School Principals and the Child Welfare System: An Exploratory Study of Interviews Conducted on School Grounds

A Dissertation Presented for the

Doctor of Philosophy

Degree

The University of Tennessee, Knoxville

Jeffrey Maurice McCabe

May 2018

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DEDICATION

This dissertation is dedicated to my friends who educated me at the University of Laurel Street. This degree has prepared me for the professional who I will become. Arbo, Bulger, Dick, Doc, Hughie, and Tony, the reiteration of your teachings morning after morning prepared me to become the person who I am. I will be forever grateful.

ACKNOWLEDGEMENT

I would like to thank my dissertation committee for allowing me the freedom to conduct this study that allowed me to produce the first known research on a novel topic. I would like to thank Dr. Derrington for the opportunity to have convinced her during class that she was the outside member who my committee needed. I would like to thank Dr. Mary Held, who although not a committee member, was the person I always counted on to make time for me. The support that you and Kate Chaffin provided allowed me to persevere through the most difficult parts of the program.

I would not be in the position I now find myself without the writing guidance offered to me by Jane Reckart. Not forgetting to edit my writing brought me to the status of published author.

I would like to thank Cathy Leyh for the gift she sent when I just started the program. Your faith in me contributed to finding my way to the completion of this degree.

This research would not have been possible without participation from the school principals who participated in my dissertation study. Your commitment to education was evident in the responses that I received.

ABSTRACT

Investigators at child welfare agencies investigate allegations of abuse and neglect by interviewing the identified child victim. Schools are a customary location where an investigator may conduct the interview. Each state in America has independently determined the guidelines that determine how interviews are conducted. A literature review produced 17 articles that analyzed past legal proceedings where the constitutionality of whether a child could be interviewed at school without a warrant, court order, exigent circumstances, or parental consent was challenged. A national review of statutes and policies identified the varying approaches that states have authorized to regulate school-based interviews. Public school principals in Tennessee completed two surveys regarding school-based interviews. The first survey questioned what perceptions and understandings principals have of policies that regulate child welfare interview procedures. The second survey asked what steps that school principals have put in place to facilitate interview requests. Each survey was completed by 109 school principals. Revealed in the statutes and policies review was that policies issued by the Tennessee Department of Children's Services (DCS) did not contain clear details to inform principals how to respond to all types of interview requests. The results of a binary logistic analysis suggested that the Title I status of the school that principals responded on behalf of was a statistically significant predictor of what knowledge principals had of DCS policies. Differences were found to exist between high school and non-high school principals in the results of Fisher's exact test for how principals reported to facilitate interview requests. A research study with a larger sample size representing the responses from more principals in Tennessee is needed before recommending best practice standards for school-based interviews.

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INTRODUCTION

How child welfare investigators gain access to interview children at school might look different today had the Supreme Court not dismissed the ruling from the Ninth Circuit Court of Appeals in the case of *Greene v. Camreta* on the grounds of mootness that the interview of a child without a warrant, a court order, exigent circumstances, or parental consent was a Fourth Amendment violation (Stednitz, 2011). Prior to the Supreme Court dismissal, investigators under the jurisdiction of the Ninth Circuit were cautioned about conducting interviews under the aegis of the special needs doctrine, that allows an exception to the warrant or probable cause provision of the Fourth Amendment when the purpose of the interview is not for law enforcement purposes (Yourtz, 2012). Qualified immunity remains in place for government workers to conduct investigations without a warrant or probable cause when the primary purpose is not law enforcement (Thompson, 2011). No federal guidance was made available after the *Camreta v. Greene* dismissal that instructs child welfare investigators how to conduct interviews in accordance with the Fourth Amendment rights of children and their families.

In the absence of federal guidance, the United States District Court for the Southern District of New York ruled in *Phillips v. Orange County* that a child interviewed without parental consent at a New York public school was an unconstitutional seizure (New York State Office of Children and Family Services, 2016a). Following the ruling in *Phillips*, school principals became able to set reasonable visitor policies for investigators when on school grounds and could insist that a school official observe the child interview (New York State Office of Children and Family Services, 2016b). What transpired in New York may have indicated that any state is prone to reevaluating how children are to be interviewed at school if a parent files suit against a child welfare agency.

Although Tennessee did not have a court case that contributed to how schools should cooperate with the Department of Children's Services (DCS), both Tennessee Attorney General Opinion No. 87-101 and Tennessee Attorney General Opinion No. 09-22 provided guidance that there is a duty of public school employees to permit a DCS investigator to interview the child while at school; to not insist that a school employee is present for any interview, including when the alleged abuser is a school employee or student; to have the school's principal reasonably set the time, place, and circumstances of the interview; and that no law is violated by the school when the parent is not notified because of the investigator's request, even when the alleged abuser is not a member of the child's household (Cooper Jr., Moore, & Dimond, 2009). Schools are only mentioned in the investigation portion of DCS policy in Work Aid-3 (2017), where language is found that since reasonable concerns about the child's safety are paramount to any other consideration of the timing and location of the interview, schools are included as a place that a DCS investigator can go to locate a child who is the subject of an investigation. Neither the two Opinions or DCS policy has addressed how a principal should respond if the interview request is to talk with a child about an ongoing case instead of an investigation.

The most that a school principal is required to know by federal law about the child welfare system is that school employees are mandated reporters of abuse and neglect allegations by passage of the Child Abuse Prevention and Treatment Act in 1974 (Hutchinson, 2007). School employees cannot conduct the investigation or stipulate how the investigation is conducted (Gupta-Kagan, 2012). The distinction between a school administrator and child welfare investigator questioning a student, is that the investigator is primarily concerned with what happens outside of school (Gupta-Kagan, 2012).

There was a significant gap in the literature that this dissertation attempted to fill. Prior to the three dissertation studies that were conducted, social work researchers were without data that attempted to answer how school personnel and child welfare workers collaborate to facilitate requests for the interview of children regarding allegations of abuse or neglect. The new knowledge was attained by three studies: (a) a national review of applicable state level statutes and policies that are intended to direct what should happen when a child is interviewed at school; (b) an assessment of school principals' perceived knowledge and understandings of Department of Children's Services and school district policies regarding abuse and neglect interviews of children in Tennessee; and (c) an experimental study of how school principals in Tennessee reported to facilitate requests by Department of Children's Services workers to interview children at school for both intake and ongoing cases.

CHAPTER I

Child Welfare Interviews at Schools: A Review of Statutes and Policies

Abstract

Child welfare workers have come to expect access to interview children at school as a means to ensure their own safety. Court cases have questioned if interviews at school without a warrant, court order, exigent circumstances, or parental consent violates the Fourth and Fourteenth Amendment rights of children and their parents. This systematic review paper uses the 2011 Supreme Court case, *Camreta v. Greene*, to set the stage for a systematic review of other relevant court cases that have tested the legality of search and seizures at schools. Statutes and policies from all 50 states that regulate interviews at schools are then examined.

Keywords: child welfare, school social work, school policy

The purpose of this systematic review is to synthesize the available policies and statutes from all 50 states that regulate what access child welfare workers are granted to interview children at school. To fully grasp the context by which the regulations are based on, a review of the child welfare system and relevant court cases are used to help explain why the need for governance of school interviews exist. The Supreme Court had the opportunity in 2011 to offer guidance in the case of *Camreta v. Greene* as to whether child welfare investigators violate the Fourth Amendment protection from illegal search and seizure when minors are interviewed at school as part of an abuse or neglect investigation (Gupta-Kagan, 2012). At issue, was if on February 24, 2003, an Oregon Child Protective Services worker, Bob Camreta, infringed upon the Fourth Amendment rights of a 9-year-old girl, S.G (Kwapisz, 2012). Camreta, along with Deschutes County deputy sheriff, James Alford, responded to an allegation that Nimrod Greene had molested his two daughters by interviewing S.G. at her school about the alleged abuse for almost 2 hours (Gupta-Kagan, 2012). In response, S.G.'s mother, Sarah Greene, sought a court remedy regarding whether Camreta's actions were a violation of her daughter's Fourth Amendment rights when the interview was conducted without a warrant, a court order, exigent circumstances, or parental consent (Yourtz, 2012).

All 50 states had ratified their own reporting mandates and laws intended to protect children from abuse and neglect by 1967, which became more stringent once passage of the 1974 Child Abuse Prevention and Treatment Act tied the awarding of federal funds to adherence with these specified standards (Woodhouse, 2011). In *Child Maltreatment 2015*, published by the Children's Bureau (2017), 3.4 million children were reported as having received either an investigation or alternative response from a child welfare agency. Out of that total, 683,000 children had a substantiated case of abuse or neglect (Children's Bureau, 2017). The volume of

investigations has left child welfare workers at constant odds over how to protect children who are reported victims of abuse or neglect, while simultaneously respecting the right of a family to live independent of state intrusion (Pie, 2012).

The Due Process Clause of the Fourteenth Amendment has been applied to uphold the right of parents to maintain custody and control of their child (Stednitz, 2011). This individual right to life, liberty, and property is to be protected until that time at which a removal is made only through due process of the law (Stednitz, 2011). The sheer act of a child welfare investigator interviewing a child without parental knowledge has faced opposition as a restriction of parental authority (Gupta-Kagan, 2012). A certain amount of financial and emotional reserve is often needed for parents to contest the deprivation of their ability to parent without restriction (Dumbrill, 2006).

Limits on the autonomy parents have to raise their children are contested when child safety is compromised by physical abuse, sexual abuse, emotional abuse, and neglect (Donahue, 1981). Child welfare agencies initiate abuse and neglect investigations when a claim is made that offers enough believed truth to pass an initial screening process (Pie, 2012). With the ability for almost anyone to make an allegation against a family, a screening process is utilized to screen out investigations that lack credibility (Coleman, 2005). A conducted investigation that lacks credibility is grounds for parents to bring a lawsuit under 42 U.S.C. § 1983 (Stednitz, 2011). Under § 1983, Congress gave citizens the right to seek damages against the government by filing suit when a government actor infringes upon a constitutional right (Bascom, 2013).

Efforts have been made to reduce the number of families who are subjected to an official child welfare investigation (Spratt & Callan, 2004). A differential response model, where only the most severe cases are investigated, and low-risk cases have been offered support services, has

been one approach to reduce exposure to the child welfare system (Gupta-Kagan, 2012). Characteristics of referrals that were identified by McCallum and Cheng (2016, p. 114) as prime cases for differential response included, "cases from nonmandated reporters; children older than 3 years of age; reports with one child; cases of neglect, deprivation, or other maltreatment type; White and other children when compared to Black children; and less likely for sexual abuse cases." The risk of a differential response model is still ensuring that families get connected with the resources needed to resolve the reason for referral without the thoroughness of a full investigation (Marshall, Charles, Kendrick, & Pakalniskiene, 2010).

At the onset of the process, parents will first try to determine why the investigation was needed before devising how they might react (Dumbrill, 2006). The relationship between a family and child welfare investigator is one that is coarser during the initial visits (Spratt & Callan, 2004). Early in the family assessment phase is when the stigmatization that child welfare workers disrupt family functioning can lead to negative first impressions that could disrupt the entire investigation process (Buckley, Carr, & Whelan, 2011). Families who view a benefit to child welfare involvement for their children are more amicable in cooperating with the agency (Gladstone et al., 2006). In other cases, time is needed for the family and caseworker to build the necessary rapport before there is compliance by the family to address the reason why the referral was made (Gladstone et al., 2006; Spratt & Callan, 2004).

The Greene family never developed rapport with their assigned caseworker, Bob Camreta. Camreta was summoned to interview the child, S.G., because when her father, Nimrod Greene, was released on bail following his arrest for the alleged sexual abuse of an unrelated 7-year-old child, an assumption was made that S.G. and her younger sister were at risk (Kwapisz, 2012). The admission S.G. made following 2 hours of interviewing by Camreta and Alford, that

her father inappropriately touched her and her sister, led to an indictment by a grand jury on federal sexual assault charges (Gupta-Kagan, 2012). The children, S.G. and K.G., were removed from their mother, Sarah Greene, to be placed in foster care for 20 days, when Camreta was not convinced that Sarah Greene would comply with the request to keep her daughters away from their father while the investigation was conducted (Gupta-Kagan, 2012).

When S.G. underwent further investigation by the Kids Intervention and Diagnostic Service Center, there were no physical indicators of sexual abuse, and S.G. recanted her admission of the abuse, accrediting her earlier statement to the pressure of Camreta interviewing her at school (Gupta-Kagan, 2012). In response to the initial jury not reaching a verdict against Nimrod Greene, the result was entering an Alford plea with no admission of guilt in the case of the unrelated child, and having the charges related to S.G. dismissed (Kinports, 2012). The recommendation by the Oregon Department of Human Services that S.G. and K.G. be returned to their mother was granted when brought to court (Gupta-Kagan, 2012).

Sarah Greene went on to sue Camreta and Alford for having conducted the interview at school without a warrant or parental consent, along with Bend-La Pine Schools and the school counselor who brought S.G. to the interview (Walsh, 2011). A federal district court removed the school and counselor from the lawsuit. The district court allowed the Greene's case to proceed as a Fourth Amendment violation but rejected the motion to include the claim of a Fourteenth Amendment violation (Stednitz, 2011). Camreta had the district court rule in his favor that his interview of S.G. was not a Fourth Amendment violation, and that he would have been protected by qualified immunity even if the interview had been a violation (Stednitz, 2011).

Upon appeal by the Greene family to the Ninth Circuit Court of Appeals, by a unanimous decision, a reversal was made where Camreta was found to have violated S.G.'s Fourth

Amendment rights by having conducted the interview without a warrant, a court order, exigent circumstances, or parental consent (Yourtz, 2012). The Ninth Circuit also ruled that a Fourteenth Amendment violation occurred when Sarah Greene was barred from the medical examination that sought to determine if her daughter, S.G., had been sexually abused (Stednitz, 2011). What the Ninth Circuit did not overrule was that Camreta held qualified immunity that prevented legal action from being brought against him because the Fourth Amendment rights of S.G. in a school setting were not clearly defined when the interview occurred (Stednitz, 2011). Guidance was offered that child welfare workers, when conducting investigations, needed to become more cautious in their application of the special needs doctrine, that allows an exception to the warrant or probable cause provision of the Fourth Amendment when the purpose of the interview is not for law enforcement purposes (Yourtz, 2012).

Had the Supreme Court not reviewed and modified the Ninth Circuit ruling, government workers under the jurisdiction of the San Francisco based court would have lost the qualified immunity previously afforded to them (Gibeaut, 2011). By the time an appeal reached the Supreme Court in May 2011, S.G. had moved with her family to Florida and was about to reach age 18, which led to a 7-2 ruling that dismissed the case on grounds of mootness (Kwapisz, 2011). The opinion composed by Justice Kagan relinquished the qualified immunity guidance from the Ninth Circuit, leaving open the exception for government workers to conduct investigations without a warrant or probable cause when the primary purpose is not law enforcement (Thompson, 2011). The missed opportunity by the Supreme Court to offer guidance on how best to conduct child welfare interviews at schools left in place differing decisions from state and lower federal courts for how Fourth Amendment rights are to be upheld (Dobbins-Baxter, 2012).

The purpose of this systematic review paper was to attempt to include, but also move beyond what was determined by court rulings, with a review of statutes and policies published online from all 50 states. States varied with the level of detail provided on how schools should facilitate interview requests made by child welfare investigators. The information obtained from the search was used to synthesize the findings into a table of relevant statutes and policies, a written analysis of the most pertinent findings contained within the table, and recommendations for how child welfare agencies and schools could work together in developing best practice standards that are representative of all the parties involved with the investigation.

Methods

Collection of Law Reviews

An initial search was conducted to determine if any empirical studies were produced to answer the research question if child welfare investigators are permitted to interview children at school. Social work related databases that were searched included Social Work Abstracts, Social Services Abstracts, Sociological Abstracts, Web of Science, and PsycINFO. Key words that were used for the search included *child welfare investigation*, child welfare interview*, child protective services, child abuse and neglect + school policy, and child abuse + interview*. Inclusion criteria was set on articles that contained information on child abuse and neglect interviews that are conducted at a school. No results were found that could answer the research question for this review. The same key words were then entered into two education related databases, ERIC and Education Source, with no results that were related to the research question. Four general, non-discipline specific databases, Academic Search Complete, Google Scholar, LexisNexis Academic, and SCOPUS produced findings related to the legal implications of the *Camreta v. Greene* Supreme Court case.

Google Scholar, HeinOnline, and LexisNexis Academic were the databases used to conduct a more thorough search of publications from law review journals. Keywords for this search included *Camreta v. Greene, child abuse interviews + Fourth Amendment, and child abuse interviews + Fourteenth Amendment.* The inclusion of the Fourth and Fourteenth Amendment keywords were to try to capture the potential violation of constitutional rights on which *Camreta v. Greene* was argued. There were 17 articles that the search produced related to if children can be interviewed at school regarding allegations made against the child or child's family that could eventually end up in court. Court cases that were brought against child welfare agencies or schools but did not pertain to interviewing children at school were excluded from this review. Publication dates ranged from 2000-2014, with the focus of what was written directed towards analysis of relevant court cases on the legality of school-based interviews.

Collection of State Statutes and Policies

Attorneys retained by the National School Boards Association sent a brief to the Supreme Court during the *Camreta v. Greene* proceedings (Negron Jr., Wright, & Pauole, 2010). The brief written on behalf of the National School Boards Association, the California School Boards Association, and the Oregon School Boards Association listed applicable statutes and regulations related to the *Camreta v. Greene* case from 35 states. An explanation of the language contained within the statutes and regulations was not provided. The authors listed the statutes and regulations to identify the states that prohibit interfering with a child welfare investigation or the sharing of confidential information related to the investigation. Areas to which the statutes and regulations were applied included states where schools are a possible or preferred interview location, where school officials are prohibited from denying the interview request, where case information is confidential and cannot be shared with the school, and where it is a crime to

interfere with the investigation (Negron Jr. et al., 2010). The listing of statutes and regulations from 35 states was a starting point for the search that aimed to cover all 50 states in this current review.

To locate information about the rest of the 50 states, and additional information about the already identified 35 states in the brief, the Internet was searched using Google and Bing for •all publicly available state statutes, policies, and manuals related to whether children can be interviewed at school as part of an abuse or neglect allegation; •is parental consent needed for children to be interviewed by child welfare workers regarding allegations of abuse or neglect, •who is permitted to be present for the interview at school; and •any other relevant information related to the procedures for an interview on school grounds. All 50 states were included in the search. Terms that were used for the search included the name of the state, and child abuse interviews at school, child welfare interviews at school, child protective services laws, child protective services policies, child protective services manual, and Department of Education child abuse policy. Attempts to locate a statute, policy, or guidance on how interviews are conducted at schools continued until the information was obtained or all relevant state child abuse or education statutes and manuals were reviewed for all 50 states. Statutes or policies that did not address how facilitation of interviews could take place at school were excluded from the review.

The Role of Schools in Investigations

Beyond Mandated Reporting

The Child Abuse Prevention and Treatment Act signed into law by President Nixon in 1974 led to an increase in the number of child welfare investigations, when categories of professionals who work directly with children became mandated reporters of abuse and neglect allegations (Hutchinson, 2007). In the wake of mandated reporter requirements, school

employees have made the most reports of any professional sector (Sinanan, 2011). The obligation for school staff to report rests with the staff member to whom the allegation was first revealed, not with one specific school leader (Hutchinson, 2007). This role has made schools a first line of defense in trying to protect their students from abuse and neglect (Hutchinson, 2007).

Schools have gained a reputation as a place where children routinely attend without much worry because students are conditioned to expect school employees will keep them safe (Smithgall, Cusick, & Griffin, 2007). Because schools have a primary mission of educating students, there is a trust among children and families that any support services offered will not have an adverse effect (Ko et al., 2008). Child welfare agencies are not as revered among parents and children. Parents perceive child welfare investigations as a power imbalance where the caseworker holds higher authority in the decision over a child remaining in the home or being placed in substitute care (Dumbrill, 2006). Children who are at the center of the investigation wait with uncertainty over the possible removal from their caregivers, homes, schools, and communities (Kisiel, Fehrenbach, Small, & Lyons, 2009).

