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## Underlying Principles

1. All staff must understand each person has a role in assuring quality service delivery. Staff must take immediate action when there is any evidence the life, safety, or health of a child may be threatened. Whether the evidence is observed in the field, identified through formal Quality Assurance (QA) review, or is heard in an interview or other discussion with knowledgeable case participants or stake holders, personal integrity and responsibility require action.
2. Florida's child welfare system recognizes and strongly supports Family Centered Practice which is a way of working with families to enhance their capacity to care for and protect their children. Family Centered Practice focuses on the family as a whole and sees the family in the context of their own culture, networks and community. Families are seen as partners in the investigative process; investigators should work with families to help them define their own problems and identify potential solutions. When families are engaged in a trust-based relationship that reflects genuineness, respect and empathy by protective investigations the chance of achieving successful outcomes is enhanced.

## Scoring Rubric

### 9 Requirement Achieved

- The specific requirements of the review element were met. A score of "9" documents the standard was met and no improvements were needed.

### 7 Requirement Mostly Achieved

- The specific requirements of the review element were met with some deficiencies or omissions.
- The reviewer must determine whether the deficiencies or omissions may have negatively impacted the CPI's assessment of risk and child safety and the disposition of the investigation.
- Scenario: CPI investigates domestic violence allegations involving a family that recently relocated from another state.
- Although closed with "not substantiated" or "no indicator" findings, the CPI did not document a Child Welfare Out of State check or an out of state local law enforcement check, and it was ultimately determined the investigation did not meet legal sufficiency to file a petition.
- The family was offered and agreed to participate in a domestic violence program and/or in-home non-judicial services.

- If the reviewer believes the intervention was appropriate, despite the omission of these requirements, (that is, the out-of-state checks) this standard should be assessed as Mostly Achieved.

## 5 Requirement Partially Achieved

- The specific requirements of the review element were met with some *significant* discrepancies or omissions.
- In the same scenario, the CPI documented an incident occurred in Florida, but the CPI did not document a Child Welfare Out of State check or an out of state local law enforcement check. The CPI closed the investigation after staffing it with CLS where it was determined the investigation did not meet legal sufficiency to pursue court ordered supervision, and the family declined services.
- The completion of the above identified checks may have confirmed the Florida incident was not isolated and provided more evidence to deem the scenario legally sufficient.
- The reviewer must use reasonable and professional judgment to determine whether the deficiencies or omissions significantly impacted the assessment of risk and child safety and the disposition of the investigation.
- If the reviewer believes the assessment of risk and child safety, and the disposition of the investigation were negatively impacted, this standard should be assessed as Partially Achieved.

## 0 Requirement Not Achieved

- The specific requirements of the review element were not met.

### Reminder

**Always consider whether the deficiencies or omissions had the potential to impact the CPI's assessment of risk, child safety, and/or the disposition of the investigation when making a rating of either "7" or "5."**

<b>FACE SHEET</b>			
Family Last Name _____ Intake# _____ County/Unit _____			
Investigator _____ Supervisor _____ Date Received _____			
Date Closed _____ # of Prior Investigations _____			
# of Alleged Victims _____ Age of Youngest Alleged Victim _____			
Emergency Removal			
Ethnicity of Youngest Alleged Victim _____			
Most Serious Alleged Maltreatment _____			
Finding of Most Serious Alleged Maltreatment _____			
Alleged Perpetrator Type _____			
Reporter Type _____			
1. Was there an open case management case at the time the Investigation was received? <span style="float: right;">Yes    No</span>			
2. Was family receiving community services at the time the Investigation was received? <span style="float: right;">Yes    No</span>			
3. Did any prior reports allege the same general concerns? <span style="float: right;">Yes    No</span>			
4. Did any prior reports allege the same perpetrator (s)? <span style="float: right;">Yes    No</span>			
5. Did the same reporter report the family multiple times? <span style="float: right;">Yes    No</span>			
6. Are there immediate or ongoing safety concerns based on review? (If so, provide Request for Action form.)			
	Immediate	Yes	No
	Ongoing	Yes	No
Emergency Removal?			

