a staff member that there is not reasonable cause to believe a child has been abused, but can add additional information to the report being made to DFCS to assist DFCS in their understanding of the matter.

**How does a volunteer report abuse?**

* Consult with school designee immediately.
* Either the designee or the volunteer will make the DFCS referral within 24 hours
  + Option One: An oral report by telephone to 1-855-422-4453. This is a 24-hour reporting line.
  + Option Two: A written report, Georgia Child Protective Services Mandated Reporter Form (Form JG-4), by electronic submission to cpsintake@dhs.ga.gov
  + No other email address should be used to cc: or bc: this email.
  + Option Three: Facsimile of Form JG-4 to 229-317-9663
* The Principal or person in charge of the facility will complete the Georgia Child Protective Services Mandated Reporter Form (Form JG-4)and email to childabusereport@cobbk12.org.

**What type of confirmation will the mandated reporter receive?**

Within 24 hours of a school employee making a report of suspected child abuse, DFCS shall acknowledge, in writing, the receipt of the report to the reporting individual. Within five (5) days of completing the investigation of the suspected child abuse, DFCS shall disclose, in writing, to the school counselor or principal for the school such child was attending at the time of the reported child abuse, advising as to whether the suspected child abuse was confirmed or unfirmed.

**What if a District employee is the suspected abuser?**

If a student has been allegedly abused by a district employee, the mandated reporter will immediately inform the principal or person in charge of the facility and follow the DFCS Protocol. Additionally, the following departments should also be notified within 24 hours:

* Cobb County School District Employee Relations office (770-420-4958) AND
* Cobb County School District Police Department (678-594-8620)

**What if the situation involves an emergency or a suicidal ideation?**

*If danger is imminent, call 911 and then DFCS at 1-855-422-4453.*

* **Contacting Emergency Medical Services (EMS)/911 in Connection with Abuse Reporting:**
  + If the student is in need of emergency medical services in the context of an abuse situation:
  + Follow the procedures outlined in Administrative Rule JGC-R (School Health Services);
  + Notify DFCS using the process outlined, above;
  + Contact CCSDPD; and then
  + Notify the parent/guardian the student has been transported to the hospital, explain the physical reasons for transporting the student (i.e., the student was complaining of dizziness and you fear a possible brain concussion) but DO NOT indicate that child abuse is the suspected cause of the injury.
* **Connection with Suicidal Ideations:**
  + If the student is expressing suicidal ideations in connection with an abuse situation, the school should notify DFCS where abuse is present/suspected/alleged and ~~also~~ follow the Suicidal and Homicidal Ideation Protocol, which is available on CTLS for School Counseling.

**What if a child is afraid to go home?**

If you have made the required report and DFCS, Crimes Against Children (CAC), or other law enforcement agency has not responded and the student is afraid to go home:

* Administrators should employ professional judgment considering such factors as whether or not the student has a previous history of abuse or if there are visible signs of abuse. If you do not believe the environment is potentially dangerous at that time, send the student home on the bus. Consult with the campus police officer and/or your School Social Worker.
* If a student expresses concern about a potential discipline, school personnel (a counselor, social worker, or administrator) may contact the parent/guardian about the child’s concern.
* Administration will be responsible making arrangements for transportation for students who are kept at school. Neither campus police nor School Social Workers may transport students.

**What about children who are home alone?**

If you have concerns regarding a student being home alone, make an immediate referral to your School Social Worker. General guidelines may be found in the “**Home Alone Checklist**” **(Attachment #1),** but always consult with your School Social Worker. If you cannot contact your School Social Worker, contact the School Social Work Office at 770-656-5115.