Child welfare investigators can enter schools without parental permission or a court order to request an interview with students who are the subject of an abuse or neglect allegation (Kinports, 2012). Camreta claimed as part of his trial defense that interviewing children at school was not out of the ordinary for workers at his agency (Kwapisz, 2011). School personnel are not guaranteed to be part of the interview, where they might serve as a familiar source of support for students (*Greene v. Camreta*, 2009). The premise for why child welfare interviews at schools became customary was to prevent potential influence by a suspect, including parents, during the interview (Gupta-Kagan, 2012). Schools are merely the mediary to investigations that are often not necessarily related to the school (Gupta-Kagan, 2012).

School Initiated Investigations

In the 1985 case of *New Jersey v. T.L.O.*, the Supreme Court ruled that the special needs doctrine of the Fourth Amendment did apply when an assistant principal searched and seized the belongings from the purse of a female student who was suspected of having violated a school rule when she smoked a cigarette in the bathroom (Gupta-Kagan, 2012). The ruling in this case stemmed from how the primary purpose of the search and seizure was to uphold order and discipline within the school, not for law enforcement purposes (Kwapisz, 2012). Without an immediate response to the suspicion, which obtaining a warrant could have compromised, the school's ability to uphold order and discipline would have been diminished (Gupta-Kagan, 2012). The Court indicated that a different outcome was possible had the assistant principal acted in tandem with, or at the request of law enforcement agencies, to search the girl's belongings (Kinports, 2012).

Subsequent cases brought before the Court had the ruling from *T.L.O.* upheld when the search was within the confines of a schools' ability to act independently from law enforcement to discipline a student (Stednitz, 2011). Confines have remained in place to keep schools from aimlessly searching students (Pie, 2012). For a search to qualify under the special needs doctrine, there must be suspicion prior to the search that evidence will be produced, and the search must be conducted in a manner that is pertinent to the intent of the search (Pie, 2012). When *Camreta* was heard by the Ninth Circuit, the ruling from *T.L.O.* was said to only apply to searches and seizures that were initiated by teachers and administrators in a school setting (Pie, 2012). That was because there was no expectation that teachers or administrators needed to familiarize themselves with what establishes probable cause (Pie, 2012).

Camreta attempted to prove in his defense that because he interviewed S.G. at school, *T.L.O.* should have exempted him from the normal warrant requirements (Dobbins-Baxter, 2012). A key distinction between school and child welfare search and seizures rests on how child welfare interviews are primarily concerned with what happened outside of school (Gupta-Kagan, 2012). The Ninth Circuit determined that the urgency for quick, active discipline in the *T.L.O.* ruling did not apply to *Camreta* (Dobbins-Baxter, 2012). Additionally, the Ninth Circuit explicitly refrained from commenting on whether the special needs doctrine had any bearing on if the exception could apply in the absence of a direct law enforcement purpose, and without law enforcement involvement (Dobbins-Baxter, 2012).

Expectation of Privacy

A seizure of a person or personal property is permissible when done through a legal right or process (Kwapisz, 2012). The degree that an expectation of privacy existed has been used to decide if there was a real expectation of privacy prior to the seizure (Kwapisz, 2012). When *Camreta* was heard, Justices Kennedy and Breyer both supported the use of discipline by school officials for children who misbehave as an expected outcome and, thus, not an illegal seizure if a student is forced to stay after school as punishment (Gupta-Kagan, 2012). Once a rational person no longer presumes an ability to leave while being held for questioning, the line of restricting liberty starts to be crossed (Kwapisz, 2012). Children are less familiar with child welfare workers than school personnel with whom there is routine interaction. Unfamiliarity with the child welfare worker creates more uncertainty over how assured a child is about expectations of privacy or freedom to leave during an interview that investigates abuse or neglect (Gupta-Kagan, 2012).

The assumed privacy that students have at school is no longer guaranteed when an immediate response is needed to keep operations orderly (Gupta-Kagan, 2012). Camreta waited 3 days after receiving the intake report that alleged sexual abuse before he went to interview S.G. at her school (Krzywonski, 2011). No other action was initiated by Camreta over those 3 days to launch the investigation (Gupta-Kagan, 2012). The Ninth Circuit noted the delayed response as to why, although the need for child welfare investigations without a warrant or parental consent might exist, Camreta's decision to wait 3 days negated the claim of exigent circumstances (Kwapisz, 2012).

When the Supreme Court implied that S.G. should have had a reduced expectation of privacy while at school, there was a caveat that the expectation might diminish for non-school related concerns (Kinports, 2012). There were privacy rights that S.G. was entitled to when she was a 9-year-old girl (Gibeaut, 2011). One consideration given to the authority of an adult to ask investigative questions to a child at school while not infringing on a right, is to not cause long-term psychological side effects (Pie, 2012). Schools, when viewed as in loco parentis during the school day, have been afforded more leeway with how intensely they can question minors (Woodhouse, 2011). However, the privacy rights of a minor have been interpreted in the past as the privacy that parents expect for their kids when they are sent to school (Pie, 2012).

Public vs. Private Schools

In April 2003, the Seventh Circuit ruled in *Doe v. Heck* that a different standard applied for child welfare interviews conducted at a private school on private land as opposed to a public school on public land (Kwapisz, 2012). How the 4th grade child, John Doe Jr., was searched and seized while being interviewed by the caseworkers, Heck and Wichman, was deemed a violation of Fourth Amendment protections (Yourtz, 2012). The allegation that sparked the investigation

came from the guardian of a former student at the privately-operated school who claimed she saw the principal use corporal punishment against Doe Jr. and other students (Dobbins-Baxter, 2012). Despite the principal initially denying the interview request, the child welfare workers eventually gained access to Doe Jr. without a warrant or parental permission by claiming they knew the interview was legal based on Wisconsin law, their job preparation by the Bureau of Child Welfare, guidance from the local district attorney's office, and the guidance of the attorney for the Bureau (Dobbins-Baxter, 2012). After the principal granted permission for the child welfare workers to interview Doe Jr., a body search to check for signs of abuse followed (Pie, 2012).

The caseworker who led the Doe Jr. investigation was unable to convince the Seventh Circuit that permission from the principal to conduct the interview was also authorization for the body search (Pie, 2012). At no point following the body search did the school allow the caseworkers to see Doe Jr. or any of his siblings for questioning (Dobbins-Baxter, 2012). No substantiated proof was found that the Doe family needed ongoing child welfare services (Coleman, 2005). Confusion arose when the Doe family was mailed a letter that notified them the case was being closed based on finding no imminent safety concerns, but remarks were put into the case file that the Doe family had their case closed after not complying with the investigation (Coleman, 2005).

The school and Doe Jr.'s parents both sued the caseworkers who conducted the investigations on the grounds of multiple constitutional violations (Dobbins-Baxter, 2012). A verdict was issued that a Fourth Amendment violation had transpired when Doe Jr. was searched and seized (Kwapisz, 2012). Factored into the favorable ruling for the Doe's was how parents decide to send their children to private school to limit government intrusion into their lives

(Yourtz, 2012). The privacy one expects to be afforded at home was deemed akin to the expectation for privacy at a private school (Pie, 2012). Not deliberated by the Seventh Circuit was how the ruling could have reflected a double standard by which the ability to send a child to a private school bestows a higher expectation of privacy than those who attend public school (Stednitz, 2011).

Policy Review

<INSERT TABLE 1-1 HERE>

The ruling of mootness in the *Camreta v. Greene* case meant that children who were the subject of abuse and neglect allegations continued to be interviewed at school without parental permission or a court order (Kinports, 2012). Without the federal guidance that the Supreme Court could have provided in 2011, rulings from a U.S. District Court or lower court, state statutes, or the policies of a state agency have determined the conditions under which a child welfare investigator can interview a child at school. Upon completion of the current review, a concurrence appears that public schools in every state are expected to cooperate with permitting interviews. Less of a consensus was evident for interview requests at private schools. The conditions under which interviews are permitted have both similarities and differences among the states.

Some states provide greater detail than others to reduce ambiguity about what can or cannot happen as part of the interview. An example of a state with clear instructions is Arizona, where the education and child welfare systems rely on §8-471 (Arizona State Legislature, 2017), Policy and Procedure Manual Chapter 2: Section 3 Conducting Interviews (Arizona Department of Child Safety, 2016), and Arizona Attorney General Opinion Number I16-004 (R16-001) (Brnovich, 2016) for procedural purposes. What is known through these measures are under

what circumstances that consent is required for the interview, the appropriateness for school personnel to be present during the interview, and that the investigator is required to complete the Request for Interview at School form before access to the child is permitted. Conversely, Pennsylvania is limited to Child Protective Services Law: 23 Pa.C.S. Sections 6311 & 6346 (Commonwealth of Pennsylvania, 2016). Under this provision, schools are limited to knowing only that there must be cooperation with the investigating department or agency by providing information as is consistent with law. Failure to cooperate can result in a misdemeanor of the third degree for the first offense, and a misdemeanor of the second degree for any subsequent offenses. No information was found that clarified the issue of parental consent or who can be present for interviews conducted at a school in Pennsylvania.

Having found that certain states offer more defined statutes and policies than others, left an inability to comprehensively answer what is and is not permitted in each state. This review was conducted to find any language contained in the documents that answered what consent is needed to interview a child, where a court order can be sought to conduct the interview, where the interview can be recorded, who can be present for interviews at a school, what notice schools must receive prior to the interview, and what differences exist for access at public versus private schools. While specific enough information was not available through the review to unequivocally address each of the sought-after areas, enough closely related information was found to conclude that public schools in every state must cooperate when a child welfare investigator requests an initial interview with a student who is named in a report that alleges abuse or neglect.

Consent

No consent. Nineteen states (AK, HI, ID, IL, IA, KY, LA, MI, MN, NE, NV, NM, ND, OK, RI, SC, SD, VA, WI) appeared to have few to no restrictions on needing parental consent for a child to be interviewed at school. Five states (KY, LA, NM, OK, SC) specifically affirm that a child can be interviewed at school without parental consent. Nine states (HI, MN, NE, NV, MI, ND, RI, SD, VA) provide enough leeway to the investigator that interviews in general can be conducted without parental consent. However, Minnesota has the caveat that the preferred practice is to request the permission of a parent or guardian (Minnesota Office of the Revisor of Statutes, 2016). The leeway with interviews in Minnesota and North Dakota extends to any child who resides or has resided with the alleged perpetrator (Minnesota Office of the Revisor of Statutes, 2016; North Dakota Legislature, 2016). Siblings of the alleged victim can be interviewed without consent in Nevada and Virginia (Nevada Legislature, 2017; Virginia General Assembly, 2017).

There is specific wording of statutes and policies in each state that makes the approach to exempt the need for parental consent less than analogous. Michigan's child welfare investigators have the authority to interview the child at school when the agency decides that doing so is necessary to complete the investigation or prevent the abuse or neglect of the child (Michigan Department of Health and Human Services, 2016). Wisconsin permits contact, interviews, and observations of a child without consent only when done outside the home (Wisconsin State Legislature, 2017). Hawaii permits the investigating agency to temporarily assume protective custody of the child for the purpose of conducting the interview (Hawaii Department of Human Services, 2010). Oklahoma has language permitting that in addition to the interview, a child may

be examined by the investigator prior to parent notification (Oklahoma State Courts Network, 2017). No other state appeared to have language that permits an examination without restriction.

Even in states where consent is not required, the need for a parent to know that an interview took place has not been lost. Nebraska wants a parent to be notified as soon as possible after an interview at school (Nebraska Department of Health and Human Services, 2001). Iowa requires that parents are to be notified within 5 days of commencing the investigation (Iowa Department of Human Services, 2013). Oklahoma has established that the investigating agency, not schools, will notify a parent, but has not stipulated a timeframe in which to do so (Oklahoma State Courts Network, 2017).

No consent with restrictions. The number of states where no parent or guardian consent is needed when a certain condition or conditions are met total 23 (AZ, AR, CT, DE, FL, KS, IN, ME, MD, MO, MS, MT, NH, NJ, NY, OH, OR, TN, TX, UT, VT, WA, WV). Child safety being compromised because of trying to obtain consent was found to be a reason not to seek parental permission in 11 states (DE, FL, ME, MD, MO, MT, MS, OH, OR, WA, WV), the most cited of any reason, as why to not seek parent permission. The relationship that a child has with the alleged perpetrator is a reason in six states (AZ, AR, CT, MO, TN, UT) to delay notification until after the initial child interview. Situations where either the parent is named as the alleged perpetrator or the child is residing with the alleged perpetrator allows the interview to happen preemptively of parent notification in each of these states. This is seen in Utah, where notification is required unless the alleged perpetrator is a parent, stepparent, parent's paramour, the identity of the alleged perpetrator is unknown, or the relationship of the alleged perpetrator to the family is unknown (Utah State Legislature, 2017).

Eight states (IN, MO, MT, KS, OH, OR, UT, WV) require a parent to be notified in advance of the interview unless one of the conditions to delay notification are met. The condition in Maine and Louisiana is that the interview with the child can happen without consent only for the first interview (Maine Legislature, 2017; Louisiana Office of Community Services, 2015). Investigators in Kansas can only bypass parental consent when the child to be interviewed is named in an allegation of abuse or neglect (Kansas Public Health and Welfare, 2017). Consent is required in Kansas before a child from a family that is in need of an assessment but not named in an abuse or neglect allegation can be interviewed at school.

Ohio maintains some of the toughest standards to avoid notifying a parent (Ohio Legislature, 2017). Only when a child is currently in immediate harm, will be in immediate harm upon returning home from school or another location, might be intimidated by speaking at home, or the child requests to speak with an investigator due to one of the aforementioned reasons, is parental consent not needed. The immediate harm terminology separates Ohio from other states where only the potential for harm is listed as sufficient to not notify a parent.

Indiana has one of four conditions that must be met before a child who is named in an allegation of abuse or neglect, is an alleged child perpetrator, or a potential witness/collateral contact can be interviewed without consent (Indiana Department of Child Services, 2011). The four conditions are that the need for consent is superseded by exigent circumstances related to the child's health or well-being, an ample number of attempts were made to obtain consent, the agency already has custody of the child or parental rights were terminated, or the child is committed to a Department of Corrections facility. Chapter 4, Section 6 of the Indiana Department of Child Services Child Welfare Manual explains the condition of exigent circumstances in the state (Indiana Department of Child Services, 2011).

Texas has its own approach for parent notification at schools that is not found in another state. An investigator must obtain consent from a parent who is already present at the school when the interview request is made, but if a parent is not already at the school, the interview can happen without consent (Texas Children's Commission, 2017). Vermont also has a unique requirement that must be met prior to the interview. When an investigator wants to conduct the interview without approval from a parent, guardian, or custodian, a disinterested adult must be present for the interview to happen (Vermont Legislature, 2017).

Consent not specified. The question as to whether parental consent is needed prior to an interview did not appear to be part of statute or policy in eight states (AL, CA, CO, GA, MA, NC, PA, WY). Although the issue of consent is not directly addressed, at least one action in each of the states lends itself to support the notion that children can be interviewed at schools. In Alabama, *Decatur City Board of Education v. Aycock, 562 So. 2d 1331* (1990) prohibited schools from restricting access to child welfare workers. Colorado also had judicial input when the chief judge in the Eighteenth Judicial District of Colorado (Sylvester, 2010) ruled that interviews can happen at school without parent notification. The rest of Colorado, outside of the Eighteenth Judicial District, is left to rely on § 19-3-308 (Colorado General Assembly, 2016), which allows the investigator to conduct the interview wherever the child may be located, as indicated by the report.

When North Carolina enacted NCGS § 7B-302(h) to limit unwarranted intrusion into a home, explicitly stated was that schools and child care facilities were not included as private residences where the limitations were applied (North Carolina Division of Social Services, 2016). Schools in North Carolina should know that compliance with permitting interviews is required because a 1984 opinion from the Department of Justice (Edmisten & Rosser, 1984)

stated that there was no legal requirement that the parents be present or be given prior notice of the interview at school.

Massachusetts schools are left to operate under guidance from the Department of Elementary and Secondary Education that discourages school districts from notifying parents or guardians of an investigative interview or response where the child could be placed at risk of further abuse or neglect (Chester & McClain, 2010). The state statute relative to the topic, G.L. c.119, §51B, only calls for cooperation among agencies to reduce the number of times a child is interviewed about potential abuse or neglect (Massachusetts Legislature, 2017).

Child consent. Iowa and New Mexico were the only states where the child must consent to the interview starting at a certain age. The age set for the consent requirement in Iowa is 10 (Iowa Department of Human Services, 2013). The right then granted is that the minor can terminate contact with the investigator by stating or indicating this desire.

All children in New Mexico must be notified that participation in the investigative interview is voluntary (New Mexico Legislature, 2017). Also afforded to children is the right to have the interview take place at a comfortable location, and in a language, that is comprehensible. Starting at age 14, children must consent to the interview, even when a parent, guardian, or custodian has already approved. If consent is denied, the interview cannot take place at school.

Court Orders

A court order can be sought by the investigative agency in seven states (AL, NC, OK, RI, TX, WI, WY) for instances when access to the child for an interview is restricted. Alabama investigators can make the request if refused access to interview or observe a child (Alabama Department of Human Resources, 2008). The statute in North Carolina applies to anyone who

restricts personal access to the child for the interview (North Carolina Division of Social Services, 2016). District courts in Oklahoma, when requested by the district attorney with cause, can grant an investigator access to interview a child at home, school, or any other place where access was denied (Oklahoma State Courts Network, 2017). Texas holds a similar standard, for the court to be shown good cause, prior to issuing a court order (Texas Legislature, 2017). Rhode Island and Wyoming both include language that if access to an interview is denied, a court order may be sought when in the best interest of the child to do so (Rhode Island General Assembly, 2017; The Legislature of the State of Wyoming, 2017). Wisconsin's statute for court orders only applies to when access cannot be obtained for an interview at the child's residence (Wisconsin State Legislature, 2017).

Attendance at School Interviews

Private interviews. School staff are not likely to attend interviews in three states (AL, AZ, IA). Alabama requires that any child named as part of an abuse or neglect allegation, who can verbally communicate, must be seen and interviewed privately (Alabama Department of Human Resources, 2008). The wording in Arizona is not as definite. At first, the investigator is to request a private interview with the child at school. If the child requests that a teacher or school staff member observe, an explanation is to inform about the confidential nature of investigations (Arizona Department of Child Safety, 2016). Not clarified is if the explanation on confidentiality stops someone from observing or sets forth the ground rules if one is to observe.

Iowa also has some ambiguity on school staff observation. Confidential access is expected when the investigator is allowed to interview a child. For the observation of a child, as permitted by 232.68, subsection 3, paragraph "b," a witness shall be present (Iowa Department of

Human Services, 2013). However, no distinction is made as to what makes an interview different from an observation.

Attendance permitted. School staff members have the option to sit in on the interview in 23 states (AK, CA, CT, DE, FL, IL, KY, LA, MA, MD, MS, MO, MT, NH, NJ, NY, OR, UT, VT, WA, WV, WI, WY). The option for a school staff member to sit in on the interview is permitted in 8 states (CA, DE, FL, KY, LA, NH, WI, WV) when the child makes the request or when having a school staff member observe is in the best interest of the child. Delaware, Louisiana, Kentucky, New Hampshire, and West Virginia all identify if requested by the student as the only reason for the investigator to include school staff. Louisiana investigators are instructed to exclude schools staff when not requested by the child (Louisiana Office of Community Services, 2015). Children in California must be informed that they can select any employee or volunteer at the school for the interview or be interviewed in private (California Legislature, 2017). An adult identified by the child is not obligated to accept the interview request. If the adult does accept, the investigator should ensure that the interview is at a convenient time that does not come at a cost to the school. Alaska also permits that a child could reject the presence of any school staff members who request to be at the interview (Alaska Office of Children's Services, 2014).

The serious nature of the investigative interview is seen in Mississippi where school officials need to sign a Confidentiality Statement and be notified that observing could result in the need to provide testimony about what was seen and heard (Mississippi Department of Human Services Division of Family and Children's Services, 2013). Utah and West Virginia take steps to prevent any harm to the child by prohibiting any adult at the school named in the report as an alleged perpetrator from observing (Utah State Legislature, 2017; West Virginia Department of

Health and Human Resources, 2016). A statute or policy in each of the identified states except Connecticut and Vermont provides the option for school staff to participate. In these two states, the term 'disinterested adult' is used to enforce that a third-party adult must be at interviews that do not require parental consent (Connecticut Department of Children and Families, n.d.; Vermont Legislature, 2017).