# Section I: Investigative Response

## **Background Checks**

### **1.0 Required background checks were completed timely and the information was appropriately used to assess immediate safety and short/long term risks to each child and the need for services**

**Requirements:** In every investigation, the CPI must assess the immediate safety and short and long-term risks to each child and also identify any service needs the child and family may have. One of the means by which to assess these factors is through exploring the criminal histories of household members and any prior involvement they might have had with the child welfare system either in Florida or in another state.

Criminal history checks are completed on the adult subjects of the report by the Florida Abuse Hotline when a report of abuse or neglect is accepted for investigation; however, the reporter may not have known or provided names of everyone in the household at the time. Therefore, upon learning there are additional family or household members, the CPI must request criminal background checks be conducted on those people and include the findings in the overall assessment.

If there are criminal histories, prior reports of abuse or neglect and/or if case management services were provided to the child and family previously, the CPI must consider the entirety of this history during the course of the investigation. Sources providing this information are Florida Department of Law Enforcement, Department of Corrections, Department of Juvenile Justice, Florida Abuse Hotline, Florida Safe Families Network, local law enforcement units, etc.

*Instructions and Considerations:* The reviewer's task is to determine how effectively and timely all of the background information was applied to the assessment of safety, risk, and service needs during the course of the investigation. Reviewers should carefully consider background checks that were completed just prior to case closure to determine if the results were included in the assessment. Some factors that should impact decisions related to assessment of child safety include: violent criminal acts, multiple reports of abuse and neglect involving the same perpetrator or same type of maltreatment; reports documenting prior or current domestic violence; ongoing substance abuse and/or mental health concerns; or any combination thereof. The reviewer should also consider how the CPI used the background history of frequent visitors and paramours to assess safety, risk, and service needs. The reviewer must assess if the information obtained through these checks appropriately drove investigative decision-making and determine if there was an increase in the seriousness or frequency of background history over time the CPI did or did not recognize.

*Rating:*

- ✓ Document "9" if criminal histories and prior child welfare involvement were appropriately considered when assessing immediate safety, future risks to each child and determining the need for services.
- ✓ Document "7" if some or most of the criminal histories and prior child welfare involvement were appropriately considered when assessing immediate safety, future risks to each child and determining the need for services.
- ✓ Document "5" if there was a significant gap in assessing criminal histories and prior

child welfare involvement when assessing immediate safety, future risks to each child and determining the need for services.

- ✓ Document “0” if no criminal histories and/or prior child welfare involvement were appropriately considered when assessing immediate safety, future risks to each child and determining the need for services.

*Reference:* s. 39.301(9) (b) 3, F.S. & 65C-29.003 (j), & 65C-29.009, F.A.C., Safety Outcome 1, Item 4 & Policy Directive, April 21, 2008 – Calls for Service During Investigations, ACFE-CB-PI-10-02, March 26, 2010

## **Diligent Attempts to See Child Victims**

- 2.0 Diligent attempts to see the child victim were made at least daily if the child victim was not seen immediately or within 24 hours of report receipt from the Florida Abuse Hotline. If the initial attempt to contact the child victim was unsuccessful, regular attempts (daily and at varying locations and times of the day) are required until all child victims are seen.**

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**Requirements:** The CPI is required to make unannounced, on-site, face-to-face contact with all child victims within 24 hours of the time the report was taken by the Hotline. If the first attempt to contact the child victim was unsuccessful, the case file should document continued diligent attempts to contact the child victim. If the initial attempt to contact the child victim was unsuccessful, regular attempts (daily and at varying locations and times of the day) are required until all child victims are seen.

*Instructions/Considerations:* The purpose of the initial contact is to assess the child's safety and begin an assessment of the family's strengths and needs. The reviewer must assess compliance with the requirement for the ongoing diligent attempts to see the child victims. The reviewer must consider whether the case file documents the counselor went to the address listed on the report, as well as other possible locations, at different times of the day. Additional efforts may include re-contacting the reporter to verify the address or contacting relatives, school personnel or law enforcement to assist in the efforts to locate the child. Written evidence of diligent efforts may include copies of contact letters or chronological notes documenting the inquiries and attempts made to locate the child victims.