**What if I need additional assistance or have questions?**

* *If an employee or volunteer is unsure whether a report is required*, the person in charge of the facility or his/her designee may assist the staff member or volunteer with consultation. If the employee develops reasonable cause to believe that a report should be made (whether or not DFCS agrees), the process outlined above will be immediately followed. *Should you have any questions or concerns about a DFCS report that has been made*, the following individuals are available to assist you:
* Ana Murphy – Supervisor, School Social Work, ana.murphy@cobbk12.org, phone 770-656-5115
* Missy Marsh – Supervisor, School Counseling, Advisement, and Crisis Response melisa.marsh@cobbk12.org, phone 404-434-1821

**Are child abuse reports confidential?**

Yes. All reports of child abuse are confidential except as provided by law. O.C.G.A. § 19-7-5(i) provides for confidentiality, as does O.C.G.A. § 49-5-40(b). Reports of child abuse are not generally subject to public inspection, and “each and every record concerning reports of child abuse is declared to be confidential”, and access is prohibited by O.C.G.A. § 49-5-40(b), except as specifically provided by law.

*NO information about child abuse reporting is to be placed in the student’s file or record. The school is not to make any parent/guardian contact regarding the reporting of possible abuse, regardless of the agency that comes to the school to interview the student.*

**What if a parent/guardian confronts the school about a suspected report?**

School staff cannot confirm any information about reports of child abuse. Records or information regarding the referral shall not be released to the parent/guardian (O.C.G.A. § 49-5-40).

School staff should immediately refer the parent/guardian to CCSDPD.

Any employee that believes that DFCS or any other agency has revealed his or her identity should report it to his/her Principal or head of the facility, who will report it to the School Social Work Supervisor. An investigation of such breach of confidentiality may be requested from DFCS, as well as written confirmation of the resolution of the matter from DFCS.

**Is the reporter protected?**

Yes. Any person or entity participating in the making of a report or causing a report to be made is “immune from any civil or criminal liability . . . provided such participation pursuant to this Code section or any other law is made in good

faith.” O.C.G.A. § 19-7-5(f).

**How are investigations of child abuse reports to be conducted?**

* If DFCS, CAC, or other law enforcement agency comes to a school to interview a student regarding possible abuse, they are to be allowed to conduct the interview. No parental contact is to be made by the school but will be made by the investigating agency if appropriate.
* The DFCS investigator should complete Form JCAB-1 each time he/she comes to interview the student.
* It can take DFCS up to 60 days to complete an investigation.
* When the DFCS investigator comes to the school to begin the investigation, he/she will provide the school with the date of the DFCS referral (which will begin the 60 days of investigation timeline).
* The school shall document the initial referral date on the copy of the badge.
* Within the 60-day investigation period, the DFCS case worker (investigator) may come to the school as needed to speak with the student, school counselor, school nurse, school social worker, student’s teacher, and/or administrators.

**Interviewing a student:**

When a DFCS case manager (investigator) is interviewing a student should local school personnel be present?

* Per CCSD DFCS protocol, no one from the local school **is required to be** present during the interview, unless DFCS deems it to be in the best interest of the student.
* *Custody of the Child.* If DFCS or a law enforcement agency takes a student into custody, no parental contact is to be made by the school. The law enforcementagency taking the student into custody will be responsible for that notification.
* CCSDPD should be notified to supervise the transfer of students. The individual removing the student from campus should complete Form JCAB-1(Outside Agency Interviews and Investigations).
* *Parent Intervention.* If a parent/guardian communicates to the school they do not want their student interviewed by anyone regarding a report of abuse:
  + If the communication is written, do not place it in the student’s file, but retain it for DFCS.
  + Inform the parent/guardian that they cannot prohibit school staff, DFCS, or law enforcement from interviewing their student at school.
  + If the communication concerns prohibiting the District employee who made the report from talking to their student, the parent/guardian still cannot dictate which staff the student can talk to at school. However, the Principal should advise the employee that he/she should not seek the student out unnecessarily but should maintain an “open door” policy and talk with the student if the student comes to him/her.

**What about checking students’ bodies and photographs?**

In some cases, it may be necessary for law enforcement and DFCS to photograph parts of a student’s body to preserve evidence of the abuse.