Attendance not specified. A direct answer of who is permitted at school interviews is not found in 24 states (AR, CO, GA, HI, ID, IN, KS, ME, MI, MN, NE, NV, NM, NC, ND, OH, OK, PA, RI, SC, SD, TN, TX, VA). Fifteen of those states (CO, GA, HI, NE, NV, NM, NC, ND, OH, OK, PA, RI, SC, SD, TN) do not address the issue of attendance at school meetings. Investigators in North Carolina under NCGS § 7B-101 (North Carolina Division of Social Services, 2016) can file an obstruction/interference petition when an interview, observation, or personal access to a child is denied, the wording of which supports the notion the neither the child or school staff have a say about who is present at the interview. The investigative agency has control to determine the appropriateness of who attends school interviews in six states (AR, ID, IN, MN, TX, VA).

Arkansas allows investigators, when in the best interest of the child, to limit who is present during the interview (Arkansas Department of Human Services, 2017). Kansas has similar wording, that permits the investigative agency to control interview attendance based on the best interest of the child (Kansas Department for Children and Families, 2017). Idaho gives authority to the investigator without including that the decision must be made in the best interest of the child (Echohawk, 1993). Minnesota investigators have exclusive authority to determine who is present for the interview (Minnesota Office of the Revisor of Statutes, 2016). Virginia permits investigators to exclude school personnel as a way to protect confidentiality (Virginia

Department of Social Services, 2016). Only in Indiana does language exist that states the interviewer will utilize school personnel when needed and where it is appropriate (Indiana Department of Education, 2012). None of these six states has made known if school personnel are ever in attendance at an interview.

Maine and Michigan are two states that address the role of schools in the investigation, without a declaration of whether school personnel are permitted at the meeting. School personnel in Maine can neither insist on attendance nor prohibit anyone from attending as part of an investigation (Maine Legislature, 2017). Michigan requires that the investigator meet with school personnel (Michigan Department of Health and Human Services, 2016). However, the meeting is only required after the interview, when the investigator must meet with the designated school staff person and the child about what action will happen as a result of the contact.

Access to Schools

What action the investigator should take prior to interviewing a child is directed by 11 states (AK, AZ, GA, IN, KS, ME, MN, MO, ND, OR, WI). An investigator must furnish the school with an official document that permits the interview in Alaska, Kansas, Arizona, and Minnesota. Alaska uses the Request to Interview letter (06-9785) that defines the agencies' authority and school officials' responsibility regarding interviews on school property (Alaska Office of Children's Services, 2014). In Arizona, the Request for Interview at School is a document that serves a similar purpose (Arizona Department of Child Safety, 2016). The form that must be furnished in Minnesota is also known as Request for Interview at School (Minnesota Office of the Revisor of Statutes, 2016). Kansas has one of two forms that investigators provide to school administrators, PPS 2000, Request to Interview a Child at School or, PPS 2001, Parental Consent to Interview Child at School for NAN (Family in Need of

Assessment FINA) (Kansas Department for Children and Families, 2017). The PPS 2001 form exists because Kansas enacted changes for children who an investigator wants to interview but who are not the subject of an abuse or neglect allegation.

While Maine does not have an official form, school personnel can request from the investigator a written certification that the interview at school is necessary to carry out the lawful responsibilities of the agency (Maine Legislature, 2017). Minnesota school personnel can set the time, place, and manner of the interview as long as the interview occurs within 24 hours after the school was notified, unless another agreement was made (Minnesota Office of the Revisor of Statutes, 2016). Arrangements for an interview in Missouri go through a liaison appointed by the superintendent for each school district (Missouri Department of Social Services, 2015). The liaison serves on the Multidisciplinary Team throughout the investigation and becomes the point of contact for children enrolled at that school when the investigator needs information.

Investigators are informed in six states (GA, IN, MN, ND, OR, WI) that school personnel can know in advance of arrival about the need for an interview. North Dakota and Oregon specify that the school staff member who is notified should be a principal or other school administrator (North Dakota Legislature, 2016; Oregon State Legislature, 2015). Indiana requests that investigators will pre-arrange the interview with the school when possible (Indiana Department of Education, 2012). The notice in Georgia, if initiated, notifies the school of the need for a school employee to arrange the preliminary meeting between the investigator and child at the building (State of Georgia, 2016). The suggestion in Wisconsin is that even a simple telephone call earlier in the day from the investigator will be helpful to know what time the interview might occur (Wisconsin Department of Public Instruction, 2013). A phone call can

expedite the process for making the child available in cases where the extent of maltreatment requires an urgent response.

Private Schools

The *Doe v. Heck* case brought before the 7th Circuit in 2004 resulted in a ruling that an interview and body search of a child at a private school in Wisconsin was a Fourth Amendment violation of illegal search and seizure (Kwapisz, 2012). Noted as part of the case was how parents who send a child to private school do so with an expectation of restricted government intrusion (Yourtz, 2012). Illinois, Indiana, and Wisconsin are the states under the jurisdiction of the 7th Circuit.

Michigan and New Mexico are states that include private schools as part of statute or policy. Private schools are not required under the Michigan Child Protection Law to cooperate with a child welfare investigation (Michigan Department of Health and Human Services, 2016). New Mexico permits private schools, child care homes, and child care facilities to deny permission for the investigator to interview the child on the facility grounds (New Mexico Legislature, 2017). If the request by the private school is not denied, an interview with a student can occur without parental permission.

Oregon has a section of its child welfare manual that references public and private schools as similar entities (Oregon Department of Human Services, 2014). The reference is made with regards to I-AB.4, Oregon Administrative Rule 413-015-0400 thru 0485. Under these rules an investigator can show up at any school, notify the school administrator that a CPS assessment is needed, and interview the child out of the presence of other persons, unless the investigator anticipates that an outside presence can improve the interview. For situations when

a school either prohibits access or insists on school presence during the interview, the investigator is instructed to contact the agency supervisor about a resolution.

While no other states make mention of private schools, eight states (CO, ID, MN, ND, NV, OK, TX, WI) do note that the investigator can enter any place to complete an interview with a child. Wisconsin, despite the ruling from the 7th Circuit, appears to be one of those states. The language as currently worded in Wisconsin is that, "the agency may contact, observe, or interview the child at any location without permission from the child's parent, guardian, or legal custodian if necessary to determine if the child is in need of protection or services, except that the person making the investigation may enter a child's dwelling only with permission from the child's parent, guardian, or legal custodian, or after obtaining a court order permitting the person to do so (Wisconsin State Legislature, 2017)." How this statute applies to private schools in Wisconsin was not made clear.

The other seven states make reference to the entry of any place necessary by the investigator to conduct the investigation. Idaho is the lone state where, according to Attorney General Opinion NO. 93-2, the authority of the investigating agency extends into all public and private facilities, including school facilities (Echohawk, 1993). Nothing found in Title 16, Chapter 16 of the Child Protection Act appears to negate that opinion (Idaho Supreme Court, 2016).

Colorado Minnesota, Nevada, and North Dakota all use language that the interview can happen wherever the child is found (Colorado General Assembly, 2016; Minnesota Office of the Revisor of Statutes, 2016; Nevada Legislature; North Dakota Legislature, 2016). Oklahoma and Texas use the term 'any reasonable place' for where the interview could happen (Oklahoma State Courts Network, 2017; Texas Legislature, 2017). Minnesota, Oklahoma, and Texas include at

school as a place for where the interview could happen (Minnesota Office of the Revisor of Statutes, 2016; Oklahoma State Courts Network, 2017; Texas Legislature, 2017). No information found through the review answered whether any of these states apply geographical limitations for where interviews could occur.

Recordings

One of the concerns that arose during *Camreta v. Greene* was how the pressure S.G. felt she was put under when interviewed privately at school by Camreta and Deputy Alford caused her to make statements about the alleged abuse that she would later recant (Gupta-Kagan, 2012). There was no way to know after the interview the manner in which S.G. was questioned without a recording of what was said. Five states (ID, LA, MS, NH, TX) have taken steps for producing a verbal record of what is said during interviews.

Idaho, New Hampshire, and Texas are the states identified through the review that insist upon a recording. In New Hampshire, any interview conducted pursuant to 169-C:38 Paragraph IV is to be video recorded in its entirety, when possible (New Hampshire General Court, 2017). Those interviews that cannot be video recorded are to be audio recorded. Idaho requires the audio or video taping of all investigative or risk assessment interviews of alleged victims of child abuse, unless otherwise demonstrated by good cause (Idaho Supreme Court, 2016).

Investigators are instructed in Texas under Chapter 261 of the Texas Family Code to audiotape or videotape any interview with a child when allegations of the current investigation are discussed, and that is conducted by the department during the investigation stage. There are three circumstances that permit an investigator to forego recording the interview. The first is if there are technical difficulties with the recording equipment that does not result from improper handling of the equipment or bringing adequate equipment for the recorder to function. The

second is when the child will still not consent to the recording after reasonable attempts were made, consistent with the age and development of the child. The third is due to unanticipated causes that are beyond control of the agency, or equipment is unavailable because the investigator does not routinely conduct interviews.

The all-encompassing recording standards are not the same in Louisiana and Mississippi. Louisiana provides the option for any interview to be tape-recorded when requested by the parent or parents (Louisiana State Legislature, 2017). Reference was not made to what happens when the first interview takes place without parental notification in a state where consent is not required for the initial contact. Investigators in Mississippi have the option to record any information obtained when interviewing individuals (Mississippi Department of Human Services, 2013). Verbal permission must be obtained by a parent before a child can be recorded.

Other Pertinent Details

Conducting the search of state statutes and policies led to noteworthy pieces of information that did not fit into any of the categories listed above. In trying to set the stage for a more open and universal dissemination of approaches to school-based child welfare investigation interviews, the miscellaneous details are relevant for any state, agency, or researcher interested in reexamining their best practice strategies. What one state adopts to manage the role that schools serve in a child welfare investigation will not always be suitable for another state. Examples of where only one or two states utilize a strategy are still worth considering for the purpose that another state might not have considered a similar approach.

Indiana and Ohio were previously identified as states with more stringent limits on when children can be interviewed without consent. Both states have publications that support

limiting interviews at school to only when necessary (Indiana Department of Education, 2012; Institute for Human Services & The CAPTA Ad Hoc Work Group, 2008). The Ohio publication prepared for the Ohio Department of Job and Family Services and the Ohio Child Welfare Training Program goes as far as to state that interviews should not be conducted at school as part of standard practice or out of convenience (Institute for Human Services & The CAPTA Ad Hoc Work Group, 2008.) The document adds that, furthermore, the investigator should document in the case record why the interview at school was necessary.

Indiana's Department of Education (2012) advised that interviews should take place at school only when necessary. Necessary cases are considered limited to those where the school is the reporting source or the alleged abuse involves a family member and the child is at school at the time the report is received. Schools retain the right, according to this publication, to notify a parent of the name and phone number of the investigator once the interview is complete (Indiana Department of Education, 2012).

Investigators in Rhode Island and Minnesota are urged to take every action necessary to minimize disruption to the child (Minnesota Office of the Revisor of Statutes, 2016; Rhode Island Department of Elementary and Secondary Education, 2011). The Rhode Island Department of Education (2011) recommends that confidentiality should be strictly observed, and the child should immediately be returned to the normal classroom situation if the interview revealed that no abuse had occurred. When suggesting an immediate return to the classroom, not used is the condition, that if an immediate return is in the best interest of the child. Not including that terminology could be a result of no state having looked at how soon after the interview ends does a child become composed enough for a return to the classroom.

The stipulation to minimize any disruption in Minnesota can be found in §626.556 (Minnesota Office of the Revisor of Statutes, 2016). Not causing a disruption is intended to cover the educational program of the child, other students, or school staff when an interview is conducted on school premises. A strategy to limit any disruption was put into the same statute, by permitting school officials to set the conditions as to time, place, and manner of the interview within 24 hours of the request.

With many states acknowledging that school staff play a role in investigations, Nevada and New Jersey try to define the role after the initial interview takes place (Nevada Legislature, 2017; New Jersey Department of Children and Families, 2010). New Jersey allows school staff who were the reporting source to follow-up with the investigator to know the status of the case. The investigator can share if the investigation has been completed and if the agency will offer ongoing services to the family. Professional school employees are entitled to additional information about the investigation, but which school staff qualifies as a professional school employee is not defined (New Jersey Department of Children and Families, 2010).

Nevada permits under NRS 432B.457 that any teacher or other school official who works directly with the child can testify at a hearing that seeks to place a child in substitute care (Nevada Legislature, 2017). This qualifies the school staff as having a special interest in the child. The court grants this status to those who have a personal interest in the well-being of the child or possesses information that might factor into the placement of the child.

An awareness of the individual attempts made by sates to have statutes or policies in writing contributes towards a better understanding of the intersection between the child welfare and school systems. Increasing the awareness of what happens in only one state might be enough for an investigator to consider whether frequent visits to a school to see the same child is

in the best interest of the child or is a disruption. Nowhere else besides Nevada did this search reveal that teachers, who play an integral role in the lives of children in every state, hold the right to offer the court input on the most appropriate placement setting. The unique elements of how each state operates hold the potential to increase dialogue on working to improve cooperation between the two systems.

Recommendations

This review was designed to identify relevant statutes and policies related to interviews conducted by child welfare investigators in all 50 states. No prior review had included a nationwide scope for the topic. There is also a dearth of research on the extent to which school principals and other school administrators know of, and the details of, policies, national, state, or local, concerning the interviewing of students about abuse allegations. Finally, there is also a lack of research on how exactly the process of interviews by social workers of students actually unfolds in school settings. The significance of these topics was primarily made known through the *Camreta v. Greene* case that reached the Supreme Court in 2011. The case, which originated out of Oregon and was heard by the Ninth Circuit prior to the Supreme Court, never had national implications to bring the issue front and center at all schools.

The lack of any national direction on how to handle requests for interviews at school is one plausible explanation for why the search produced little to no information on the topic in some states. In Colorado, the Children's Code under Title 19 of the Colorado Revised Statutes contains no mention of how a school or investigator is to coordinate the interview request. Included as part of the statute is that the investigator has the authority to conduct the interview wherever the child may be located, as indicated by this report. Without further clarification, the statute could be interpreted to mean that the investigator might find the child in the bus line at the

end of the school day when school staff are tasked with other responsibilities that make the interview request difficult to arrange. The dubiety over what any school should do in this situation could be removed through advocacy for a written statute or policy in each state that specifically addresses school-based investigations.

A recommendation is for states to move towards the standard set in Minnesota where the balance of powers to determine the conditions for the interview is more equally distributed between the school and child welfare agency. School officials have discretion to set the time, place, and manner of the interview. The investigator is still guaranteed that the interview will take place within 24 hours of the request. School officials often maintain enough of an interest in the well-being of the children they educate to accommodate urgent matters of child safety that require an immediate response. For this process to work, investigators must first contact the school which the child attends.

A second recommendation is for investigators to notify schools in advance of the need to conduct an interview, when possible. For states where an investigator needs to meet with a school administrator, there is no guarantee that an administrator will be available without prior notice. This might also hold true of social workers or counselors who the investigator needs information from. An appearance at the school without prior notification could lead to the investigator not talking with any school staff other than a receptionist at a check-in desk.

The move made by Missouri that the superintendent of each school district designates a public-school district liaison to coordinate with child welfare agencies merits consideration by other states. A change does not need to be as official on the level with a statewide statute. Schools and child welfare agencies can benefit from school districts developing their own policy that identifies which staff an investigator should meet with to request the child interview.

A third recommendation is for more states to move towards a standard where the child has input into who will observe the interview at school. California has already put into law that a child must be notified of their right to select a school staff to observe the interview. The presence of a school staff member provides an opportunity for the child to be in the presence of a familiar and trusted adult when the child is likely meeting the investigator for the first time. Delaware and Washington permit students to exclude any school staff person who might want to observe. At issue of who to include in the meeting is having a witness who can attest to what was said.

Connecticut and Vermont require a disinterested adult to observe the interview in cases where parental consent was not obtained. Other states require a video or audio recording of the child contact as evidence of what happened during the interview. The best way of having a secondary source to substantiate what transpired might best be decided on a state by state basis. Permitting students to suggest an adult observer who will make the interview more comfortable has become prevailing enough for all states to consider this a right that the child deserves.

A fourth recommendation is for statutes and policies to better address child welfare workers who attempt to visit a child at school after the investigative stage. Child welfare cases can move from the investigation stage to ongoing services with the minors staying in the home or being placed in substitute care. The focus of statutes and policies found through this review emphasized the investigation phase, mainly the initial contact with the child being permitted at school. The recommendation made in an Ohio publication for how to protect parents' constitutional rights during an investigation, that interviews at school should not be done as standard procedure or for convenience, should also hold true for ongoing case contacts.

The fact that an ongoing caseworker has become familiar with the child and family should not be taken to mean that there is implied consent for unannounced school visits. School officials are not in a position where mandatory training for the job requires them to know the differences between investigative and ongoing cases. If the goal of statutes and policies are to protect the constitutional rights of children and parents, guidance for ongoing interview requests could contribute to the cause. Doing so aligns with what is called for in Minnesota, where every effort must be made to limit any disruptions at the school.

The final recommendation is that the constitutionality of the 4th and 14th Amendment, as they relate to child welfare investigations, ultimately needs to unfold in court. Even the best worded state statute or policy is not guaranteed to convince judges on a federal court that individual liberties are not infringed upon when a child is interviewed at school without parental consent. New York faced this scenario when the United States District Court for the Southern District of New York ruled in *Phillips v. Orange County* that a child interviewed without parental consent at a New York public school was an unconstitutional seizure (New York State Office of Children and Family Services, 2016a).

The initial response by the New York State Office of Children and Families was that the ruling did not create a precedent for investigations in the state outside of Orange County (New York State Office of Children and Family Services, 2016a). However, the New York State Association of School Attorneys advised school districts to only allow investigators access to students when in possession of a court order, warrant, or signed letter from the County Attorney substantiating the need for the interview (New York State Association of School Attorneys, 2016). A resolution was reached between schools and child welfare agencies when Section 432.3 of Title 18 of the New York Codes Rules and Regulations required that schools must

cooperate with making children available for interviews without the consent of a parent. Schools benefitted by knowing that investigators must cooperate with reasonable visitor policies when on school grounds, and that a school official has the right to observe the child interview (New York State Office of Children and Family Services, 2016b).

Not every court ruling will force change upon child welfare agencies and schools. The realization needs to remain that the need for revision of statutes and policies is a possibility if a parent brings suit. Including judges with experience in orphans' court and other family law cases can help in drafting a document that respects the rights of all parties involved with an abuse or neglect investigation.

Implications for Future Research

This critical literature review addressed themes that were found in statutes, policies, and court proceedings. The case was made that in conducting the review, variances were found to exist from state to state with what pertinent information was missing that might guide the process for interviews at schools. No empirical research was found that addressed the gaps in policy and statutes. Social work researchers have the opportunity to answer what knowledge school personnel have to interact with a child welfare system that is primarily known to them through mandated reporting requirements.

The lack of empirical research presents a significant gap in understanding policy implementation in schools, and what actually happens in school settings when a child welfare worker requests to interview a student. Although regulations do exist, we do not know how school administrators understand or perceive the policies concerning students being interviewed on school grounds about abuse or neglect allegations. Not knowing how well school

administrators understand or perceive policies has also left a gap with the details for the facilitation of child welfare workers interviewing students at school.

Principals and those who serve in school administration roles are the only specific school personnel identified in a state statute for who child welfare workers should coordinate with to arrange interviews (North Dakota Legislature, 2016; Oregon State Legislature, 2015). Preliminary attempts to conduct empirical research on the understanding and implementation of the interview process need to focus on school administrators. A focus on school administrators will determine if principals are the primary point of contact for interview requests or if the responsibility is delegated to other school personnel.

One implication is that future research needs to focus on: (a) the degree to which school principals and other school administrators actually are aware of, and know the details of, policies governing how such interviews are to be managed and conducted; (b) in circumstances in which school principals and administrators do not know the details of such policies, what they conceive these policies to be; and (c) what actually happens when a child welfare worker comes to a school and requests an interview with a student in response to abuse or neglect allegations.

The Department of Education and child welfare authority in each state can use the research findings to develop trainings for school administrators. Collaboration between the two state agencies responsible for educating and protecting children have the ability to create uniform guidelines that remove any ambiguity that might exist between state and school district policy. School administrators currently interact with the child welfare system without clear evidence that policies or implementation procedures for interviews are known. Attendance by school administrators at trainings present the opportunity to provide education to be shared with other school personnel, and have administrators sign documentation that the training was provided.