*Rating:*

- ✓ Document "9" if the case file documented diligent efforts, consistent with the requirements outlined above, were made to see all child victims not seen in the first 24 hours.
- ✓ Document "7" if diligent attempts occurred daily but did not include all possible locations, did not address all child victims not seen in the first 24 hours, or did not occur at varying locations and times of the day, as long as the deficiencies or omissions did not impact the safety decisions or the outcome of the investigation.
- ✓ Document "5" if some diligent attempts occurred daily but did not include all possible locations, did not address all child victims not seen in the first 24 hours, or did not occur at varying locations and times of the day, and the deficiencies or omissions **could** impact the safety decisions or outcome of the investigation .
- ✓ Document "0" if insufficient or no diligent attempts were made.
- ✓ Document "NA" if all child victims were seen within 24 hours of the report being accepted by the Hotline.

*Reference:* s. 39.201(5) F.S. & 65C-29.013 (2) (a), F.A.C., Safety Outcome 1, Item 1



## **Interviewing Children**

### **4.0 An interview was conducted and addressed all maltreatments with the alleged child victim(s) and “other” child(ren) named in the report and/or residing in the home.**

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#### **4.1 Interviews with child victim(s) were conducted and addressed all maltreatments.**

**Requirements:** The CPI’s assessment of safety and service needs must include a face-to-face interview with each of the alleged child victims, addressing each alleged maltreatment.

*Instructions and Considerations:* The CPI must document face-to-face interviews were conducted and all allegations were addressed. Timeliness should not be considered when assessing compliance with this review element. For children three years of age or younger or with special needs, the CPI must document efforts to conduct an interview or an assessment of the child’s verbal capacity.

*Rating:*

- ✓ Document “9” if each age appropriate child victim was interviewed regarding all of the alleged maltreatments.
- ✓ Document “7” if all maltreatments were not addressed or all child victims were not interviewed regarding the maltreatments but these deficiencies or omissions did not impact child safety or the outcome of the investigation.
- ✓ Document “5” if all maltreatments were not addressed or all child victims were not interviewed regarding the maltreatments and these deficiencies or omissions had the potential to impact child safety or the outcome of the investigation.
- ✓ Document “0” if there was no documentation the child victims were interviewed and/or no attempts were made (for children who are verbal and/or cooperative).
- ✓ Document “NA” if child was non-verbal.

#### **4.2 Interviews with “other” child(ren) were conducted and addressed all maltreatments.**

**Requirements:** The CPI’s assessment of safety and service needs must include a face-to-face interview with all of the “other” children in the household in the report

*Instructions and Considerations:* The CPI must document face-to-face interviews were conducted and all allegations were addressed with “other” children named in the report. Timeliness should not be considered when assessing compliance with interviewing “other” children. For children three years of age or younger or with special needs, the CPI must document efforts to conduct an interview or an assessment of the child’s verbal capacity.

*Rating:*

- ✓ Document “9” if each age appropriate child was interviewed regarding all of the alleged maltreatments.
- ✓ Document “7” if all maltreatments were not addressed or all children were not interviewed regarding the maltreatments and these deficiencies or omissions did not impact child safety or the outcome of the investigation.
- ✓ Document “5” if all maltreatments were not addressed or all children were not interviewed regarding the maltreatments and these deficiencies or omissions had the potential to impact child safety or the outcome of the investigation.
- ✓ Document “0” if there was no documentation all age appropriate children were interviewed and/or no attempts were made.
- ✓ Document N/A if no “other children” were involved.

*Reference:* ss. 39.301 (11) (b); (10) (a-b), F.S., Safety Outcome 2, Item 4

**4.3 The CPI made appropriate attempts to engage with child victim(s) and “other children” in the investigative process..**

**Requirement:** The CPI must attempt to engage children by building a good rapport and trusting relationship with them from the onset of the investigative process. The CPI should demonstrate a supportive, protective and respectful approach when interacting with children.

**Instructions and Considerations:** Engagement focuses on practice activities that lead to and support an active and effective partnership with the child and family. Some of the ways this is achieved is by being sensitive to the environment, the child’s fears, comfort level, and also carefully considering where the interview is conducted. Children should always be encouraged to speak on their own behalf; and to have their voices heard. When these engagement activities are effective, child participation and outcomes are positively impacted.

