

SAMPLE – COOPERATIVE AGREEMENT **Between a School District and Children and Youth Agency**

This Memorandum of Understanding between *the School District* and *the County Office of Children and Youth Services* is written to comply with Title 55, Chapter 3490, Child Protective Services and Title 23 PA C.S.A. Chapter 63 Child Protective Services Law (Regulation 3490.91 and 6318 (a)). The purpose of this agreement is to promote a cooperative relationship between *the School District* and *the County Office of Children and Youth Services*. In this agreement *the School District* will be referred to as “The District” and *the County Office of Children and Youth Services* as “OCYS.”

The District will:

1. Inform staff of all policies regarding mandatory child abuse reporting, including the Child/Student abuse policy.
2. Contact ChildLine: 1-800-932-0313 by the designated professional (school administrator, counselor or nurse) immediately for any suspected abuse. Contact OCYS by calling OCYS (*local telephone number*) for any case of suspected child neglect.
3. The Report of Suspected Child Abuse form (CY 47) will be completed by the professional school employee. The original form will be given to OCYS. In cases of child physical abuse, the District will assure that the child has been seen by the school nurse to document any and all injuries. **A copy of any notations in the child’s health record that would pertain to the child abuse report will be sent to OCYS.** A copy of the CY 47 (with the reporter’s name deleted) will be filed in the student’s health record.
4. The District will provide designated areas for outstations for the OCYS caseworkers. OCYS caseworkers may be assigned to the school that has available space for confidential interviews, telephone and computer access, and availability for the entire year (summer included). These designated areas should be utilized for interviews with children by OCYS when available.
5. The District will provide a liaison to OCYS within the District administration for consultation, policy revision or updates.

OCYS will:

1. OCYS recognizes that the District administration is in charge of all activities on school property.
2. When OCYS staff arrive at a school, they will report to the school office, carry out their duties while on District property with as little disruption of the school environment as possible, and abide by school regulations with respect to access to students (see interviews and taking custody) during the school day.
3. Work cooperatively with the District on cases of alleged child abuse and neglect, both during the investigation/assessment phase, through case monitoring. OCYS will inform the school of any changes in the location of a child when a child is removed from the custody of his parents for the child’s protection. OCYS will inform the school of any other necessary information needed by the school as permitted by and within the confines of the law.
4. Utilize the designated outstation schools according to OCYS guidelines. The caseworkers will also provide general consultation and guidance for District personnel.
5. OCYS will provide a liaison within the office for consultation, policy revision, or updates.

In-School Interviews of Students by OCYS

1. OCYS will determine the nature and urgency of the investigation, which will determine when and how the interview of the child will occur. Interviews will be conducted with as little disruption of the school environment as possible. OCYS will have prompt and efficient access to students to evaluate their safety and, when necessary, to be able to implement a plan for safety of the student.
2. OCYS will give the school as much advance notice as possible before coming to the school to interview a child.
3. OCYS will be responsible to determine who will be present in the interview. The caseworker from OCYS will consult with the appropriate school personnel and take into consideration the school's concerns as well as the nature of the interview in making the determination.
4. If District personnel are present in the interview, (s)he will sit behind the student, will remain quiet, and not interfere with the interview process even with nonverbal cues. All information from the interview will remain confidential and will only be discussed with personnel required to have the information.
5. If, in the middle of an interview, the caseworker from OCYS determines that it is necessary for the District personnel to leave the room, it will be done with as little disruption to the interview process as possible. In order to safeguard the integrity of the interview, discussion as to why the decision was reached to continue the interview without District personnel will be discussed after the interview is completed.
6. The above procedures for interviews will be utilized for ongoing monitoring of cases as well as cases under investigation/assessment. It is encouraged that non-emergency interviews be scheduled during non-school hours. If the caseworker from OCYS indicates that it is imperative that the student be seen during the day, the meeting should be scheduled with the least disruption to his or her instructional time.

OCYS Taking Custody of Students:

1. The District will cooperate with OCYS when they arrive to take custody of a student.
2. The District recognizes that the local Police Department has the authority to take a student into custody for OCYS.
3. In the event the District has called ChildLine and feels releasing the student would compromise the student's safety, the District should inform OCYS promptly of their concerns.
4. OCYS recognizes that the District cannot detain any student beyond the school day unless OCYS has a Court Order for custody (emergency Court Order or standing Court Order). The District personnel will explore any avenues of safety for the child, including requesting the local Police department to take custody, if necessary.

Children Left at the Elementary Schools or on Special Transportation* after Dismissal**

1. The school will try to reach a parent or someone at the emergency number (if one has been given).
2. If no one can be located one half hour after school dismissal, the following will happen:
 - The local Police Department will be called to take the child into custody
 - The local Police Department will transport the child to OCYS. Then, OCYS will take custody of the child.
 - Parents of these children will have to go to OCYS regarding being negligent for not picking up their child at dismissal time.

* If a student, for whom the District provides special transportation, does not have someone to accept them at home, the bus driver will bring the child back to the school. If a parent/guardian cannot be contacted, the local Police will follow the above guidelines.

****Members of the *School District, Police Department, and County Office of Children and Youth Services* agreed on the above plan of action.**

Exchange of Information

1. OCYS will provide information to the District within the limits imposed by law and pursuant to OCYS policies and procedures.
2. The District will provide information to OCYS within the limits imposed by law and pursuant to District policies and procedures.

General Provisions

1. This memorandum is not intended to and does not create any contractual rights or obligations with respect to the signatory agencies or any other parties.
2. This memorandum may be amended, expanded or modified any time upon the written consent of the parties.
3. In the event of changes in state or federal law, which necessitate changes to this memorandum, the District and OCYS shall collaborate to change this memorandum to ensure compliance by the District and OCYS with state and federal requirements.
4. The District and OCYS will actively work to resolve any differences in interpretation of this memorandum or in fulfilling the terms thereof.

The parties hereby acknowledge the foregoing as the terms and conditions of their understanding.

School District Superintendent

Date

Director OCYS

Date

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