Child welfare researchers who take the lead in producing data will play a pivotal role in assisting with developing the trainings.

Limitations

No known prior search attempted to collect the same information that was located for this review. The effort undertaken by the National School Boards Association in 2011 was a broad starting point that did not contain the methodology for the search that produced the brief sent to the Supreme Court. What the methodology relied on for the search in this policy review were the issues that became most prevalent during the review of legal briefs. The outcome of this review might have produced a product that is absent of the issues that are most important to child welfare agencies and schools.

While this search attempted to identify all statutes and policies related to child welfare interviews at schools in each state, the possibility exists that relevant information was not included as part of the review. Not personally contacting the administrative unit of child welfare agencies could have led to information that was omitted. Unwritten understandings that are in place between child welfare agencies and schools that regulate how interviews take place would not be known without personally contacting the agencies.

An additional limitation was that a thorough search of policies created by school districts was excluded from the search. The rationale for this absence was that any school policy would be superseded by state statute. For states where there was not a clear statute for interviews at schools, the review of school policy could have provided a more specific explanation of the interview process in those states.

Conclusion

All child welfare agencies and schools were on the verge of having to reevaluate how child welfare investigative interviews have been conducted at school when the Oregon based case of *Camreta v. Greene* reached the Supreme Court. The School Boards Association in California and Oregon reacted by joining the National School Boards Association in a brief to the Supreme Court on the role of schools during investigations. Both states were under the jurisdiction of the Ninth Circuit that ruled in favor of the Greene family in the hearing that preceded the Supreme Court. The finding of muteness in the case quelled the response a different ruling in the case could have produced.

Without the Supreme Court ruling, each state continues to take an individual approach on how schools should handle interview requests. An argument could be made that not every state has adequately detailed what is permitted when a request is made. This review attempted to make known the policies and statutes in each state. The lack of empirical research studies related to the topic has left a gap in knowing how well what is currently on the books has allowed for interviews to take place without issue.

One of two options may occur moving forward. The conversation can remain quiet until the next parent challenges a school interview in court. A more proactive approach is that stakeholders from multiple states who have an interest in investigative interviews at schools convene for discussions on how to create best practice standards that do not have as much variance from state to state. More dialogue could result in an understanding for how to limit the likelihood that an interview meant to ensure the safety of a child could result in a civil rights lawsuit.

CHAPTER II

School Principals' Perceptions of the Child Welfare System

Abstract

School principals in Tennessee have an obligation to cooperate with investigations of child abuse and neglect conducted by the Department of Children's Services by providing investigators access to interview students on school grounds. Mandated reporter requirements have led to training material that educate school employees on how to comply with the stipulations. Similar training is not known to exist that educates school employees on how to comply with requests to interview students. This exploratory study had survey results from 109 principals that offer the first known findings of what perceptions and understandings principals have of policies that regulate child welfare interview procedures. The results indicated that the Title I status of a school may lead principals to have a greater awareness of DCS policies.

Keywords: child welfare, school social work, school policy

The Department of Children's Services (DCS) in Tennessee is authorized by Tennessee Code Annotated § 37-5-102 (Tennessee State Courts, 2017) to provide services that aim to protect children in the state from abuse, mistreatment, or neglect. Investigators from DCS are informed by DCS Policy: 14.7 Child Protective Services Investigation Track (2017) and the collateral documents contained within the policy on the protocol for interviewing the identified child victim. One of the collateral documents, Work Aid-3 (2017), which is supplemental to DCS Policy 14.7, instructs investigators to consider a school setting to locate the alleged child victim, and that reasonable concerns about the child's safety become paramount in determining the timing and location of an interview. To begin to investigate the factors by which DCS investigators gain access to conduct interviews at schools, this study examined variables that may be related to what impressions school principals in Tennessee have of State and school district policies that permit interviews to occur.

Purpose

Schools have become a customary location for child welfare investigators to interview children who are named in allegations of abuse or neglect to limit how the alleged perpetrator might influence the victim's responses (Gupta-Kagan, 2012). The legality of whether investigators can conduct the interview of a child at a school without parental consent, a warrant, or court order came into question when the Ninth Circuit Court of Appeals ruled against this practice in *Greene v. Camreta* (2009). Upon appeal, the ruling from the Ninth Circuit never had far reaching implications after the Supreme Court dismissed the ruling in the case of *Camreta v. Greene* (2011) on the grounds of mootness.

A requirement has existed that school principals must possess some awareness of DCS policies following the 1974 passage of the Child Abuse Prevention and Treatment Act which led

all school district employees to take on the role of a mandated reporter of child abuse and neglect (Hutchinson, 2007). More mandated reports have been made by school employees than any other professional sector (Sinanan, 2011). Schools have been recognized as having an ancillary responsibility in protecting children from abuse and neglect (Hutchinson, 2007). The responsibility, however, is secondary to that of child welfare agencies because the abuse or neglect often happens outside of school, and schools cannot conduct the investigation or stipulate how the investigation is conducted (Gupta-Kagan, 2012). Not being the primary investigator of alleged abuse or neglect could mean that school principals lack awareness of DCS policies that are not related to mandated reporting that could benefit the interview process.

Training of School Principals

Child welfare investigators have been offered guidance in Illinois (Illinois Council of School Attorneys, 2015), Missouri (Missouri Department of Social Services, 2015), North Dakota (North Dakota Legislature, 2016), and Rhode Island (Rhode Island Department of Elementary and Secondary Education, 2011) that principals should be the primary point of contact at a school to request an interview with a child. The focal state for this study, Tennessee, lacks similar guidance that is contained within DCS policy on who a DCS investigator should meet with to request to interview a child. Tennessee Attorney General Opinion No. 87-101 and Opinion No. 09-22 both indicated principals as the likely facilitators of interview requests in the State of Tennessee (Cooper Jr., Moore, & Dimond, 2009). Based on the knowledge that the principal or the principal's designee is the recommended point of contact in multiple states, only those with the title of principal were of primary interest for this study, the purpose of which was to determine what impressions of DCS related policies are held by principals and how these impressions were acquired.

Learning about school law was the most important aspect of principal preparation training identified by a sample of principals in the State of Wyoming (Duncan, Range, & Schrerz, 2011). In Tennessee, the two largest school districts by student enrollment, Shelby County Schools (Shelby County Board of Education, 2013) and Metro Nashville Public Schools (2017), similar language regarding the facilitation of interview requests could be found in the school board policy manual that represents school law in both districts. Referenced in both policies were Tennessee Attorney General Opinion No. 87-101, which was substantiated with Opinion No. 09-22 (Cooper Jr., Moore, & Dimond, 2009).

Based on the more recent Opinion, principals who are informed of school law have the guidance to know that there is a duty of public school employees to permit a DCS investigator to interview the child while at school; to not insist that a school employee is present for any interview, including when the alleged abuser is a school employee or student; to have the school's principal reasonably set the time, place, and circumstances of the interview; and that no law is violated by the school when the parent is not notified because of the investigator's request, even when the alleged abuser is not a member of the child's household (Cooper Jr., Moore, & Dimond, 2009). The only guidance on parental notification offered in DCS Policy 14.7 (2017) or Work Aid-3 (2017) was that Work Aid-3 states that when necessary, the investigator will notify the non-offending parent in advance of the interview or, if not possible, immediately upon conclusion of the interview. No information is available that might suggest how principals become aware of this aspect of school law if a policy has not been drafted in the district that references the Policy, Work Aid, or Opinions. Also unknown is to what extent principals have discretion in reasonably setting the time, place, and circumstances of the interview.

Leadership training that is provided to prepare principals for the job is intended to be transferrable from one school to another, and one district to another (Dodson, 2014). Schools designated with Title I status differ from other schools by having a student population of at least 40% living in poverty (Isernhagen, 2012). Children from low-income families are known to have health and nutritional practices that place them at higher risk for abuse and neglect than same aged wealthier peers (Jensen, 2013).

An analysis of the Fourth National Incidence Study of Child Abuse and Neglect by Sedlak et al. (2010) found that low socioeconomic status was associated with maltreatment of children in this group at more than 5 times the rate of other children, abuse at more than 3 times the rate of other children, and neglect at more than 7 times the rate of other children. Low socioeconomic status was defined as household income below $15,000 a year, parents' highest education level less than high school, or any member of the household participating in a poverty program (Sedlak et al., 2010). If leadership training is expected to prepare principals for any school setting, no differences should exist in the impressions principals have at Title I or non-Title I schools, despite Title I schools presumably having more DCS interview requests because of differences in the socioeconomic status of students.

The coursework that a principal receives in preparation for the job does not always result in being immediately ready for the leadership role because of the need for on-the-job learning (Hutton, 2017). How or at what point principals become aware of DCS related policies is not currently known. Sources of mentorship to prepare aspiring principals with on-the-job learning have come from the assistant superintendent, the deputy superintendent, district leaders, outside contractors, principals who serve as peer mentors, retired principals, and the superintendent (Parylo, Zepeda, & Bengtson, 2012). Either independently or through the mentoring process,

principals need to become aware of DCS and school district policies for interview requests to comply where required, and reasonably set the parameters where permitted.

Focus of the Study

The current knowledge regarding how a DCS investigator gains access to interview a child at school in Tennessee comes from DCS Policy 14.7 (2017), DCS Work Aid-3 (2017), Tennessee Attorney General Opinion No. 87-101, Tennessee Attorney General Opinion No. 09-22 (Cooper Jr., Moore, & Dimond, 2009), and any school district policy that applies to DCS interviews. For any of the documents to have bearing on how child welfare interview requests are facilitated at schools, principals in Tennessee need to have accurate knowledge of the documents and their terminology. The findings from Duncan, Range, & Schrerz (2011) that principals most value learning about school law as part of their job preparation suggests that principals should have accurate knowledge of DCS related policies at either the State or school district level.

In spite of the need for school principals to have an awareness of child welfare interview policies, no previous studies have been done that investigated the extent to which principals have this knowledge. Given this significant gap in the literature, this study was conducted to investigate the:

- awareness of a sample of principals in Tennessee concerning the existence of DCS Policy 14.7: Child Protective Services Investigative Track (2017) and the collateral documents contained within the policy for interviewing the identified child victim'
- understandings of a sample of principals in Tennessee concerning some important provisions of DCS Policy 14.7: Child Protective Services Investigative Track (2017) and

the collateral documents contained within the policy on the protocol for interviewing the identified child victim; and

- the principals' viewpoints about the existence of school district policies regarding child abuse or neglect interviews

Obtaining this information was important to establish if a need exists for DCS to work with school districts in creating training material that can inform principals of what protocol should be followed when an interview request is made. To determine the extent that principals have awareness of, and their notions of the content of, DCS and school related policies, this study investigated the following research questions:

(1) What understandings do school principals in Tennessee have of the existence of, and the important details of DCS Policy 14.7: Child Protective Services Investigative Track (2017) and the collateral documents contained within the policy on the protocol for interviewing the identified child victim?

(2) What is the relationship between number of years' experience as a school principal and the Title I status of a school and principals' awareness of, and understandings of, important details of DCS Policy 14.7: Child Protective Services Investigative Track (2017) and the collateral documents contained within the policy on the protocol for interviewing the identified child victim?

(3) What is the relationship between number of years' experience as a school principal and the Title I status of a school and principals' notions of the existence of school district policies on protocols for interviewing the identified child victim?

The hypotheses for this study were that the total number of years of experience as a principal and being at a school with Title I status would result in greater reported perceived knowledge of DCS and school district related policies.

While the original intent of this study was to assess if the answers provided by principals about their understandings of DCS and school district policies actually matched the policy of a particular school district, safeguards that were implemented by the University institutional review board to protect the anonymity of participants restricted the ability to ask potentially identifying questions as part of the self-administered survey. As a result, a principal might have responded affirmatively to having perceived awareness of DCS or school district policies for interviews with children, but the ability to verify the accuracy of the response with respect to an existent policy at a school district was not possible.

Methodology

Participant Characteristics

The target population for this study was principals at public school districts in the State of Tennessee. Participation was only sought from public school districts because precedent exists from the Seventh Circuit Court of Appeals in the case of *Doe v. Heck* (Kwapisz, 2012), Michigan Department of Human Services (2016), and the New Mexico Legislature, that a different standard for interviews can apply at private schools. Only school employees who held the title of principal at the time of study were contacted for participation to account for the principal being the leader who has a role in all aspects of a school's mission (Crow, Day, & Møller, 2017). University institutional review approval was granted to contact public school principals in Tennessee at their school issued email address to request participation in the study.

Sampling Strategy

The sampling strategy was to implement the survey in three waves of 30 school districts in each wave, for an anticipated 90 districts, where all principals in the district would be contacted. Each wave consisted of emailing principals from among the 10 school districts near the highest student enrollment in Tennessee, the 10 school districts near the median student enrollment, and the 10 school districts near the lowest student enrollment. The sampling method was intended to account for differences that might exist in school district policy based on student enrollment and the number of employees.

Rules that governed contacting principals for research purposes and districts that restricted external email communication limited the total to 83 school districts where the recruitment email was distributed. No reminder emails were sent after the initial request. The email that was sent contained an invitation to participate in the study with a brief explanation of the study and a URL that took potential participants to the informed consent page of the survey. Qualtrics (https://www.qualtrics.com/) was used to administer the survey. At the end of the informed consent page was the option to click on approving to continue with the survey or exiting without answering any questions. Invitations to participate in the survey were sent in January 2018 to 878 principals without any incentive offered. The response rate was 12.0% (N = 878).

Prior to this study, no known empirical research had been conducted to determine what impressions school principals held of child welfare interview policies. The survey created for this study was intended to assess what impressions were held by principals, how the impressions were acquired, and who else at the school would have knowledge of the interview policies. Acquiring this information was important for the social work profession to better inform child

welfare workers on how to approach interview requests at schools based on the knowledge that principals reported to possess.

Measures

Twelve questions were asked of school principals in Tennessee on the survey that assessed perceptions of DCS and school district policies regarding DCS interviews. The anonymous nature of the study limited the number of demographic questions to three that were used as independent variables. Respondents were asked for the grade level of the school, the total number of years they had served as a principal, and if the school where the principal was employed was designated with Title I status. Title I status was defined in the question as based on the criteria set by the Elementary and Secondary Education Act (Isernhagen, 2012).

Questions that were asked to analyze frequency distribution of responses were if principals perceived their district to have a DCS interview policy, how principals acquired their knowledge of district policy, if the policy used for DCS interview requests at the school level is the same as at the district level, if the policy is officially in writing, and who else at the school is aware of the policy.

Principal impressions. Impressions held by principals related to school interviews were assessed using four questions. Questions were asked that sought to understand how principals might acquire any DCS acumen to guide how procedures for interviews are developed. One dichotomous and three categorical variables that assessed perceptions were the outcome variables for the study.

Intake investigations conducted by DCS under the directive set forth in Policy: 14.7 Child Protective Services Investigation Track, provides instruction on the steps the investigator needs to complete within 30 calendar days of the allegation for a determination on the case. Also

included within DCS Policy 14.7 are the forms and collateral documents that are pertinent to the investigative role of DCS. Work Aid-3 which is supplemental to DCS Policy 14.7, specifies the school as an option for where to locate the child and that ensuring the safety of the child outweighs any other concerns about the time or location of the interview. Additionally, Work Aid-3 provides that when necessary, the DCS investigator will notify the non-offending parent prior to the child's interview, or if not possible, immediately following the interview. Principals were asked to answer yes or no if there was an awareness of the two documents.

Whether to notify a parent prior to an interview at school appears to have been addressed in Work Aid-3 with the instruction that when necessary, the non-offending parent will be notified prior to the child's interview or, if not possible, immediately after. Although ambiguity could be found in trying to interpret the conditions for when necessary, there appears to be clarity that the alleged offending parent will never be notified prior to the interview when the parent is named as the alleged perpetrator. Two questions were asked if DCS has the authority to interview a child without parental consent if the parent is named as the alleged perpetrator and if DCS has the authority to interview a child without parental consent when the parent is not named as the alleged perpetrator. The options to respond were yes, no, or only under certain conditions.

Perceptions of school related policies were assessed with two questions that asked if there was a policy at the district level and if the policy was officially in writing. The importance of the second question was to know if the policy could be produced if requested. Options for responses were yes, no, or I don't know one way or the other.

Data Diagnostics

Missing data were found in the raw data set. Maximum likelihood estimation was used to treat all missing data values (Enders, 2010). The percentages of missing data are shown below

in Table 1. In this approach to imputation the available data from each case was used to produce a probability distribution that made the observed data most likely (Myung, 2003).

<INSERT TABLE 2-1 HERE>

Analytic Strategy

SPSS version 25 was used to conduct data analysis. First, descriptive statistics were used to describe the sample and examine the patterns in how participants' responses were grouped. Next, binary logistic regression was conducted to investigate the relationship between the independent variables total years of experience and Title I status of the school and a principal's perceived awareness of DCS policy. The three categorical dependent variables for the study were analyzed with multinomial logistic regression and cross-tabulation. Each model fit was tested for statistical significance using a statistical significant level of $< .05$ set for the likelihood ratio tests. Corresponding testing of the categorical variables was conducted with Fisher's exact test because of sparse data contained in the cells (Routledge, 2005).

Results

Descriptive Analysis

Principals had an average of 9.5 years (SD = 6.62) of experience (range of 1 to 31). The average number of years in the current district of employment was 8.8 years, which suggested that principals predominantly had school leadership experience in only one district. Elementary school (43.4%) and high school principals (28.3%) were the largest categories that respondents identified as the type of school in which they worked, with principals at middle (10.6%), intermediate (3.5%), K-12 (1.8%), primary (0.9%), middle (0.9%) and other (7.1%), representing the remaining respondents. More than half of the principals (54.0%) reported working at a Title I school.

Of all respondents, 79.6% reported it was their perception that their school district had a policy for DCS interview requests, 10.6% that their school district did not have such a policy, and 9.7% who were uncertain about a policy. Forty-three-point-two percent of principals reported it was there perception that there was a written policy, while 33.7% perceived there was no written policy, and 23.2% were uncertain. Regardless of whether they perceived if the policy was in writing, a majority of principals (81.9%) used the perceived district policy at the school level to facilitate interview requests.

The reported sources for how principals acquired knowledge of the school district policy included school board policy manual (18.6%), school district legal counsel (13.3%), director of student services (11.5%), superintendent (10.6%), another principal in the district (5.3%), and other (15.9%). The missing data amount of 24.8% on this variable might be explained by principals who skipped the question because they either did not perceive or were uncertain about if their school district had a DCS interview policy.

Which category of employees at the school would know about the school district's DCS interview policy was a marked-all-that-applied question that allowed principals to respond yes to multiple categories of employees. School counselors (65.5%) were reported as the most likely to know about the policy, followed by assistant principals (57.5%), welcome desk receptionist (38.9%), administrative assistant (31.9%), social worker (30.1%), school nurse (29.2%), school psychologist (25.7%), and teachers (22.1%). Only one principal wrote in a response that all school staff would be aware of the policy.

Results of Logistic Analysis

A binary logistic regression analysis was conducted to determine if the total years of experience by the principal or Title I status of the school predicted a principal's perceived

awareness of DCS Policy: 14.7 Child Protective Services Investigation Track, or Work Aid- 3, which is Supplemental to DCS Policy: 14.7. The results of this analysis are shown in Table 2. Fifty-three out of the 109 respondents reported an awareness of the DCS guidelines.

<INSERT TABLE 2-2 HERE>

As shown in Table 2-2, the overall test of the model was statistically significant, indicating that at least one of the predictors statistically distinguished between awareness or no awareness of the policy ($\chi^2(2) = 10.63$, $p = < .01$).

The overall prediction success was 65.5% (71.7% for yes and 58.5% for no). The results suggested that Title I status was a statistically significant predictor, (Wald $\chi^2(1) = 9.938$ p = < .01). Total years of experience was not a statistically significant predictor. The e^b value indicated that when Title I status of the school was "yes" the odds ratio was 3 times as large and therefore were 3 times greater that principals reported a perceived awareness of DCS intake policy.