If the student needs immediate attention to a body part, that is not considered private, the campus police officer will take a picture to preserve evidence. The school nurse may be present for the comfort of the student.

Review the following first:

* **Who should photograph the student?**

School employees should **not** photograph any part of the student. If DFCS or CAC is coming, wait for them. If not, contact the CCSDPD for further guidance.

* **What if DFCS or CAC asks me to take pictures?**

Do **not** take the pictures. Contact the CCSDPD for further guidance.

* **Who needs to be present when the student is photographed?**

The principal or designee(s) may be present if the investigating agency requests that he or she be there for the comfort of the student; however, the principal or designee should not be a participant.

In some cases, it may be necessary to examine parts of a student’s body to determine the urgency of risk to the student to guide DFCS’ response. Review the following first:

* **Is the student willing to be checked?**

If not, the school must not force the student. If DFCS or CAC is coming, wait for them. If not, contact the CCSDPD for further guidance.

* **How old is the student?**

Even if the student is willing to be checked, the age of the student should be considered. Extreme care should be used in determining whether the school staff should check any part of a middle school or high school student. In cases where the school staff believes it is necessary but not appropriate to check the student, contact should be made with the CCSDPD.

* **What about checking students’ intimate body parts?**

Intimate body parts include the primary genital area, anus, groin, inner thighs, or buttocks of a male or female and the breasts of a female. Intimate body parts should not be checked by school personnel. However, school nurses may check a student’s intimate body parts if they have reason to believe the student may be seriously injured (for example, bleeding). At least one other employee should be present.

* **Who needs to be present if I check a student?**

Two administrators or other designated employees must be present when a student is checked. If possible, these two employees should be the same gender as the student. School Social Workers or School Nurses may be present. If law enforcement or the investigating agency is checking the student, the principal or designee(s) may be present if the investigating agency requests that he or she be there for the comfort of the student; however, the principal or designee should not be a participant.

**Will school personnel be trained regarding reporting?**

All school personnel who have contact with students shall receive notification of where to find the Child Abuse and Neglect Reporting website which will provide guidance on the identification and reporting of student abuse and neglect with annual updates in the form of memoranda, directives or other written information. Schools shall provide school employees, including classified employees, guidance on the identification of the local school designee and local school protocol. School will be provided a DFCS implementation guide with best practices.

Form JG-1

Attachment #1

**“HOME ALONE” CHECKLIST**

This checklist serves as a guide to what actions should be taken by a SSW**/**school counselor if in the event that a student is allegedly “home alone” during out-of-school hours (i.e. afternoons, evenings, weekends, etc.). This guide is meant to provide appropriate steps for the SSW/school counselor in assessing the student’s safety.

* **The SSW/school counselor should assess the student’s situation as it relates to supervision guidelines set by Georgia’s Division of Family and Children Services. These guidelines state:**

1. Students eight years or younger should not be left alone;
2. Students between the ages of nine years and twelve years, based on level of maturity, may be left alone for brief (less than two hours) periods of time; and,
3. It is strongly discouraged for parents to have thirteen-year-olds baby sit infants, small children, and children that require special attention due to medical conditions.
4. Students fourteen years and older, may be left under their own supervision under certain circumstances and for short periods of time so as not to jeopardize their safety and well-being. At this stage in their lives, many youths can benefit from experiences that foster a sense of responsibility, independence, and self-control. The primary factor to consider in determining if youth may be left alone is their level of maturity and ability to function in a safe, responsible manner for short periods of time without a caregiver present.
5. Children fifteen years and older can be left home alone overnight, depending on the level of maturity of the child.