*Rating:*

- ✓ Document “9” when the CPI appropriately attempted to engage the child victim and “other” children.
- ✓ Document “7” or “5” based on the degree to which the CPI appropriately attempted to engage the child victim and “other” children.
- ✓ Document “0” if the CPI did not appropriately attempt to engage the child victim and “other” children.
- ✓ Document “NA” if the child victim and “other children” were too young to understand or participate in the engagement process.

## **Interviews with Caregivers**

### **5.0 Interviews that addressed all maltreatments were conducted with the mother, father, other caregiver, alleged perpetrator (if other than the mother or father), and other adult household members.**

- 5.1) Interview with mother;
- 5.2) Interview with father;
- 5.3) Interview with alleged perpetrator(if other than the mother or father); and
- 5.4) Interviews with other adult household members.

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**Requirements:** The CPI's assessment of child safety must include face-to-face interviews with the parents and other adults in the household. The CPI is required to conduct and document a face-to-face interview that addresses all alleged maltreatments with all adult subjects of the report and all adult household members residing in the home.

*Instructions and Considerations:* The interviews should be conducted face-to-face. The reviewer should be able to discern the roles of all household members from the case file, and the adult household members' attitudes toward the child victim(s) and "other" children in the home should be well documented. Timeliness is not a factor when assessing compliance with this element. If one of the parents is non-custodial and/or does not reside in the child's household, this individual should be contacted as a relevant collateral source and addressed under standard 9 collateral contacts.

*Rating:*

- ✓ Document "9" if all adult subjects of the report and all adult household members were interviewed regarding all of the alleged maltreatments.
- ✓ Document "7" or "5" if all of the alleged maltreatments were not addressed or all adult subjects and household members were not interviewed, depending on the degree of compliance and impact on child safety.
- ✓ Document "0" if the case file documented no interviews were conducted or attempted with all of the adult subjects of the report and all adult household members.
- ✓ Document "NA" if interviews were attempted, and the adult subject or adult household member refused to answer questions, an attorney or law enforcement prohibited contact with the alleged perpetrator or diligent efforts were made and the adult could not be contacted.
- ✓ Document "NA" if the mother, father, or alleged caretaker responsible did not live in the home and were not a subject of the report.

**5.5 The CPI made appropriate attempts to engage with the parents and other adults during the investigative process.**

**Requirement:** The CPI must attempt to engage the parents and other adults in the investigation by building a good rapport and trusting working relationship with them from the onset of the investigative process. The CPI should demonstrate a supportive and respectful approach when interacting with the adults in the child's life.

*Instructions and Considerations:* Engagement focuses on practice activities that lead to and support an active and effective partnership with the child and family. Some of the ways this is achieved is by developing and maintaining a culturally competent, mutually beneficial trust-based working relationship with the family. Also, by focusing on the family's strengths and needs and encouraging the family to speak on their own behalf; and to have their voices heard. When these engagement activities are effective, family participation and outcomes are positively impacted.

*Rating:*

- ✓ Document "9" when the CPI appropriately attempted to engage the family.
- ✓ Document "7" or "5" based on the degree to which the CPI appropriately attempted to engage the family.
- ✓ Document "0" if the CPI did not appropriately attempt to engage the family.
- ✓ Document "NA" if the circumstances around the investigation did not allow for opportunities to engage the family in the investigative process.

*References:* ss. 39.301(9) (b); (10) (b) & (11) (b), F.S., Safety Outcome 2, Item 4

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## **Observations and Interactions of the Children**

### **6.0 Substantive observations and interactions of the children with family members were completed and documented during the course of the investigation.**

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**Requirements:** The CPI must determine whether there is any indication a child in the family or household was abused, abandoned or neglected, and the nature and extent of present or prior injuries.

*Instructions and Considerations:* The CPI must observe the child's interaction with his/her family, the alleged perpetrator or caregiver responsible, as well as, all "other" children in the household. The degree of documentation may differ slightly depending on the elements of the investigation and the age of the victims; however, interactions between the child and subjects of the report should be observed and relevant to the alleged maltreatment(s).