Results of Multinomial Regression Analysis

Parent as the alleged perpetrator. Principals in the study responded almost universally (93.8%) that their perception was that DCS has the authority to interview children without parental consent when the parent was named as the alleged perpetrator. The remaining proportions were 3.5% who reported only under certain conditions and 2.7% who reported no. To determine if total years of experience or Title I status statistically predicted the impression that principals have of DCS authority, a multinomial logistic regression analysis was conducted. The overall test of model fit was statistically non-significant ($\chi^2(4) = 4.40$, $p = > .05$). Since there was sparse data in some of the cells, a cross-tabulation analysis was conducted with

Fisher's exact test, with Title I status as the only predictor variable used in the procedure. The results of this analysis were also statistically non-significant.

Parent not the alleged perpetrator. Nearly two-thirds (65.5%) of principals reported an impression that DCS maintains the authority to interview a child without consent even when the parent is not named as the alleged perpetrator. Greater variability was found in these results as compared with those when the parent was named as the alleged perpetrator scenario. In this case 19.5% of principals responded that only under certain conditions was this allowed, and 15% who responded no. The overall test of the multinomial regression model was not statistically significant (χ^2 (4) = 4.94, p = > .05) when total years of experience and Title I status were used as predictor variables in a multinomial logistic regression analysis. Additional analysis using Fisher's exact test found no statistically significant difference between principals' impressions, with Title I status as the only predictor variable used in the procedure.

Impression of district policy. Over three-fourths of principals (79.6%) reported an impression that their district had a policy for DCS interview requests, while 10.6% reported no, and 9.7% reported uncertainty over the existence of a district policy. The overall test of the multinomial logistic model testing the relationship between years of experience of the principal and Title I status was not statistically significant (χ^2 4) = 1.60, p = < .05). Additional analysis using Fisher's exact test found no statistically significant difference between principals' impressions based on Title I status as the predictor variable.

Discussion

Support of Original Hypothesis

This is the first study to report impressions of child welfare interview policies held by school principals. This research fills an important gap in the literature. The impressions held by

principals suggested that they had more awareness about policies issued by the school district as compared to policies issued by DCS. As reported above, 79.6% of principals responded "yes" to the question about having an impression that there was a local school district policy, while only 46.9% reported that they had an idea there was a DCS Policy: 14.7 Child Protective Services Investigation Track, or Work Aid-3.

Both total years of experience as a principal and Title I status were hypothesized to increase awareness of policies that regulate DCS interviews. Only partial support was found with only Title I status statistically significantly increasing the likelihood that principals reported an awareness of DCS policies. Title I status was not a statistically significant predictor of differences in impressions for whether a DCS employee can interview a child without parental consent either when the parent is or is not named as the alleged perpetrator.

Similarity of Results

This study was conducted as exploratory research with no known empirical data available to use for comparative purposes. Guidance for how a principal should respond with permitting a DCS interview request is available through DCS Work Aid-3, which states that when necessary, the investigator will notify the non-offending parent in advance of the interview or, if not possible, immediately upon conclusion of the interview. A principal who is aware of Work Aid- 3 could still have uncertainty as to what to do because of the terminology, "when necessary." The term when necessary could be interpreted in different ways by different persons. This potential for uncertainty may have been reflected by the 19.5% of principals who reported that a child can be interviewed by a DCS investigator without parental consent only under certain conditions. Approving interview requests without parental consent was declared as the impression of 65.5% of principals.

When the parent is not named as the alleged perpetrator, the proportion of principals who declared that a child can be interviewed without parental consent increased to 93.8%. Only 3.5% of principals reported that the interview could proceed without parental consent. Comparing these findings with existing policy suggested that ambiguous wording leaves open the possibility for multiple interpretations and could lead to differences in how the meaning is interpreted.

Interpretation

The findings from this study should be interpreted cautiously. A small sample size with a response rate of 12% suggested that future studies need to consider revising the research methodology. One suggestion that might increase the response rate from principals in future studies is to seek approval by the superintendent or research review committee for each school district to obtain authorization prior to distributing the survey. A second suggestion is to send at least one email reminder to consider participation in the study. The principals who took the time to respond to this survey could have indicated that a need does exist to help school leaders better understand the policies that regulate child welfare interviews.

A larger sample size for this study would have alleviated the concerns of sparse data cells in the cross-tabulation analysis of the categorical variables. The absence of any existing data previously provided by principals in a similar study precluded knowing how to better combine categorical variables in the survey to reduce sparse data. Fisher's exact test was employed to limit the effect of sparse data on statistical conclusions.

At most, the findings reflected impressions that principals had of the child welfare system and not actual knowledge. School principals were not asked to identify their school or school district to protect the anonymity of respondents. Additional identifying information could have

led to a better understanding of what procedures are in place at particular school districts that help to inform principals about interview policies. For principals who responded being aware that a school district had an interview policy or that the policy was in writing, verification of the policy could have been made possible by matching the response to a particular school district.

Future research should target the actual knowledge that principals have of child welfare related interview policies. Testing the knowledge that principals have will require survey questions that ask how policies are applied for interviews at schools against the intent of official interview policies. For knowledge of school district policy, knowing what school district the principal is employed by and if the school district has an official interview policy is needed to test knowledge. The absence of application questions and identifying information about what school district the principal responded on behalf of limited this study to collecting information on the impressions reported by principals instead of knowledge.

Only principals in Tennessee were sought as participants in this study. Impressions that were reported to be held by principals in Tennessee may not be generalized to represent the impressions held by principals in any other state. The actions taken by the child welfare agency and school districts for how children are interviewed at school vary from state to state and district to district. Principals were contacted for participation in the study from 83 school districts across Tennessee. Based on the geographic range of school districts contacted for participation, a direct association that the results were representative of a particular school district or region may not be inferred because no identifying information was collected to link the responses with the principals who took the survey. The number of principals contacted from the 83 school districts was intended to maximize how generalizable the results were to be representative of the State of Tennessee.

Implications

Principals have expressed an interest in learning about school law as a priority in their job preparation (Duncan, Range, & Schrerz, 2011). The finding that 53 out of the 109 principals reported they had an awareness of DCS issued policies suggested that principals may take steps to familiarize themselves with the authority granted to DCS to interview children at school. Less than one-tenth of principals (9.7%) responded that they did not know if their district had a policy for DCS interviews. This further supports the speculation that policies concerning interviewing children at school do not go completely overlooked by principals. A telling sign for how principals reportedly gained awareness of school district policy was not evident with the school board policy manual (18.6%) representing the highest proportion of responses. The absence of a majority response for how principals reportedly became aware of interview related policies weakened the ability to recommend a source of information that principals most prefer.

Social work researchers have the opportunity to fill the current gap of not knowing what trainings principals would participate in to learn what aspects of DCS policy applies to school settings. Training material produced by DCS and the University of Tennessee College of Social Work for mandated reporter requirements has been online for any school district employee to access (Tennessee Department of Children's Services, n.d.). Complying with mandated reporter requirements has been enforced since the 1974 passage of the Child Abuse Prevention and Treatment Act (Sinanan, 2011). Cooperation by principals with DCS investigations was instructed by a 1987 Tennessee Attorney General Opinion. Social work researchers and those employed in the child welfare sector can respond to this study by recognizing that if training is available to guide school employees on required mandated reporter requirements, similar online training should be developed to meet the obligation to comply with investigative interviews. The

implementation of an interview policy training can be piloted in trials at schools with social work researchers being able to assess the effectiveness on knowledge in comparison groups.

The lack of training offered by DCS invites continued variance in the awareness that principals have of DCS policies and the authority to interview children in the absence of parental consent. At minimum, DCS could follow the lead of Alaska (Alaska Office of Children's Services, 2014), Arizona (Arizona Department of Child Safety, 2016), Kansas (Kansas Department for Children and Families, 2017), and Minnesota (Minnesota Office of the Revisor of Statutes, 2016), by requiring that the investigator provides the school with a document for each interview that establishes the authority by which the interview must be granted. The interview request form will provide greater clarity with language that explains if the authority to conduct an interview at school without parental consent extends to ongoing cases because DCS Policy: 14.7 (2017), Work Aid-3 (2017), Attorney General Opinions No. 87-101 and No. 09-22 (Cooper Jr., Moore, & Dimond, 2009) appear to only have set the authority for intake investigations.

The opportunity is available for any social work researcher to replicate this study in a different state. Promoting the use of an official document provided to the school by a child welfare agency that stipulates the authority by which interviews are allowed at school could gain credence in additional states if evidence is available in research findings to support principals becoming more aware of policies as a result.

An additional consideration for social work practice is to assess what knowledge of constitutional law will benefit child welfare workers. Noted by the Ninth Circuit in *Greene v. Camreta* (2009) was how the Oregon child welfare worker, Bob Camreta, enjoyed qualified immunity that prevented legal action from being brought against him since the Fourth

Amendment rights of a minor child in a school setting were not clearly defined when the interview occurred (Stednitz, 2011). For a child welfare worker not to infringe upon the Fourth Amendment rights of children and their parents when the interview takes place at school without consent, children should understand that they have the option to exit the room while being questioned (Kwapisz, 2012). Interviewing children at school only based on the premise that the practice has been customary may not withstand a future court challenge (Kwapisz, 2011).

Training modules for child welfare workers that do not include precautions for what legal outcomes to consider when conducting school-based interviews make the worker and agency vulnerable for future court challenges. The rationale for why interviews at school are needed has been to prevent potential influence by a suspect, including parents, during the interview (Gupta-Kagan, 2012). Not every reported case of child abuse or neglect will have a perpetrator residing at the child's home who may compromise the integrity of the interview. Establishing standards to be taught in trainings that determine when interviewing a child at school is necessary, instead of based on custom, may help child welfare workers learn why the Fourth and Fourteenth Amendments have been used by parents to file suit after their child was interviewed. This proposed addition to child welfare training that promotes strengthening the relationship between the worker and family also has the potential to benefit schools by reducing the expectation that principals should know which interviews are constitutional if child welfare workers already possess this knowledge.

Conclusion

This exploratory study of the impressions held by principals regarding policies that regulate how child welfare investigators gain access to interview children at school found that the Title I status of a school increased the odds of knowing about DCS policies. The low socioeconomic status of students at Title I schools might suggest that more interaction with DCS by principals at a Title I school leads to familiarity with DCS policies. Until a universal system is put in place for how principals across Tennessee become aware of policies, the potential remains that any school employee who is tasked with facilitating the interview risks acting out of accordance with the rights of either DCS or the family of the child.

State by state approaches to authorizing child welfare agencies to interview children at school continued after the Supreme Court issued a ruling of mootness in the 2011 case of *Camreta v. Greene*. The current status in Tennessee is that the policies authorizing interviews have not been made clear enough for principals to have unanimously responded if the interviews can take place without consent when the parent is or is not the alleged perpetrator. Stakeholders who influence child welfare policy need to consider what approach to increasing awareness will work best for schools.

A study of principals in one state does not tell the complete story of what child welfare policy impressions are held by principals across America. Had the Supreme Court not vacated guidance offered by the Ninth Circuit Court of Appeals in *Greene v. Camreta* (2009) that child welfare investigators needed to proceed cautiously when interviewing children at school without parental consent, a warrant, or court order, a national conversation on interview best practice standards would have been needed. This preliminary data opens the door for the conversation to take place prior to the next court challenge from a parent.

CHAPTER III

A Preliminary Study of How Child Welfare Interviews are Conducted at Schools:

Do Differences Exist Based on Grade Level

Abstract

Child welfare workers routinely use schools as a location to interview children who are the alleged victims of child abuse and neglect. The largest number of investigations of abuse for school-aged children occur with children who attend elementary schools in Tennessee, as the number of investigations trend downward as adulthood approaches. Principals in Tennessee have guidance from the Attorney General, Department of Children's Services policy, and school district policy for how to possibly proceed with intake interview requests. Similar guidance is not known to be available for ongoing case interviews. No known study has previously looked at what steps school principals have put in place to facilitate interviews. This study analyzed the survey responses from 109 principals in Tennessee to determine if differences existed between how high school and non-high school principals have their school staff respond to interview requests, and if differences existed between intake and ongoing case interview requests. Results from the data analysis with Fisher's exact test showed that some statistically significant differences did exist between how high school and non-high school principals reported that child welfare interviews were facilitated at their school. Limitations were noted for how the results need to be interpreted cautiously since the small sample size led to sparse data in the cells of some cross-tabulation columns.

Keywords: child welfare, school social work, school policy

The potential for a child to be frightened when interviewed in private for the first time at school by an unfamiliar child welfare investigator was noted when the Wisconsin Attorney General upheld the practice (Wisconsin State Legislature, 1990). Children in the state for this study, Tennessee, continue to be interviewed in private at school after the practice was affirmed by Attorney General Opinion No. 87-101, and reaffirmed with Opinion No. 09-22 (Cooper Jr., Moore, & Dimond, 2009). This study was conducted to determine the most common procedures implemented by principals in Tennessee to facilitate requests made by Department of Children's Services (DCS) investigators to interview children at school. Identification of the most commonly used interview facilitation techniques was investigated in the study. The results can be used to make recommendations on how schools and DCS can work together to limit the uneasiness that a necessary interview might cause for a child.

Purpose

Implications from the Camreta Case

Noted as part of the proceedings in the cases of *Greene v. Camreta* (2009) and *Camreta v. Greene* (2011) were the methods used by Oregon Child Protective Services worker, Bob Camreta, when he interviewed the minor child, S.G., at her Oregon based school for almost 2 hours with only Deschutes County deputy sheriff, James Alford, present (Gupta-Kagan, 2012). The admission by S.G. during the interview that she was sexually abused by her father, Nimrod Greene, placed S.G. and her younger sister in foster care for 20 days (Gupta-Kagan, 2012). In a subsequent interview conducted by the Kids Intervention and Diagnostic Service Center, S.G. recanted her admission of the abuse, accrediting her earlier statement to the pressure of Camreta interviewing her privately at school (Gupta-Kagan, 2012).

In response to the interview being conducted at school without parental consent, court order, or warrant, S.G.'s mother, Sarah Greene, filed suit based on the claim that the interview was a Fourth and Fourteenth Amendment violation (Stednitz, 2011; Yourtz, 2012). The initial suit included Bend-La Pine Schools and the school counselor who brought S.G. to the interview, before both parties were removed by a federal district court prior to reaching the Ninth Circuit Court of Appeals (Walsh, 2011; Stednitz, 2011). Although the Ninth Circuit instructed child welfare investigators to become more cautious in their application of the special needs doctrine of the Fourth Amendment as authorization to conduct interviews at school without parental consent, the guidance was vacated when an appeal of the *Greene v. Camreta* (2009) case was dismissed by the Supreme Court in *Camreta v. Greene* (2011) on the grounds of mootness. What could have been national guidance for conducting school interviews was, instead, left to be decided as a state by state approach.

Conducting School Interviews

Guidance on how child welfare investigators conduct interviews with children at school can come from state statute, policy of the child welfare agency, policy of the school district, an attorney general opinion, or court ruling. Federal guidance is only available for reporting child abuse and neglect by the 1974 passage of the Child Abuse Prevention and Treatment Act, which created the obligatory role of mandated reporter (Sinanan, 2011). The protocol for how DCS is to investigate an allegation of child mistreatment in Tennessee is contained within DCS Policy: 14.7 Child Protective Services Investigation Track (2017) and the collateral documents contained within the policy. One of the collateral documents, Work Aid-3 (2017), contains language that reasonable concerns about the child's safety are paramount to any other consideration of the

timing and location of the interview. Schools are included in Work Aid-3 as a place that a DCS investigator can go to locate a child who is the subject of an investigation.

Pertinent instructions for how schools should respond to a DCS interview request was provided in Tennessee Attorney General Opinion No. 87-101 and Tennessee Attorney General Opinion No. 09-22 (Cooper Jr., Moore, & Dimond, 2009). Based on the Opinion, principals were instructed that DCS must be permitted access to a school for the interview; the school can reasonably set the time, location, and conditions of the interview; a school staff member cannot stipulate a presence at the interview; and school employees must act in accordance with the law when the investigator requests not notifying a parent about the interview (Cooper Jr., Moore, & Dimond, 2009). The Opinion offered a framework for how a principal might proceed with an interview request but left unanswered what facilitation strategies work best for principals.

Strategies that look at ways to improve school-based interviews that remain in accordance with the legality of the investigation are worth considering because after the interview, children may return to the classroom not knowing if the outcome from the interview will result in removal from their caregivers, homes, schools, and communities (Kisiel, Fehrenbach, Small, & Lyons, 2009). Other states have guidance available that if implemented into best practice recommendations could alleviate concerns over how an interview conducted at school might interfere with the learning objectives of the educational environment.

The *Children's Protective Services Manual* (2016) issued by the Michigan Department of Health and Human Services instructed that the investigator must, upon conclusion of interviewing the child, include a designated school staff person as part of the discussion with the child about what to expect next with the investigation. The lack of school staff participating in

the discussion could result in a miscommunication of facts if the child attempts to speak with an adult later in the school day.

The steps for the interview to take place at school can become easier by following the lead of Minnesota where written notification that contains the authority to conduct the interview is provided to the school, and school officials have up to 24 hours after the receipt of the notification to facilitate the interview request to help with not disrupting the education program (Minnesota Office of the Revisor of Statutes, 2017). What the Minnesota guidelines make clear is that in addition to school leaders knowing the authority for why the interview request must be granted, there is specificity in knowing the timeframe for granting the interview request that provides flexibility for the school.

Illinois provides an additional example for how to foster concordance between schools and child welfare agencies by requiring that within 10 days upon completion of an investigation into alleged physical or sexual abuse, the school where the indicated child victim attends must receive a copy of the final finding report (Illinois General Assembly, 2002). The finding report is kept as part of the student's school record unless the finding is ever overturned in court or the child welfare agency determines that the child is no longer at risk. This collaboration between the two systems support the roll that schools have in promoting the well-being of their students.

Child welfare agencies that do not take into account the considerations of the child, family, or school could encounter a situation similar to how the New York State Office of Children and Families had to revise policy after the Southern District of New York ruled in *Phillips v. Orange County* that a child interviewed without parental consent at a New York public school was an unconstitutional seizure (New York State Office of Children and Family Services, 2016). After initially altering Office policy in the state only for Orange County in

response to the ruling, the Office faced opposition when the Association of School Attorneys advised all New York school districts to only allow investigators access to students when in possession of a court order, warrant, or signed letter from the County Attorney substantiating the need for the interview (New York State Association of School Attorneys, 2016; New York State Office of Children and Family Services, 2016). The two sides came to an agreement with Section 432.3 of Title 18 of the New York Codes Rules and Regulations, that continued to authorize investigators to conduct interviews at school without parental consent, in exchange for the school adopting reasonable visitor policies when investigators are on school grounds and acquiring the right to observe the interview with the child (New York State Office of Children and Family Services, 2016b). What transpired in New York indicated that the process school leaders use to facilitate interview requests is not irrelevant with the current lack of best practice recommendations that a verdict in the *Camreta v. Greene* case could have offered.

Focus of the Study

No previous study has ever sought to identify what the most common procedures are that are used to facilitate child welfare interview requests. An analysis of the steps that principals in Tennessee take to facilitate DCS interview requests was relevant because two Tennessee Attorney General Opinions have affirmed the right for a principal to reasonably set the time, place, and circumstances of the interview. One role of state attorneys general is to intervene when disputes arise among government regulated departments and agencies (Matheson, Jr., 1993). This mediation role of states attorney general can range from issuing informal legal advice to formal legal opinions to state agencies (Matheson, Jr., 1993). The lack of detailed information included in DCS policy for how principals should facilitate both intake and ongoing interview requests based on the two Opinions has left unanswered how closely

interview facilitation abides by the Opinions. Identification of the most common answers provided by principals in this study was a first step in leading to the development of best practice recommendations schools and child welfare agencies that attempt to improve upon the uncertain nature of school interviews.

As children in Tennessee age towards adulthood, the number of substantiated abuse investigations dropped in 2015, with 520 investigations at age 12 as compared with 283 at age 17 when children are on the verge of finishing high school (Children's Bureau, 2017). The smaller number of DCS investigations for high-school-aged students may mean that principals at high schools decide to facilitate interview requests differently than for lower grade levels. Out of the 93,154 children in Tennessee who received an investigation or alternative response in 2015 from DCS, a total of 11,117 of the allegations were substantiated and 700 were indicated based on credible evidence found against the alleged perpetrator, which created the potential to open the case for ongoing services (Children's Bureau, 2017). With the focus of interview guidelines on the investigation stage, less information is available to know if differences exist in how principals facilitate interview requests for children who have an open, ongoing DCS case. To better understand the actual facilitation processes that principals use for DCS interview requests, the following two research questions guided this study: (1) What is the relationship between the grade level of a school and how school principals facilitate DCS interview requests? (2) What differences exist between how school principals facilitate DCS interview requests for cases that are at either the intake or ongoing stage?