* **If the SSW/school counselor assesses that the student’s safety is not compromised, and, that measures are put into place by the guardian which ensures the student’s basic needs are being met, a DFCS referral is not warranted.**
* **If the SSW determines the alleged home alone student is serving in a “babysitter” capacity,** **attempts should be made by School Social Worker, School Counselor to assess the potential risk and/or harm. The following questions should be explored:**

1. Does the student(s) know the emergency plan for the family?
2. Does the student(s) know the parent's phone numbers (work and home)?
3. Does the student(s) have access to the phone numbers of nearby relatives, neighbors or friends?
4. Can the student(s) demonstrate the plan and recite the numbers?
5. What is the availability of the parent during this time?
6. Are there environmental factors that add risk to the situation (firearm safety, water safety, any other potential hazards, etc.)?
7. Are there factors that reduce risk (i.e. supportive/available neighbors)?
8. Does the student(s) demonstrate dependability, responsibility and trustworthiness?
9. Does the student(s) have any physical, developmental, genetic, behavioral, emotional, cognitive, or psychiatric disabilities?
10. The length of time and the time of day that the student(s) will be left unsupervised.
11. Identified environmental danger(s) (e.g. unattended in a car or bathtub or with unrestricted access to a swimming pool).
12. The student's level of discomfort of being left without adult supervision.
13. The specific nature of the student's activities while he or she is left unsupervised (e.g. age-appropriate play activities versus accessing pornography on the Internet, vandalism, or shoplifting).
14. The student's knowledge and use of protocols for safely answering the telephone and/or door when he or she has been left unsupervised.
15. The student's accessibility to his or her parent or to another, specific, informed individual designated to be his or her caregiver.
16. The physical, emotional, and mental capabilities of the designated caregiver (e.g. a young baby-sitter or an elderly grandmother asked to care for too many children simultaneously).
17. The number, ages, and maturity of the other children under the caregiver's supervision.
18. The age-appropriateness of the responsibilities given to the student(s).

* **SSW/school counselor should follow steps outlined below:**

1. Once SSW/school counselor has learned a child is possibly home alone, SSW/school counselor will attempt to interview the student at school concerning alleged concerns.
2. SSW/school counselor should speak with the guardian and/or relative regarding the alleged concern. The SSW/school counselor should speak with the guardian regarding safety measures put in place, as well explore any concerns that SSW/school counselor may have assessed while interviewing the student(s). At the discretion of the SSW/school counselor, a home visit may be made to verify possible safety issues.
3. If unable to talk with student in school, the SSW should make a home visit to determine whether or not the child is home unsupervised. If the SSW makes a home visit to find a child left home alone, the SSW should not enter the home without an adult guardian (18 years and older) present.
4. Once verified student is home alone, follow these procedures:
   * Contact the student’s primary guardian regarding the student being left home unsupervised.
   * If the primary guardian cannot be reached, the SSW should contact the remaining adult contacts (as appropriate) located within the student’s permanent record and/or OnTrack.
   * If a preponderance of evidence is supported from the following steps the child is home alone *and* is deemed unsafe, a child protective services referral should immediately be made to Cobb County Department of Family and Children Services (DFCS).
   * If the SSW feels the child is in *imminent* harm or risk, the SSW should notify local law enforcement officials immediately followed by a child protective services referral to Cobb County DFCS.

Based on this checklist, if the SSW feels that child’s safety may be compromised, the SSW should immediately make a DFCS referral as outlined in district policy. The SSW can also request that a welfare check home visit be made by local law enforcement to assess the student’s safety in the home environment. If the SSW assesses that the student’s safety is not compromised, and, that measures are put into place by the guardian which ensures the student’s basic needs are being met, a DFCS referral is not warranted.

Under no circumstance should a student *not* be sent home due to alleged concern the student may be unsupervised. If the student normally rides the bus home, the school is expected to send the student home via bus and notify either Cobb County DFCS and/or law enforcement immediately (if the school and/or SSW assess the student may be in harm).

If the SSW makes a home visit to find a child left home alone, the SSW should *not* enter the home without an adult guardian (18 years and older) present.