*Additional Guidance:* The CPI is required to document specific and relevant observations of the children during the investigation that include, but are not limited to, physical appearance, developmental progress, behavioral indicators and interaction with others in the household. The CPI is required to describe the physical and emotional state of the children and relevant parent/child interactions given the alleged maltreatments. Observations documented in the case file should give the reviewer a sense of each child's present state of overall well-being. Phrases such as "free of marks and bruises" or "child appeared happy, healthy and bonded," are not sufficient when assessing qualitative interactions and observations. More individualized and substantive statements are needed to fully assess child safety.

*Rating:*

- ✓ Document "9" if specific and relevant interactions observed between child(ren) and other household members were relevant to the alleged maltreatment(s), observed and documented in the case file, and included observations of each child's physical appearance, developmental progress, and behavior.
- ✓ Document "7" or "5" if the CPI documented specific and relevant interactions and observations of some but not all of the children. Carefully consider the range between "7" or "5" relative to the seriousness of the alleged maltreatment.
- ✓ Document "5" if the documented interactions or observations lacked relevance to the alleged maltreatment(s) or specificity such as, "child was sleeping," victim and/or "other" children were only seen at school.
- ✓ Document "0" if the CPI did not document specific and relevant observations of any of the children in the home.

*Reference:* s. 39.301(10) (b), F.S.; & 65C-29.003(3) (c), F.A.C., Safety Outcome 2, Item 4

## **Safety Assessment/Safety Plan**

### **7.0 The safety assessment process was completed with sufficient thoroughness to identify risks and develop a safety plan if needed.**

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**Requirements:** The CPI is required to determine the immediate and long-term risk to each child during the child safety assessment **process, which includes documentation of the safety action.**

*Instructions and Considerations:* The process and documentation should reflect information gathered through various means to support the need for the immediate safety action(s) taken. The overall safety assessment should be appropriate given all of the information gathered about the family, and the steps taken to ensure safety should appropriately address present danger, child vulnerability, and protective capacity implications.

*Additional Guidance:* The reviewer should review the safety actions planned and taken, and look for evidence the prior reports were fully considered during the assessment process. The reviewer should consider whether the CPI documented a review of the prior abuse and criminal history, accurately assessed child safety based on the family and child's history and report allegations, and took appropriate steps. The reviewer should determine if the safety constructs were appropriately assessed and if the overall safety assessment justification was consistent with the facts known.

### **7.1 The initial safety assessment was completed with sufficient thoroughness to identify risks.**

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**Requirements:** Based on the information obtained from available sources, the CPI shall submit the automated assessment tool within 48 hours from the time the first child victim is seen and, if needed, develop a safety plan. The purpose of conducting the assessment within 48 hours is to determine whether a safety plan is necessary.

*Instructions and Considerations:* The reviewer should look for evidence the prior reports were fully considered during the assessment process. If no contacts could be completed within the first 48 hours, the reviewer should consider whether the CPI documented a review of the prior abuse and criminal history, accurately assessed child safety based on the family and child's history and report allegation, and took the appropriate steps.

*Rating:*

- ✓ Document "9" if the initial safety assessment was sufficiently thorough to identify risks, and if no contacts could be completed, the case file reflected the CPI documented a review of the prior abuse and criminal history, accurately assessed child safety based on the information available, and took the appropriate steps.
- ✓ Document "7" or "5" or "0" using professional and objective judgment to determine how thorough the initial assessment was, or was not, in identifying risk and addressing child safety.

**7.2 The updated safety assessment(s) was completed with sufficient thoroughness to identify risks and accurately reflected information obtained during the course of the investigation.**

**Requirements:** An updated safety assessment is required after initial contact with the child or any other subject of the report, when the initial contact occurs after the initial safety assessment submission; a determination is made about a child's possible removal from the home; as often as necessary to ensure the child's safety; when new information is received which may impact child safety; when circumstances change within the child's environment; prior to developing recommendations to the court for disposition in cases considered for judicial action; and prior to closing the investigation.