Methodology

Participant Characteristics

The target population for this study was principals at public school districts in Tennessee. Participation was only sought from public school districts since evidence from the Seventh Circuit Court of Appeals in the case of *Doe v. Heck* (Kwapisz, 2012), Michigan Department of Human Services (2016), and New Mexico Legislature, suggested that a different standard for interviews can apply at private schools. Only school employees who held the title of principal at the time of this study were contacted for participation to account for the principal being the leader who has a role in all aspects of a school's mission (Crow, Day, & Møller, 2017).

University institutional review board approval was granted to contact public school principals in Tennessee at their school issued email address to request participation in this study. The sampling strategy was to implement the survey in three waves of 30 school districts in each wave, for an anticipated total of 90 districts, where all principals in the district would be contacted. Each wave consisted of emailing principals from among the 10 school districts near the highest student enrollment in Tennessee, 10 school districts near the median student enrollment, and 10 school districts near the lowest student enrollment. The sampling method was intended to account for differences that might exist in school district policy based on student enrollment and the number of employees.

Sampling Strategy

Rules that governed contacting principals for research purposes and school districts that restricted external email communication limited the total to 83 school districts where the recruitment email was distributed. No reminder emails were sent after the initial request. Identifying questions about the school or school district were not asked. The email that was sent

contained an invitation to participate, with a brief explanation of the study and a URL that took potential participants to the informed consent page of the survey. Qualtrics (https://www.qualtrics.com/) was used to administer the survey. At the end of the informed consent page was the option to click on giving consent to continue with the survey or exiting without answering any questions. Invitations to participate were sent in January 2018 to 878 principals. No incentive was offered for participation. The response rate was 12.0% (N =878).

The survey created for this study had questions that would chronicle the steps from prior notification expected by the school from DCS to what happened when the interview concluded. Two scenarios were presented to principals concerning interview requests, and principals were asked the same questions for these scenarios concerning the facilitation process that would occur in the principal's school under the two scenarios. The first scenario was based on the circumstance in which the investigator arrived at the school for the first known contact with a child. The second scenario was based on the scenario for interview requests at school with a child known to have an open, ongoing case with DCS.

Measures

Twenty-eight questions were asked of school principals in Tennessee on the survey (see Figure A-1). Four demographic questions were included in the survey. These questions were the grade level of the school the principal responded on behalf of, the total number years of experience as a principal, the total number years of experience in current school district, and if the school had Title I status. The grade level question was used as a predictor variable in the analysis of if facilitation strategies are different at high schools compared to lower grade levels. Options that were available as responses to the grade level questions were recoded to reflect all responses other than high school as 0, and all schools marked as high school coded as 1.

Facilitation of interviews. Two scenarios were asked of principals who responded to the survey. Each scenario had 12 questions to investigate what actually happens when a DCS investigator attempts to interview a child at school. The scenarios were labeled to differentiate between the first scenario in how facilitation occurs for the first known contact with a child, and the second scenario in which facilitation occurs when the requested contact is for a known open, ongoing case. All questions were of a dichotomous or categorical nature. Categories of responses were created to combine administrative staff, certified staff, teachers, and classified staff into four potential answers as the most likely employee who would be involved in the scenario to which the question applied. The administrator category was intended to represent principals, assistant principals, and dean of students. The certified staff category was intended to represent counselors, social workers, school psychologists, and school nurses. The classified staff category was intended to represent administrative assistants and welcome desk receptionists.

The pre-approval facilitation portion of the survey consisted of six questions that started with if the DCS investigator is expected to notify the school prior to arrival. The next question was upon arrival of the DCS investigators at the school, which category of school employee is the most likely to approve the interview. Related to the approval question, was a question that asked if details of the case needed to be explained by DCS to a school employee prior to approval. The question of if the interview would be approved without parental consent followed. Asked next was if all DCS interview requests would be approved at the school. The final question of the pre-approval phase was how the school documents the interview request, with answers that consisted of a form created by the school, a form created by DCS, a copy of the DCS employee's identification card, the school visitor log, other, or no documentation is kept.

The interview phase of the survey consisted of three questions. Principals were asked two questions that identified if a school staff ever asks to observe the interview and, if so, which staff member is the most likely to observe. The final question of the interview phase was which school staff is the most likely to meet with and notify the student of the interview, with an answer available that no school staff meets with the student.

The post-interview phase consisted of three questions that started with which school staff is the most likely to be notified by the DCS investigator that the interview is complete. If a school staff member meets with the student following the interview, which category of staff is the most likely to do so, was the next question. The final question on the survey was if parents are ever notified by school staff following the interview, with yes, no, or depending on the situation as options.

Data Diagnostics

Respondents were notified in the informed consent statement that questions on the survey could be left unanswered. As a result, missing data were found in the raw data set. Maximum likelihood estimation was used to treat all missing data values (Enders, 2010). The percentages of missing data are shown below in Table 3-1. In this approach to imputation the available data from each case was used to produce a probability distribution that made the observed data most likely (Myung, 2003).

<INSERT TABLE 3-1 HERE>

Analytic Strategy

SPSS version 25 was used for data analysis. First, descriptive statistics were generated to examine frequencies of participants' responses. The categorical nature of each outcome variable led to cross-tabulation analyses with Fisher's exact test that were used to analyze if

differences in association existed between the categories. Sparse data that was found in the category cells indicated Fisher's exact test as appropriate to use in looking at what differences existed in how principals at high schools facilitate interview requests as compared with non-high school principals (Routledge, 2005).

Results

Descriptive Analysis

Principals had an average of 9.5 years (SD = 6.62) of experience (range of 1 to 31). The average number of years in the current district of employment was 8.8 years (SD = 6.61), which indicated that principals predominantly had school leadership experience in only one district (range of 1 to 31). Elementary school (43.4%) and high school principals were the largest categories of respondents (23.8%), with principals at middle schools (10.6%), intermediate schools (3.5%), K-12 schools (0.9%), primary schools (0.9%), and other (7.1%), representing the remaining responses. More than half of principals (54.0%) reported working at a Title 1 school.

Categorical Analysis

School notification. When a DCS investigator arrives at a high school for the first known contact to interview a student, more than half of the principals (53.1%) reported that the investigator is not expected to notify the school in advance, 37.5% reported that prior notification depends on the situation, and 9.4% reported that the investigator is always expected to notify the school in advance. Almost two-thirds (65.4%) of non-high school principals reported that the investigator is not expected to notify the school in advance, while one-third (33.3%) reported prior notification depends on the situation, and 1.2% reported the investigator is always expected to notify the school in advance. Notifying the school in advance of the interview did not

statistically significantly differ between high school and non-high school principals' responses (p = >.05, Fisher's exact test 2-sided).

Fewer principals reported expecting prior notification when a DCS employee arrives to conduct an interview with a student who is known to have an open, ongoing case with DCS. The percentages reported by high school principals were 62.5% no notification, 31.3% said it depended on the situation, and 6.2% who responded that they expected prior notification. The percentages reported by non-high school principals were 72.8% no notification, 24.7% depending on the situation, and 2.5% who expected prior notification. The analysis found no statistically significant differences between high school and non-high school principals for prior notification with ongoing cases (p = > .05, Fisher's exact test 2-sided).

Interview approver. Principals at high schools reported an administrator as almost exclusively (90.6%) the most likely category of employees to approve interview requests when the DCS investigator requests the first known contact with a student. Classified staff at high schools were reported by 6.3% of respondents and certified employees were reported by 3.1%. At non-high schools, administrators were identified by slightly less than half of respondents (46.9%) to approve the first known interview with a student. Classified staff were identified by almost one-third of respondents (32.1%), while certified staff were reported by 21% of respondents as the most likely to approve the interview. Differences in percentages between high schools and non-high schools were statistically significant in the administrator, certified, and classified categories as shown in Table 3-2 (p = < .05, Fisher's exact test 2-sided). In this case, comparisons of column percentages in the contingency table showed all the above differences in percentages between high school and non-high school principals' responses were statistically significant.

<INSERT TABLE 3-2 HERE>

Administrators at both high schools and non-high schools reported to become less likely compared to the intake scenario to approve the interview request when the student is known to have an open, ongoing DCS case. The percentages reported by high school principals were 81.3% for administrator, 15.6% for classified staff, and 3.1% for certified staff. The percentages reported by non-high school principals were 38.3% for administrator, 35.8% for classified staff, and 25.9% for certified staff. The Fisher's exact test also indicated a statistically significant difference between high schools and non-high schools in all three categories as shown in Table 3-3 ($p = < .05$, Fisher's exact test 2-sided). Comparison of column percentages in the contingency table showed all of the above differences in percentages between high school and non-high school principals' responses were statistically significant.

<INSERT TABLE 3-3 HERE>

Explaining case details. When the DCS investigator arrives at a high school for the first known contact with a student, 62.5% of principals reported that staff at their school never requested details about the investigation, 21.9% reported that requesting information depended on the situation, and 15.6% reported always requesting details. At non-high schools, 71.6% of principals reported that their staff never requested details about the case, 27.2% of principals reported that requesting information depended on the situation, and 0.9% reported always requesting details about the case. A statistically significant difference in the percentage of responses between high school and non-high school principals, as shown in Table 3-4, was only found in the always requiring details about the case for an intake interview category ($p = < .05$, Fisher's exact test 2-sided). There was not a statistically significant difference in the comparison

of column percentages for the categories of never requiring details about the case or requiring details about the case being dependent on the situation.

<INSERT TABLE 3-4 HERE>

No principals at high schools or non-high schools reported that a DCS worker is expected to provide details about a case prior to meeting with a student who has a known ongoing case. Never needing to provide details about an ongoing case prior to approval was reported by 65.6% of high school principals, and 34.4% reported that providing details was dependent on the situation. More than three-quarters of non-high school principals (79%) reported that no case details are needed prior to an interview, while less than one-fourth (21%) reported that requiring details was dependent on the situation. The statistically significant difference found in the intake scenario was not found in the ongoing scenario since no principals responded that case details are always needed before approving the interview request (p = > .05, Fisher's exact test 2-sided).

Parental consent. An equal percentage of high school principals (34.4%) reported that always requiring proof of parental consent prior to granting the interview was just as likely as never requiring parental consent, while 31.3% responded that the need for parental consent depended on the situation. Less equivalent responses were reported by non-high school principals with 81.5% never requiring parental consent prior to the interview, 13.6% leaving consent based on the situation, and 4.9% requiring parental consent prior to granting the interview. All three categories of responses, always requiring parental consent, never requiring parental consent, and depending on the situation had percentages that differed statistically significantly between high school and non-high school principals according to Fisher's exact test

as shown in Table 3-5 ($p = < .05$, Fisher's exact test 2-sided) and comparison of column percentages.

<INSERT TABLE 3-5 HERE>

Although non-high school principals reported that proof of parental consent was never required in all situations prior to granting an interview request for an ongoing case, the response was not the same among high school principals. Consent being dependent upon the situation and parental consent not required were equally reported by 37.5% of high school principals, and proof of parental consent always required by 25% of respondents. The percentage of non-high school principals who reported that interview requests for an ongoing case would always be approved without proof of parental consent was 91.4%, with 8.6% that it depended on the situation, and zero percent reported always requiring parental consent prior to granting the interview. The Fisher's exact test results ($p = < .05$, Fisher's exact test 2-sided) as well as column percentages indicated a statistically significant difference between high schools and non-high schools for the ongoing case scenario in all three categories of responses, always requiring parental consent, never requiring parental consent, and depending on the situation as shown in Table 3-6.

<INSERT TABLE 3-6 HERE>

All requests approved. Every intake interview request made by a DCS investigator was reported to be approved by 75% of high school principals, while 25% responded that not all requests would be approved. Among non-high school principals, 90.1% responded that all intake interview requests would be approved while 9.9% reported that not all requests would be approved. This variation between the responses of high school and non-high school principals was not statistically significant ($p = > .05$, Fisher's exact test 2-sided).

All requests made by a DCS worker to interview a student with an ongoing case was reported to be approved by 87.5% of high school principals and not always approved by 12.5%. Almost every non-high school principal (98.8%) reported that all ongoing interview requests would be approved, while only 1.2% reported such requests would not be approved. These differences in column percentages between high school and non-high school principals approving all ongoing case interview requests was statistically significant as shown in Table 3-7 ($p = < .05$, Fisher's exact test 2-sided).

<INSERT TABLE 3-7 HERE>

Interview documentation. The school visitor log book had the highest percentage of responses by high school and non-high school principals for documenting the DCS investigator's presence on campus. High school principals reported the methods of interview documentation as school visitor log (65.6%), copy of DCS employee identification (28.1%), an official form created by DCS (3.1%), and no documentation kept (3.1%). Non-high school principals reported the methods of interview documentation as school visitor log (44.4%), copy of DCS employee identification (40.7%), an official form created by DCS (1.2%), an official form created by the school (1.2%), and other (12.3%). The difference between the column percentages of high school and non-high school principals reporting the use of the school visitor log as the primary method of interview documentation was statistically significant as shown in Table 3-8 ($p = < .05$, Fisher's exact test 2-sided). The column percentages were not significantly different for the use of a form created by the school, a form created by DCS, or a copy of the DCS identification badge as documentation of the interview.

<INSERT TABLE 3-8 HERE>

Use of the school visitor log as documentation of a DCS worker being on campus to talk with a student had the highest percentages of responses reported by both high school and non-high school principals for ongoing related matters. Almost two-thirds of high school principals (65.6%) reported using the school visitor log as the primary method of documentation for ongoing case related matters. The remaining percentages consisted of 28.1% for making a copy of the DCS identification badge, 3.1% for an official form created by DCS, and 3.1% for no documentation kept. The percentage of non-high school principals who reported the school visitor log (44.4%) and a copy of the DCS identification (40.7%) were the same for ongoing interview requests as was reported for intake interview requests. The remaining percentages consisted of 2.5% for no documentation kept, 1.2% for an official form created by DCS, and 11.1% for other. These differences in principals' responses between high school and non-high school for documentation of ongoing case interview requests were not statistically significantly different in the comparison of column percentages or Fisher's exact test (p = > .05, Fisher's exact test 2-sided).

Ask to observe. No high school principals reported that a school staff member will always request to observe the interview of a student for intake purposes. The highest percentage (68.8%) reported that requesting to observe the interview depended on the situation, and 31.3% reported that a school staff member will never request to observe the interview. About two-thirds (67.9%) of non-high school principals reported that school staff will never request to observe an interview, while 29.6% reported that requesting to observe depended on the situation, and 2.5% reported that school staff will always request to observe the interview. These differences between high school and non-high school principals had percentages statistically significantly differ, as shown in Table 3-9, in their responses to requesting to observe the

interview being dependent on the situation and never asking to observe ($p = < .05$, Fisher's exact test 2-sided). There was not a statistically significant difference in the column percentages between high schools and non-high schools for always requesting to observe an intake case interview.

<INSERT TABLE 3-9 HERE>

Principals at both high schools and non-high schools reported that school staff does not always ask to observe the interview when the request is related to ongoing case purposes. High school principals reported a greater percentage (62.5%) that requesting to observe the interview is depended on the situation than school staff never requesting to observe the interview (37.5%). In contrast, non-high school principals reported a greater percentage that school staff will never request to observe an ongoing related interview (69.1%) than requesting to observe being dependent on the situation (30.9%). The difference in column percentages between high school and non-high school responses that requesting to observe is depended on the situation and never requesting to observe were both statistically significant as shown in Table 3-10 ($p = < .05$, Fisher's exact test 2-sided). There was not a statistically significant difference in the column percentages between high schools and non-high schools for always requesting to observe an intake case interview.

<INSERT TABLE 3-10 HERE>

Most likely to observe. Administrator (43.8%) was the highest percentage of school staff reported by high school principals as the most likely to observe an intake interview, followed by certified staff (40.6%), and school staff never observe the interview (15.6%). Teachers and classified staff were not identified by any high school principals as the most likely category of employees to observe the interview. Administrator also marked the highest

percentage of school staff reported by non-high school principals as the most likely to observe an intake interview (27.2%), followed by teachers (18.5%), certified staff (14.8%), and classified staff (2.5%). The highest percentage (37%) for any response provided by a non-high school principal was that school staff never request to observe the interview. The column percentages that statistically significantly differed, as shown in Table 3-11, between high school and non-high school principals were found in the categories of certified staff, teacher, and never requesting to observe an interview ($p = < .05$, Fisher's exact test 2-sided). No statistically significant difference in the column percentages between high schools and non-high schools were found for administrator or classified staff.

<INSERT TABLE 3-11 HERE>

Administrator (40.6%) remained as the highest reported percentage of employee category to observe an interview that is requested for an ongoing case conducted at a high school. The remaining percentages were certified staff (37.5%), classified staff (3.1%), and school staff never request to observe an interview (18.8%). Teachers remained as not identified by any high school principals as the most likely to observe the interview. Non-high school principals continued to identify an administrator (24.7%) as the employee category that had the highest percentages of responses to who is the most likely to observe an ongoing interview. The remaining percentages were teacher (17.3%), certified staff (16.0%), classified staff (2.5%), and never requests to observe the interview (39.5%). Statistically significant differences in column percentages, as shown in Table 3-12, between the percentages of how high school and non-high school principals responded to most likely to request to observe the interview were present for certified staff, teacher, and never requesting to observe an interview ($p = < .05$, Fisher's exact

test 2-sided). No statistically significant difference in the column percentages between high schools and non-high schools were found for administrator or classified staff.

<INSERT TABLE 3-12 HERE>

Student notification. Administrator (46.9%) was the category with the highest percentage of responses reported by high school principals to notify a student that a DCS employee requested an interview for an intake investigation. The remaining percentages were certified staff (40.6%), classified staff (3.1%), and students are not notified prior to the interview (9.4%). Teacher was a category that had zero responses from high school principals. Classified staff (37%) had the highest percentage reported by non-high school principals, followed by an equal percentage reported for administrator and certified staff (12.3%), 6.2% for teachers, and one-third (33.3%) of respondents who reported students not being notified prior to the interview. The differences in column percentages between high school and non-high school principals for the categories of administrator, certified staff, classified staff, and the student not being notified all significantly varied as shown in Table 3-13 ($p = < .05$, Fisher's exact test 2-sided). A statistically significant difference in the column percentages was not found for the teacher category.

<INSERT TABLE 3-13 HERE>

High school principals reported with nearly equal percentages that an administrator (40.6%) or certified staff employee (37.5%) as the most likely to notify a student prior to being interviewed by a DCS employee for an ongoing case. The remaining percentages were 9.4% for classified staff, and 12.5% for the student not being notified. Teachers remained as never notifying a student. Classified staff remained as the highest percentage (37%) reported by non-high school principals as the most likely to notify a student prior to an interview. The remaining

percentages were 13.6% for certified staff, 11.1% for administrator, 6.2% for teacher, and 32.1% for the student not being notified prior to the interview. The statistically significant differences in column percentages between high schools and non-high schools remained in the most likely to observe an interview ongoing scenario, as shown in Table 3-14, were administrator, certified staff, classified staff, and the student not being notified ($p = < .05$, Fisher's exact test 2-sided). The difference in column percentages for teacher was not statistically significant.

<INSERT TABLE 3-14 HERE>

Post-interview notification. High school principals identified an administrator (46.9%) as the highest percentage of who is the most likely to be notified when the intake interview of a student is complete. The remaining percentages were 37.5% for certified staff, 12.5% for classified staff, and 3.1% for school staff not being notified before the student returns to class. Teachers were not identified by any high school principals as the most likely to be notified. Classified staff (39.3%) was the highest percentage identified by non-high school principals as the most likely to be notified upon completion of the interview. The remaining percentages were 19.8% for administrator, 16% for teacher, 9.9% for certified staff, and 16% for school staff not being notified before the student returns to class. The finding of statistically significant differences in column percentages, as shown in Table 3-15, between high school and non-high school principals was present in the categories of administrator, certified staff, teacher, and classified staff ($p = < .05$, Fisher's exact test 2-sided). Not statistically significantly different were the column percentages for teacher and no school staff notified once the interview is complete.

<INSERT TABLE 3-15 HERE>

Certified staff (40.6%) had a higher percentage than administrator (34.4%) that was reported by high school principals as the most likely to be notified upon completion when the interview was conducted for ongoing purposes. The remaining percentages reported were 15.6% for classified staff and 9.4% for school staff not being notified before the student returns to class. The percentage for teachers being notified remained at zero percent. Classified staff (30.9%) was the highest percentage reported by non-high school principals as the most likely to be notified upon completion of the interview. The percentages (18.5%) reported for administrator and teacher were equivalent, with 9.9% reported for certified staff, and 23.5% reported for school staff not being notified upon completion of the interview. Two categories of responses, certified staff and teachers, had statistically significant differences between high schools and non-high schools in the comparison of column percentages for the ongoing scenario as shown in Table 3-16 ($p = < .05$, Fisher's exact test 2-sided). The differences in column percentages between high schools and non-high schools for administrator, classified staff, and no school staff notified once the interview is complete were not statistically significantly different.

<INSERT TABLE 3-16 HERE>

Discuss case with student. Certified staff (28.1%) had the highest percentage reported by high school principals to be the most likely to meet with a student following an intake interview, with administrator (25%), teacher (21.9%), and classified staff (4.8%) comprising the remaining percentages. No school staff meeting with the student was reported in 21.9% of responses. The response of no school staff meeting with a student prior to returning to class was reported by more than half (55.6%) of non-high school principals. When a school staff member does meet with a student after an intake interview, the percentages reported by non-high school principals were 24.7% for classified staff, 11.1% for administrator, and 8.6% for

certified staff. Teachers were not identified in any responses as the most likely school staff to meet with a student after the interview. The difference in column percentages between high school and non-high school principals was statistically significant, as shown in Table 3-17, in the categories of certified staff, teacher, classified staff, and school staff not meeting with students following the interview ($p = < .05$, Fisher's exact test 2-sided). Only the category of administrator did not have a statistically significant difference in the column percentages for the most likely to meet with a student following an intake case interview.

<INSERT TABLE 3-17 HERE>

Certified staff and administrator were each identified by one-fourth of high school principals as the most likely to meet with a student following an ongoing interview. Teacher (21.9%), classified staff (6.3%), and school staff not meeting with students (21.9%) comprised the remaining percentages. The percentage reported by non-high school principals (55.6%) for school staff not meeting with a student prior to returning to class had no difference between the intake and ongoing scenarios. The percentages reported for classified staff (25.9%), administrator (9.9%), certified staff (9.9%), and teacher (1.2%) at non-high schools were close to similar of the intake percentages. All five of the response categories, administrator, certified staff, teacher, classified staff, and school staff not meeting with students following the interview from the intake scenarios had percentages that statistically significantly differed between high school and non-high school principals as shown in Table 3-18 ($p = < .05$, Fisher's exact test 2-sided).

<INSERT TABLE 3-18 HERE>

Parent notification. Upon completion of an intake interview, 65.6% of high school principals reported that parent notification depends on the situation, 31.3% reported that the

parent is never contacted by the school, and 3.1% reported that the school always notifies the parent. Responses from non-high school principals indicated that 76.5% never notify the parent, 23.5% notify the parent depending on the situation, and no instances exist where the parent will always be notified. The column percentages were statistically significantly different between high school and non-high school principals, as shown in Table 3-19, for the categories of never notifying the parent and notifying depending on the situation ($p = < .05$, Fisher's exact test 2-sided). Having a school staff member always notify the parent after an intake interview did not have column percentages that significantly differed between high schools and non-high schools.

<INSERT TABLE 3-19 HERE>

In contrast to the intake scenario, a majority of high school principals (59.4%) responded that the parent is not notified following an ongoing case interview. A decreased percentage (37.5%) compared to the intake scenario responded that the parent is notified depending on the situation, and 3.1% remained as the percentage for always notifying parents following an interview. The percentage of non-high school principals who reported never notifying the parent following an ongoing interview increased to 79%, while the percentage who reported notifying depending on the situation dropped to 21%. For the ongoing interview scenario, only the difference in column percentages between high school and non-high school principals for the never notifying the parent category was also statistically significant, as shown in Table 3-20 ($p = < .05$, Fisher's exact test 2-sided). The difference in column percentages for always notifying the parent and notification of the parent being dependent on the situation were not statistically significant.

<INSERT TABLE 3-20 HERE>

Discussion

Support of Original Hypothesis

The results of this study provide the first known responses from school principals as to how child welfare interview requests are facilitated. Of specific interest was whether the facilitation strategies used by principals differed based on grade level (high school as compared with non-high school), and if the facilitation strategies differed based on if the interview was requested for an intake case or an ongoing case. At the start of the interview process, a higher percentage of high school principals reported an expectation that DCS should notify the school in advance of arrival. The reported expectation of prior notification was lower among high school and non-high school principals when the interview was for an ongoing case. When the DCS worker arrives at the school, an administrator was the most likely to approve the interview at both high schools and non-high schools. While an administrator remained the most likely to approve for ongoing interview requests, the percentage of classified and certified staff both increased when compared to intake interviews.

High school principals were significantly more likely to have the DCS worker always explain details about the case before approving an intake interview. Principals at both grade levels reported to never mandate details about the case prior to approval at every ongoing interview. The issue of always requiring parental consent prior to approving the interview also significantly differed with slightly more than one-third of high school principals always requiring consent compared to slightly less than one-twentieth of non-high school principals. Always requiring parental consent for ongoing interviews decreased to zero among non-high school principals and from one-third to one-fourth among high school principals. The percentage of all

intake interview requests being approved was reported by at least three-fourths of principals at both grade levels and increased to at least 87.5% for ongoing interview requests at both levels.

To document that the interview took place, both high school and non-high school principals reported the school visitor log and a copy of the DCS employee identification card as the most used and second most used methods for intake and ongoing interviews. Prior to the interview starting, principals at both grade levels gave no indication that a school employee will always ask to observe the interview, but high school principals were significantly more likely to ask to observe depending on the situation, and non-high school principals were more likely to never request to observe. The rank of percentages remained the same for requesting to observe an ongoing interview. An administrator was reported as the most likely school employee to request observing the interview by both grade levels for both intake and ongoing cases. What stood out was that teachers were reported by 17.3% of non-high school principals as the most likely to observe compared with zero by high school principals.

At the end of the interview the school employee most likely to be notified significantly differed between grade levels with an administrator most likely at high schools and classified staff most likely at non-high schools. Classified staff remained as the most likely to be notified at the end of the interview for ongoing cases at non-high schools, but certified staff became the most likely to be notified at high schools. Not having a school employee talk with a student prior to returning to class significantly differed between high schools (21.9%) and non-high schools (55.6%), with the percentages similar for ongoing cases. A parent never being contacted by the school that the interview took place significantly differed between grade levels with non-high schools more likely to forgo contacting a parent. The percentages reported by principals at both grade levels for never notifying a parent after the interview increased for ongoing cases.

Similarity of Results

The exploratory nature of this study offered no comparable findings as to how principals facilitate child welfare interview requests to use for comparative purposes. Variances in the responses by principals at both high schools and non-high schools suggested that statewide doctrine does not determine how interview requests are facilitated. Unlike Minnesota (Minnesota Office of the Revisor of Statutes, 2017) where policy promotes that the school be provided with written notification that contains the authorization for which the interview can happen or Michigan (Michigan Department of Health and Human Services, 2016) where the child welfare worker is required to meet with a school employee and the child after the interview, Tennessee appears to operate on either a district by district or school by school approach to interview facilitation.

Interpretation

Although a nationwide dearth of information on school-based interviews appeared to exist prior to this study, only principals in Tennessee were sought as participants. Facilitation strategies that were identified by principals in Tennessee may not be generalized to represent the facilitation strategies utilized by principals elsewhere. Allowing a school employee to always observe the interview in New York as a result of the ruling in *Phillips v. Orange County* reflects the stark difference in facilitation compared to Tennessee, where no high school and only one non-high school principal reported always asking to observe. The range of principals contacted from 83 school districts across Tennessee precludes inferring that the results were representative of a particular school district or region.

Principals responded to the survey anonymously without identifying a school or school district. The responses provided reflect only what was reported by principals on behalf of their

school. Independent verification of if what was reported matched an official policy for interview facilitation tied to the school could not be conducted.

Increasing the sample size of this study would have alleviated the concerns of sparse data cells in the cross-tabulation analysis. The use of maximum likelihood estimates to treat missing data could have resulted in considerable upward bias of the analysis outcome. Fisher's exact test was used in place of the chi-square test in an attempt to produce unbiased estimates.

An additional concern for this study was that the potential for Type I error increased because of multiple comparisons. Twenty-four cross-tabulations were conducted on 12 measures for both intake and ongoing interview scenarios. The probability of a significant result being due to chance instead of the predictor variable was elevated for each analysis conducted. All significant findings in the study should be interpreted cautiously as a result.

Implications

How child welfare interviews are conducted at school might look much different today had the Supreme Court not dismissed the case of *Camreta v. Greene* (2011) on the grounds of mootness. Details surrounding how the interview of a child at school for over 2 hours without consent or a familiar person present led to an admission of being sexually abused that was later recanted, led the Ninth Circuit Court of Appeals to caution child welfare workers about a broad application of the special needs doctrine to the 4th Amendment. At issue is the well-being of children who after potentially already having undergone mistreatment, are then tasked with talking to a stranger about guarded topics, before having to return to class in attempt to refocus on learning and deal with the questions from fellow students about the absence from class.

The findings from this study provided an initial overview of what interview facilitation strategies have been utilized by a small sample of principals in Tennessee. Further inquiries by

social work researchers with school districts and child welfare agencies will be needed before best practice recommendations can be offered that consider the needs of all parties involved in the interview process. To better understand the impact that being interviewed at school has on children, youth currently or formerly in foster care need to have a voice on the issue.

Throughout the current millennium, the Child Welfare League of America has offered foster youth a voice through the National Youth Advisory Council (Child Welfare League of America, 2007). Training provided to foster youth through the Council offers preparation for making position statements while publicly speaking at conferences and workshops (Child Welfare League of America, 2007). An opportunity has existed for foster youth to make a position statement on how interviews at school can respect the precarious position that dealing with abuse or neglect related issues at schools can present. Now that preliminary data is available, foster youth are the ideal target audience to assess the findings of this study in partnership with child welfare and school stakeholders, since foster youth presumably have the experience of being interviewed at school.

Child welfare investigations may benefit from investigators recognizing the potential for a child to be frightened when interviewed in private for the first time at a school by an unfamiliar adult (Wisconsin State Legislature, 1990). School staff are not unfamiliar to children. Children interact with administrators, teachers, certified staff, and classified staff throughout the school year. The findings from this study may indicate that in Tennessee DCS workers are not doing enough to incorporate school staff as a calming presence to the child. Responses to this study indicated how principals reported to facilitate interview requests.

If the practice of interviewing children at school is to continue, future studies need to investigate how principals and the children who are interviewed want interviews to be facilitated.

Currently known is that in Tennessee Attorney General Opinion No. 87-101, and Opinion No. 09-22 prohibit a school administrator from insisting on having a staff member present at the interview (Cooper Jr., Moore, & Dimond, 2009). The rationale for why school staff cannot insist on a presence at the meeting was not provided in the more recent opinion.

A move towards evidence-based practice in child welfare will require evaluating the outcome from states where the presence of school staff is required by statute. Connecticut (Connecticut Department of Children and Families, n.d) and Vermont (Vermont Legislature, 2017) are two states that both require that a 'disinterested adult' must be present at interviews that do not require parental consent. The decision to prohibit school staff from interviews should not come without an explanation, if the potential exists to benefit children. Not until an evaluation of how school-based interviews have been conducted in a state that permits an observer will the decision to include or exclude a third-party person be based on empirical science.

Conclusion

Differences exist between how high school and non-high school principals decide to facilitate child welfare interview requests. The interview being for intake purposes also creates differences with facilitation compared to interviews for ongoing purposes. What remains unanswered is the factors that lead principals to put a facilitation strategy in place. Sparsity of universal responses in this study suggested that one common source is not guiding interview facilitation in Tennessee. The response rate for an exploratory study of a novel research topic showed promise that principals might be willing to elucidate the decision-making process for interview facilitation in a future study.

The toll that being interviewed at school could have on a child cannot be overlooked. School employees show concern for children by being the source for foundational education. Child welfare agencies show concern for children by being the source for protection from abuse and neglect. The two sides have the opportunity to work together with foster youth to create unified standards that could ease the uncertainty from the interview process. When considering that nationwide mandated reporting requirements did not take effect until 1974, the outlook for reconsidering how child welfare interviews are conducted at schools should be that the conversation must start somewhere.

CONCLUSIONS & RECOMMENDATIONS

Child welfare workers continue to interview children at school without parental consent, a court order, or exigent circumstances at school. This research was conducted to identify how interviews may be facilitated at schools in the absence of any federal guidance. The national review of statues and policies examined the similarities and differences among states for what consent is needed to interview a child, where a court order can be sought to conduct the interview, where the interview can be recorded, who can be present for interviews at a school, what notice schools must receive prior to the interview, and what differences exist for interview access at public versus private schools.

Promising approaches that were identified in the review as having the potential to improve school-based interviews on a national scale are without a clear means for the dissemination of information from one state to another. For example, Iowa and New Mexico were the only states found that set an age of consent for the child to agree to be interviewed at school. Although 23 states were identified as providing the option for a school staff to observe the interview of a child, only Connecticut and Vermont mandate the presence of a disinterested adult to observe the interview for cases when prior parental consent is not required. The variance in how each state has offered guidance on school-based interviews may suggest that all states would not have been prepared to have their child welfare workers comply with a Supreme Court ruling that upheld instead of relinquished the ruling that qualified immunity would no longer apply for child welfare workers under the jurisdiction of the 9th Circuit.

Dismissal of the *Camreta v. Greene* (2011) case by the Supreme Court meant that no universal guidance was available to have consistency among states for interview requests. The results from this study indicated that while school district policy may be what school principals rely on the most to acquire knowledge of DCS related policies, no single source of information is

currently available statewide in Tennessee that supports how a principal responds to a DCS interview request would not differ from one district to another. Only the Title I status of a school made a principal significantly more likely to report an awareness of the DCS Policy and Work Aid that pertain to conducting intake investigations of abuse or neglect. The results may indicate that the number of low-income children who attend a particular school are a better indicator of a principal learning about DCS policies compared to years of experience as a principal.

How DCS Policy 14.7 (2017), DCS Work Aid-3 (2017), Tennessee Attorney General Opinion No. 87-101, and Tennessee Attorney General Opinion No. 09-22 are worded may suggest that the only available guidance for interview requests in Tennessee has been provided for intake related cases. Principals reported in this study that DCS workers were still permitted access to meet with children at school for ongoing related cases, and there was a reduced likelihood that parental consent was needed or that a parent would be contacted by school staff following the interview. While statistically significant differences were found to exist between how high school and non-high school principals facilitate interview requests, additional research is needed to understand why the differences exist.

All the findings represent data that were exploratory in assessing the perceived knowledge and understanding that school principals anonymously reported to have of DCS investigations. Working with school districts to obtain permission for testing knowledge instead of perceptions is essential to accurately knowing how principals become informed of DCS policies and facilitate DCS interview requests. The children who continue to be interviewed at school are at issue when considering a larger sample size of principals who respond in a future study to work towards best-practice standards for school-based interviews.

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APPENDIX

Table 1-1

Overview of Statutes and Policies

State	Statute	Policy	Other Guidance
Alabama	660-5-34-.05 Investigative /Initial Assessment Process		*Decatur City Board of Education v. Aycock*, 562 So. 2d 1331
Alaska		Child Protective Services Manual 2.2.5 Conducting an Initial Assessment	
Arizona	§8-471	Policy and Procedure Manual Chapter 2: Section 3 Conducting Interviews	Arizona Attorney General Opinion Number I16-004 (R16-001)
Arkansas		Division of Children & Family Services Policy & Procedural Manual Policy II-D: Investigation of Child Maltreatment Reports	
California	California Penal Code 1174.3		
Colorado	Colorado Revised Statutes Title 19 Children's Code § 19-3-308		Chief judge order regarding child abuse investigation from the Eighteenth Judicial District of Colorado
Connecticut	CT Gen Stat §17a-106	Reporting Child Abuse Questions & Answers	

Table 1-1 Continued

State	Statute	Policy	Other Guidance
Delaware	§Title 16, Chapter 9, Division of Family Services—User Manual D-1.1 & D-1.2		Memorandum of understanding between the Department of Education, Local Education Agencies, and Department of Services for Children, Youth and their Families
Florida	§ 39.301(12, 13, & 18)		
Georgia		Statewide Model Protocol 4.1(B)	
Hawaii	Child Protection Act § 587A-11 (2)		
Idaho	Idaho Statutes Title 16 Juvenile Proceedings, Chapter 16 Child Protective Act		Attorney General Opinion NO. 93-2 Idaho Child Protective Act Proceedings: Statutes and rules, Mini-Reference
Illinois	§ 325 ILCS 5/7.5 from Ch. 23, par. 2057.5 § 325 ILCS 5/8.6		Illinois Council of School Attorneys Guidelines for interviews of students at school by law enforcement authorities, Section VII

Table 1-1 Continued

State	Statute	Policy	Other Guidance
Indiana		Indiana Department of Child Services Child Welfare Manual. Chapter IV, Section V, Version III	Model school protocol for reporting allegations of child abuse in Indiana
Iowa	Iowa Code §232.71B	Child welfare CPS assessment procedures. Title 17: Child Welfare Chapter B(1)	
Kansas	K.S.A. 38-2226(g)	Kansas Department for Children and Families PPS Policy and Procedure Manual Section 2140	
Kentucky	§ 922 KAR 1:330	Kentucky Cabinet for Health and Family Services: Reporting Child Abuse and Neglect	
Louisiana	Louisiana Children's Code: CHC 612 - Assignment of Reports for Investigation and Assessment & 4-510 Initiation of the Investigation		
Maine	Title 22: Health and Welfare, Chapter 1071: Child Family Services and Child Protection Act		

Table 1-1 Continued

State	Statute	Policy	Other Guidance
Maryland	MD CODE ANN., FAM. LAW § 5-706; COMAR 07.02.07.08; COMAR 13A.08.01.13B,		Access to education for children in state-supervised care
Massachusetts	G.L. c.119, §51B, 603 CMR 623.07 (3)(c)		Joint advisory regarding school district officials' duty to report suspected child abuse and neglect
Michigan	MCL 722.628	Child Protective Services Manual	
Minnesota	§ 626.556		
Mississippi		Mississippi, DFCS Policy Section B: E. 3. c.	
Missouri		Child Welfare Manual Section 2 Chapter 8 Subsection 1	
Montana	41-3-202, MCA		
Nebraska	§ 28-713 &	Health and Human Services Manual Chapter 4-000	
Nevada	NRS 432B.270 NRS 432B.457		
New Hampshire	Child Protection Act Section 169-C:38 &	Child abuse and neglect domestic protocols	
New Jersey		Department of Children and Families Policy Manual Volume II, Chapter C, Subchapter 5, Issuances 500 & 1000	

Table 1-1 Continued

State	Statute	Policy	Other Guidance
New Mexico	New Mexico Administrative Code 8.10.3.11 & Children's Code 32A-4-5		
New York	Section 432.3 of Title 18 of the New York Codes of Rules and Regulations		
North Carolina		Family Services Manual Volume I: Children's Services Chapter VIII Section 1408	
North Dakota	North Dakota Century Code Chapter 50-25.1 & 50-25.1-05.6		
Ohio	Ohio Administrative Code Chapter 5101:2-36		Protecting parents' constitutional rights during child abuse and neglect investigations and assessments
Oklahoma	Oklahoma Statutes Citationized: Title 10A, Chapter 2		
Oregon	OAR: I-AB.4 413-015-0400 thru 0485 ORS 419B.045		

Table 1-1 Continued

State	Statute	Policy	Other Guidance
Pennsylvania	Pennsylvania Child Protective Services Law: 23 Pa.C.S. Sections 6311 & 6346		
Rhode Island	§ 40-11-7		A guide to identifying and reporting child abuse in the schools
South Carolina	§63-7-920(C)		
South Dakota	§26-8A-9 §26-8A-7		
Tennessee		Work Aid-3– Child Protective Services Investigative Tasks and Activities- Supplemental to DCS Policy: 14.7 Child Protective Services Investigation Track	
Texas	Texas Family Code §261.302, §261.302, §261.303, and §261.311		Texas Children's Commission parent resource guide
Utah	Human Services Code Title 62A Chapter 4a Part 4 Section 409 Administrative Code Rule R277-401-3		

Table 1-1 Continued

State	Statute	Policy	Other Guidance
Vermont	33 V.S.A. § 4915b		
Virginia	§ 63.2-1518	Virginia Department of Social Services. (2016). Child and Family Services Manual 4.2.1.1, 4.2.1.2, & 4.4.6.1	
Washington	Revised Code of Washington 26.44.030		
West Virginia	§49-2-802	Child Protective Services Policy Section 4.4	
Wisconsin	Chapter 48, Children's Code 48.981(3)(c)		79 Op. Att'y Gen. 49 Wisconsin Department of Public Instruction: The school's role in preventing child abuse and neglect
Wyoming	WY Stat §14-3-204 §14-3-214		

Table 2-1

Missing Data Analysis for Chapter 2

Univariate Statistics

			Std.	Missing		No. of Extremes[a]	
	N	Mean	Deviation	Count	Percent	Low	High
Total Years Experience	109	9.52	6.623	4	3.5	0	1
Years Experience in District	108	8.75	6.607	5	4.4	0	6
Grade Level of School	109			4	3.5		
Title I Status	109			4	3.5		
Aware of DCS Policy	105			8	7.1		
Consent Parent Named	103			10	8.8		
Consent Parent Not Named	103			10	8.8		
Aware of School District Policy	104			9	8.0		
Acquisition of School Policy	85			28	24.8		
School Policy in Writing	95			18	15.9		
School Policy Same as District	94			19	16.8		

a. Number of cases outside the range (Q1 - 1.5*IQR, Q3 + 1.5*IQR).