*Rating:*

- ✓ Document "9" if the updated safety assessment was appropriate and the steps taken to ensure child safety addressed the implications for child safety.
- ✓ Document "7" or "5" using professional and objective judgment to determine the thoroughness of the assessment, and the effectiveness of the safety actions.
- ✓ Document "0" if an updated assessment was not completed prior to closure of an enhanced onsite child protective investigation.
- ✓ Document "NA" if the updated safety assessment was not required on an onsite child protective investigation.

**7.3 The safety plan, when needed, was sufficient and appropriately identified the immediate and long term actions required to keep the child safe from harm.**

**Requirements:** Safety plans must describe safety concerns that would pose immediate or serious harm or threats of harm. The CPI must consider all factors that pertain to child vulnerabilities, protective capacities, and signs of immediate or emerging danger. The safety plan must describe the specific actions to be taken. Plans shall be re-assessed, updated, and resubmitted to the CPI Supervisor for review and approval immediately upon determining a family's protective capacities are not sufficient to manage immediate or serious harm threats and is necessary to control threats of serious harm or supplement a family's protective capacities.

*Instructions and Considerations:* Safety plans should include appropriate, specific steps that will be taken to prevent further abuse/neglect and must go beyond a written pledge by the caretakers responsible or parents not to abuse/neglect the child again.

*Rating:*

- ✓ Document "9" when the safety plan accurately documented the immediate and long term actions required to keep the child safe from harm, and was reassessed,

updated and resubmitted to the CPI Supervisor for review and approval when required.

- ✓ Document “7” or “5” when the safety plan accurately documented the immediate and long term actions required to keep the child safe from harm, but was not updated and resubmitted to the CPI Supervisor for review and approval when required, depending on the risk to child safety.
- ✓ Document “0” when a safety plan was warranted, but not developed.
- ✓ Document “NA” if a safety plan was not needed and the reviewer agrees.

#### **7.4 The safety plan was documented in FSFN.**

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**Requirements:** Safety plans are required to be completed and documented in FSFN.

*Instructions and Considerations:* The reviewer should look for evidence the safety plan was documented in the Florida Safe Families Network (FSFN).

*Rating:*

- ✓ Document “9” if the safety plan was documented in FSFN.
- ✓ Document “0” if the safety plan was not documented in FSFN.
- ✓ Document “NA” if a safety plan was not need or “0” or “NA” was selected for sub standard 7.3.

*Reference:* ss. 39.301(9) (b) 5&6, F. S.; & 65C-29.003(5) (a), F.A.C., Safety Outcome 2, Item 4



## **Collateral Contacts**

### **9.0 Relevant collateral contacts were completed during the course of the investigation.**

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**Requirements:** Relevant collateral contacts are necessary to assist the CPI in corroborating or refuting the allegations contained in the report. A specific number of contacts are not required, but the relevancy of completed collateral contacts is critical and should include the reporter.

Note: If the child has a non-custodial parent who does not reside in the child's household but is involved in the child's life, this individual should be contacted as a collateral source.

*Instructions and Considerations:* Relevant collateral contacts are individuals who have contact with the child or otherwise have pertinent knowledge about the child, child's condition, and/or the alleged circumstances or maltreatment. This may include but is not limited to extended family members, family friends, non-custodial parent, service providers, school personnel, neighbors, and other community members who have direct knowledge or information regarding alleged maltreatments and the family's situation. If other professionals assisted in assessing child safety or the need for services, they should be considered relevant collateral contacts. (Note: Excludes CPT as they are considered in a later standard.)

If collateral contacts were completed, but none were "relevant" to the situation, the standard is not met.

*Rating:*

- ✓ Document "9" if relevant collateral contacts were made to provide needed corroboration or additional information regarding the report allegations.
- ✓ Document "7" if most of the completed collateral contacts were relevant.
- ✓ Document "5" if only some of the completed collateral contacts were relevant to the presenting concerns and additional contacts were warranted.
- ✓ Document "0" if no relevant collateral contacts were completed.

*References:* s. 39.301(11) (b) 2, F.S.; & 65C-29.003(9) & 30.001(28), F.A.C.,  
Safety 2, Outcome 4

## **Obtaining Pertinent Information from Collaterals**

### **10. Pertinent information was obtained from the collateral contacts and was appropriately considered when assessing the overall safety of the child and/or need for services.**

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**Requirements:** The CPI is required to document how the information obtained from collateral contacts was used in assessing the overall safety of the child and/or need for services and supervision.