Table 2-2

Principals' Perceived Knowledge of DCS Policy

Variables in the Equation

		B	S.E.	Wald	df	Sig.	Exp(B)
Step 1[a]	How many years have you been employed as a principal?	-.003	.031	.012	1	.911	.997
	Are you currently a principal at a Title I school with high numbers or high percentages of children from low-income families as defined by the Elementary and Secondary Education Act?	1.266	.402	9.938	1	.002	3.548
	Constant	-.565	.436	1.679	1	.195	.568

a. Variable(s) entered on step 1: How many years have you been employed as a principal?, Are you currently a principal at a Title I school with high numbers or high percentages of children from low-income families as defined by the Elementary and Secondary Education Act?.

Table 3-1

Missing Data Analysis for Chapter 3

Univariate Statistics

			Std.	Missing		No. of Extremes[a]	
	N	Mean	Deviation	Count	Percent	Low	High
Total Years Experience	109	9.52	6.623	4	3.5	0	1
Years Experience in District	108	8.75	6.607	5	4.4	0	6
Grade Level of School	109			4	3.5		
Title I Status	109			4	3.5		
Intake Prior Notification	93			20	17.7		
Intake Details Needed	93			20	17.7		
Intake Most Likely to Approve	93			20	17.7		
Intake Parent Consent	93			20	17.7		
Intake All Requests Approved	91			22	19.5		
Intake Documentation	93			20	17.7		
Intake Request to Observe	92			21	18.6		
Intake Most Likely to Observe	88			25	22.1		
Intake Student Notification	93			20	17.7		
Intake Staff Notified After Interview	93			20	17.7		
Intake Meet with Student	93			20	17.7		
Intake Notify Parent	90			23	20.4		
Ongoing Prior Notification	92			21	18.6		
Ongoing Interview Approval	91			22	19.5		
Ongoing Details Needed	92			21	18.6		
Ongoing Parent Consent	92			21	18.6		
Ongoing All Requests Approved	89			24	21.2		
Ongoing Documentation	90			23	20.4		
Ongoing Request to Observe	90			23	20.4		
Ongoing Most Likely to Observe	89			24	21.2		
Ongoing Student Notification	88			25	22.1		
Ongoing Staff Notified After Interview	90			23	20.4		
Ongoing Meet with Student	90			23	20.4		
Ongoing Notify Parent	87			26	23.0		

a. Number of cases outside the range (Q1 - 1.5*IQR, Q3 + 1.5*IQR).

Table 3-2

Chi-Square Test of Intake Approver

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	18.172[a]	2	.000	.000		
Likelihood Ratio	20.879	2	.000	.000		
Fisher's Exact Test	18.845			.000		
Linear-by-Linear Association	15.245[b]	1	.000	.000	.000	.000
N of Valid Cases	113					

a. 0 cells (.0%) have expected count less than 5. The minimum expected count is 5.10.

b. The standardized statistic is -3.904.

Table 3-3

Chi-Square Test of Ongoing Approver

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	17.629[a]	2	.000	.000		
Likelihood Ratio	19.571	2	.000	.000		
Fisher's Exact Test	17.947			.000		
Linear-by-Linear Association	11.871[b]	1	.001	.001	.000	.000
N of Valid Cases	113					

a. 0 cells (.0%) have expected count less than 5. The minimum expected count is 6.23.

b. The standardized statistic is -3.445.

Table 3-4

Chi-Square Test of Explaining Case Details for Intake

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	9.471[a]	2	.009	.011		
Likelihood Ratio	8.415	2	.015	.016		
Fisher's Exact Test	8.066			.014		
Linear-by-Linear Association	3.280[b]	1	.070	.074	.052	.031
N of Valid Cases	113					

a. 2 cells (33.3%) have expected count less than 5. The minimum expected count is 1.70.

b. The standardized statistic is -1.811.

Table 3-5

Chi-Square Test of Parent Consent for Intake

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	26.297[a]	2	.000	.000		
Likelihood Ratio	25.062	2	.000	.000		
Fisher's Exact Test	24.804			.000		
Linear-by-Linear Association	15.345[b]	1	.000	.000	.000	.000
N of Valid Cases	113					

a. 1 cells (16.7%) have expected count less than 5. The minimum expected count is 4.25.

b. The standardized statistic is 3.917.

Table 3-6

Chi-Square Test of Parent Consent for Ongoing

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	40.353[a]	2	.000	.000		
Likelihood Ratio	40.165	2	.000	.000		
Fisher's Exact Test	37.491			.000		
Linear-by-Linear Association	26.928[b]	1	.000	.000	.000	.000
N of Valid Cases	113					

a. 1 cells (16.7%) have expected count less than 5. The minimum expected count is 2.27.

b. The standardized statistic is 5.189.

Table 3-7

Chi-Square Test of Approving All Ongoing Interview Requests

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	6.884[a]	1	.009	.022	.022	
Continuity Correction[b]	4.477	1	.034			
Likelihood Ratio	6.065	1	.014	.022	.022	
Fisher's Exact Test				.022	.022	
Linear-by-Linear Association	6.823[c]	1	.009	.022	.022	.021
N of Valid Cases	113					

a. 2 cells (50.0%) have expected count less than 5. The minimum expected count is 1.42.

b. Computed only for a 2x2 table

c. The standardized statistic is 2.612.

Table 3-8

Chi-Square Test of How Intake Interviews Are Documented

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	10.362[a]	5	.066	.043		
Likelihood Ratio	13.240	5	.021	.018		
Fisher's Exact Test	10.630			.026		
Linear-by-Linear Association	.175[b]	1	.676	.778	.392	.103
N of Valid Cases	113					

a. 7 cells (58.3%) have expected count less than 5. The minimum expected count is .28.

b. The standardized statistic is .419.

Table 3-9

Chi-Square Test of Asking to Observe Intake Interview

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	14.770[a]	2	.001	.000		
Likelihood Ratio	15.187	2	.001	.000		
Fisher's Exact Test	14.035			.000		
Linear-by-Linear Association	14.396[b]	1	.000	.000	.000	.000
N of Valid Cases	113					

a. 2 cells (33.3%) have expected count less than 5. The minimum expected count is .57.

b. The standardized statistic is 3.794.

Table 3-10

Chi-Square Test of Asking to Observe Ongoing Interview

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	9.580[a]	1	.002	.003	.002	
Continuity Correction[b]	8.305	1	.004			
Likelihood Ratio	9.479	1	.002	.003	.002	
Fisher's Exact Test				.003	.002	
Linear-by-Linear Association	9.495[c]	1	.002	.003	.002	.002
N of Valid Cases	113					

a. 0 cells (.0%) have expected count less than 5. The minimum expected count is 12.74.

b. Computed only for a 2x2 table

c. The standardized statistic is 3.081.

Table 3-11

Chi-Square Test of Who is Most Likely to Observe Intake Interview

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	19.000[a]	4	.001	.000		
Likelihood Ratio	23.242	4	.000	.000		
Fisher's Exact Test	19.277			.000		
Linear-by-Linear Association	9.146[b]	1	.002	.003	.001	.000
N of Valid Cases	113					

a. 3 cells (30.0%) have expected count less than 5. The minimum expected count is .57.

b. The standardized statistic is -3.024.

Table 3-12

Chi-Square Test of Who is Most Likely to Observe Ongoing Interview

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	15.271[a]	4	.004	.003		
Likelihood Ratio	18.845	4	.001	.001		
Fisher's Exact Test	16.248			.001		
Linear-by-Linear Association	7.333[b]	1	.007	.007	.004	.001
N of Valid Cases	113					

a. 3 cells (30.0%) have expected count less than 5. The minimum expected count is .85.

b. The standardized statistic is -2.708.

Table 3-13

Chi-Square Test of Who is Most Likely to Notify a Student Prior to an Intake Interview

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	37.529[a]	4	.000	.000		
Likelihood Ratio	41.199	4	.000	.000		
Fisher's Exact Test	37.498			.000		
Linear-by-Linear Association	30.416[b]	1	.000	.000	.000	.000
N of Valid Cases	113					

a. 2 cells (20.0%) have expected count less than 5. The minimum expected count is 1.13.

b. The standardized statistic is -5.515.

Table 3-14

Chi-Square Test of Who is Most Likely to Notify a Student Prior to an Ongoing Interview

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	28.015[a]	4	.000	.000		
Likelihood Ratio	29.407	4	.000	.000		
Fisher's Exact Test	26.611			.000		
Linear-by-Linear Association	22.345[b]	1	.000	.000	.000	.000
N of Valid Cases	113					

a. 2 cells (20.0%) have expected count less than 5. The minimum expected count is 1.42.

b. The standardized statistic is -4.727.

Table 3-15

Chi-Square Test of School Staff Notified After Intake Interview

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	29.187[a]	4	.000	.000		
Likelihood Ratio	32.737	4	.000	.000		
Fisher's Exact Test	28.731			.000		
Linear-by-Linear Association	19.748[b]	1	.000	.000	.000	.000
N of Valid Cases	113					

a. 2 cells (20.0%) have expected count less than 5. The minimum expected count is 3.68.

b. The standardized statistic is -4.444.

Table 3-16

Chi-Square Test of School Staff Notified After an Ongoing Interview

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	26.032[a]	4	.000	.000		
Likelihood Ratio	28.799	4	.000	.000		
Fisher's Exact Test	25.355			.000		
Linear-by-Linear Association	12.178[b]	1	.000	.000	.000	.000
N of Valid Cases	113					

a. 1 cells (10.0%) have expected count less than 5. The minimum expected count is 4.25.

b. The standardized statistic is -3.490.

Table 3-17

Chi-Square Test of Most Likely to Talk with Student Following Intake Interview

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	38.204[a]	4	.000	.000		
Likelihood Ratio	40.116	4	.000	.000		
Fisher's Exact Test	36.513			.000		
Linear-by-Linear Association	18.102[b]	1	.000	.000	.000	.000
N of Valid Cases	113					

a. 3 cells (30.0%) have expected count less than 5. The minimum expected count is 1.98.

b. The standardized statistic is -4.255.

Table 3-18

Chi-Square Test of Most Likely to Talk with Student Following Ongoing Interview

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	30.627[a]	4	.000	.000		
Likelihood Ratio	30.205	4	.000	.000		
Fisher's Exact Test	28.872			.000		
Linear-by-Linear Association	16.485[b]	1	.000	.000	.000	.000
N of Valid Cases	113					

a. 3 cells (30.0%) have expected count less than 5. The minimum expected count is 2.27.

b. The standardized statistic is -4.060.

Table 3-19

Chi-Square Test of if a Parent is Notified by School After Intake Interview

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	21.439[a]	2	.000	.000		
Likelihood Ratio	21.306	2	.000	.000		
Fisher's Exact Test	20.764			.000		
Linear-by-Linear Association	14.220[b]	1	.000	.000	.000	.000
N of Valid Cases	113					

a. 2 cells (33.3%) have expected count less than 5. The minimum expected count is .28.

b. The standardized statistic is 3.771.

Table 3-20

Chi-Square Test of if a Parent is Notified by School After Ongoing Interview

	Value	df	Asymptotic Significance (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)	Point Probability
Pearson Chi-Square	6.173[a]	2	.046	.037		
Likelihood Ratio	6.044	2	.049	.037		
Fisher's Exact Test	5.860			.037		
Linear-by-Linear Association	1.996[b]	1	.158	.172	.118	.067
N of Valid Cases	113					

a. 2 cells (33.3%) have expected count less than 5. The minimum expected count is .28.

b. The standardized statistic is 1.413.

1. Which category below best describes the level of school where you are a principal?

    a. Primary school

    b. Elementary school

    c. Intermediate school

    d. Middle school

    e. Junior high school

    f. High school

    g. K-12 school

    h. Other

2. How many years have you been employed as a principal?

3. How many years have you been employed as a principal in your current school district?

4. Are you currently a principal at a Title I school with high numbers or high percentages of children from low-income families as defined by the Elementary and Secondary Education Act?

    a. Yes

    b. No

-For the following 12 questions, please respond what would happen at your school if a DCS investigator came to interview a student who school staff believes has no known prior DCS involvement:

5. Is the DCS investigator expected to notify the school in advance of arrival?

    a. Yes, always

    b. No, never

    c. Depends on the situation

6. Which is the most likely school staff member to approve the interview?

a. Administrator (Principal, Assistant principal, Dean of Students)

b. Certified Staff, non-teaching (Counselor, Social worker, School psychologist, School nurse)

c. Classified Staff (Administrative assistant, Welcome desk receptionist)

7. Would the DCS investigator need to explain details about the case before the interview request is permitted?

a. Yes, always

b. No, never

c. Occasionally, depending on the situation

8. Would the interview request be granted without proof of parental consent?

a. Yes, always

b. No, never

c. Occasionally, depending on the situation

9. Would all interview requests made by a DCS investigator be approved at your school?

a. Yes

b. No

10. What is the primary method that would be used to document that the investigator conducted the interview at your school?

a. An official form created by your school

b. An official form created by DCS

c. A copy of the DCS employee identification

d. School visitor log

e. Other

f. No documentation is kept

11. When a DCS investigator requests to interview a student at your school, does a school staff member ask to observe the interview?

a. Yes, always

b. No, never

c. Occasionally, depending on the situation

12. When a school staff member does observe a DCS investigator interviewing a student at your school, who is most likely to observe the interview?

a. Administrator (Principal, Assistant Principal, Dean of Students)

b. Certified Staff, non-teaching (Counselor, Social worker, School psychologist, School nurse)

c. Teacher

d. Classified Staff (Administrative assistant, Welcome desk receptionist)

e. School staff never observes the interview

13. When a DCS investigator requests to interview a student at your school, which school staff is most likely to notify the student prior to the interview?

a. Administrator (Principal/Assistant Principal, Dean of Students)

b. Certified Staff, non-teaching (Counselor, Social worker, School psychologist, School nurse)

c. Teacher

d. Classified Staff (Administrative assistant, Welcome desk receptionist)

e. The student if not notified prior to the interview

14. When the DCS investigator concludes the interview with the student, which school staff is most likely to be notified?

a. Administrator (Principal/Assistant Principal, Dean of Students)

b. Certified Staff, non-teaching (Counselor, Social worker, School psychologist, School nurse)

c. Teacher

d. Classified Staff (Administrative assistant, Welcome desk receptionist)

e. School staff is not notified, the child just returns to class

15. When the DCS investigator concludes interviewing the student, which school staff is most likely to meet with the student prior to returning to class?

a. Administrator (Principal/Assistant Principal, Dean of Students)

b. Certified Staff, non-teaching (Counselor, Social worker, School psychologist, School nurse)

c. Teacher

d. Classified Staff (Administrative assistant, Welcome desk receptionist)

e. School staff does not meet with students following the interview

16. When the DCS investigator concludes interviewing the student, does a member of the school staff notify the parent that the interview took place?

a. Yes, always

b. No, never

c. Occasionally, depending on the situation

-For the following 12 questions, please respond what would happen at your school if a DCS investigator came to meet with a student who school staff knows has an open, ongoing case with DCS:

17. Is the DCS investigator expected to notify the school in advance of arrival?

a. Yes, always

b. No, never

c. Depends on the situation

18. Which is the most likely school staff member to approve the interview?

a. Administrator (Principal, Assistant Principal, Dean of Students)

b. Certified Staff, non-teaching (Counselor, Social worker, School psychologist, School nurse)

c. Classified Staff (Administrative assistant, Welcome desk receptionist)

19. Would the DCS investigator need to explain details about the case before the interview request is permitted?

a. Yes, always

b. No, never

c. Occasionally, depending on the situation

20. Would the interview request be granted without proof of parental consent?

a. Yes, always

b. No, never

c. Occasionally, depending on the situation

21. Would all interview requests made by a DCS investigator be approved at your school?

a. Yes

b. No

22. What is the primary method that would be used to document that the investigator conducted the interview at your school?

a. An official form created by your school

b. An official form created by DCS

c. A copy of the DCS employee identification

d. School visitor log

e. Other

f. No documentation is kept

23. When a DCS investigator requests to interview a student at your school, does a school staff member ask to observe the interview?

a. Yes, always

b. No, never

c. Occasionally, depending on the situation

24. When a school staff member does observe a DCS investigator interviewing a student at your school, who is most likely to observe the interview?

a. Administrator (Principal, Assistant Principal, Dean of Students)

b. Certified Staff, non-teaching (Counselor, Social worker, School psychologist, School nurse)

c. Teacher

d. Classified Staff (Administrative assistant, Welcome desk receptionist)

e. School staff never observes the interview

25. When a DCS investigator requests to interview a student at your school, which school staff is most likely to notify the student prior to the interview?

a. Administrator (Principal/Assistant Principal, Dean of Students)

b. Certified Staff, non-teaching (Counselor, Social worker, School psychologist, School nurse)

c. Teacher

d. Classified Staff (Administrative assistant, Welcome desk receptionist)

e. The student if not notified prior to the interview

26. When the DCS investigator concludes the interview with the student, which school staff is most likely to be notified?

a. Administrator (Principal/Assistant Principal, Dean of Students)

b. Certified Staff, non-teaching (Counselor, Social worker, School psychologist, School nurse)

c. Teacher

d. Classified Staff (Administrative assistant, Welcome desk receptionist)

e. School staff is not notified, the child just returns to class

27. When the DCS investigator concludes interviewing the student, which school staff is most likely to meet with the student prior to returning to class?

a. Administrator (Principal/Assistant Principal, Dean of Students)

b. Certified Staff, non-teaching (Counselor, Social worker, School psychologist, School nurse)

c. Teacher

d. Classified Staff (Administrative assistant, Welcome desk receptionist)

e. School staff does not meet with students following the interview

28. When the DCS investigator concludes interviewing the student, does a member of the school staff notify the parent that the interview took place?

a. Yes, always

b. No, never

c. Occasionally

Figure A-1. Chapter 2 Survey Questions

VITA

Jeff McCabe is a native of Exeter, PA. He attended St. John the Baptist Elementary School and Wyoming Area Secondary Center prior to starting his undergraduate studies at Edinboro University of Pennsylvania. At Edinboro, he competed as a distance runner for the Fighting Scots and earned a Bachelor of Science in Social Work. Following graduation, he began as a caseworker for Luzerne County Children and Youth Services in the kinship care and permanency planning units. After a stint of marathon running training in Flagstaff, AZ he returned to Pennsylvania to pursue a Master of Social Work at Temple University. An interest in school social work led him to work at Amphitheater High School in Tucson, AZ. The role of being the point of contact with the Department of Children Safety generated an interest in policies that promote the best interest of children who must be interviewed at school by child welfare workers. The interest further developed as he pursued a Doctor of Philosophy in Social Work at the University of Tennessee, Knoxville.