*Instructions and Considerations:* The reviewer should assess whether pertinent information was obtained and considered in assessing child safety, identifying and addressing the service needs of the family, and determining the allegation findings and appropriate disposition. If comparable collateral contacts provided conflicting information, the case file should reflect the basis for considering one contact more credible than the other.

*Rating:*

- ✓ Document “9” if appropriate and pertinent information was obtained from relevant collateral contacts and it was appropriately used to assess the overall safety of the child, need for services, and investigative findings.
- ✓ Document “7” or “5” if some, but not all of the needed information was obtained from relevant collateral contacts, and was appropriately used to assess the safety of the child, need for services, and investigative findings.
- ✓ Document “0” if none of the right questions were asked or if the information was not used to assess the overall safety of the child and/or need for services and/or supervision.
- ✓ Document “NA” if review standard 9 documented no relevant collateral contacts were completed and was rated “0”.

*References:* s. 39.301(11) (b) 2, F.S.; & 65C-30.001(28) & 65C-29.003(9), F.A.C., Safety Outcome 2, Item 4

## **Children’s Legal Services (CLS) Staffing**

- 12. The CPI presented the case to CLS for a staffing when warranted and when the investigation was legally sufficient, a petition was filed or a valid reason for not filing a petition was documented.**

### **12.1 A Children’s Legal Services staffing was held when warranted.**

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**Requirement:** A CLS staffing is required when there is high-risk for child safety and the CPI believes the child is in need of the protection and supervision of the court. Factors that should be considered in determining whether a case is high-risk include, but are not limited to, the young age of the parents or legal custodians; the repeated use of illegal drugs; the arrest of the parents or legal custodians on charges of manufacturing, processing, disposing of, or storing, either temporarily or permanently, any substances in violation of chapter 893; domestic violence, and significant medical neglect or severe abuse; or a combination of issues such as financial stressors and unmet mental health needs.

*Instructions and Considerations:* The reviewer should find documentation a CLS staffing occurred when the above factors were identified during the course of the investigation and the CPI determines the case is high risk and the child is in need of the protection and supervision of the court. The staffing must be documented on the “Duty Form” or “CLS staffing form” which should be completed electronically between the CPI and the attorney and placed in the file. It should clearly state the date the staffing was held, the individuals who participated in the staffing, the legal action requested or contemplated, the outcome of the staffing, and any follow up action recommended. Below are some guidelines provided by CLS regarding legal staffings:

1. When a CPI and/or their supervisor believe the case to be high risk, the case must be staffed with CLS pursuant to 39. 301(9)(b) F.S. for a full discussion regarding the risk factors. The statute mandates the filing of a dependency petition where the Department concludes the case is high risk. Florida Statute 39.301(9)(b) lays out potential factors that **may** be considered in making the high risk determination, but the statute does not preclude consideration of other factors that also affect the risk to the child. The case does not need to be staffed with CLS unless the CPI, in consultation with his or her supervisor, and after a thorough safety assessment, concludes the risk is high or there otherwise exists a need for court action. Note that court action may include not only removal or dependency but also steps related to keeping a child safely in the home.
2. CLS shall staff all cases where a CPI is seeking court action.
3. Both the CPI and his/her supervisor along with CLS must ensure a complete discussion occurs during the legal staffing. This includes (but is not limited to): all relevant facts related to the incident in question, the family’s history with the Department, criminal histories, information obtained from collateral and professional contacts, the type and effectiveness of services offered, and any other information relevant to the decision regarding whether or not to take court action.

4. CPIs will not staff cases with CLS when the the CPI and CPI Supervisor make a decision to close the case and no child safety issues have been identified.
5. In domestic violence cases, Operating Procedure 175-21 applies. CPIs are required to confer with CLS about seeking a court order requiring the perpetrator to attend a batterer's intervention program (BIP) in addition to any other family-preservation services that may be appropriate for the family. Consistent with this OP, as stated in 1 and 2 above, cases (even domestic violence cases) should be staffed with CLS when the CPI desires court action of some kind, such as ordering the perpetrator into a BIP program. However, if the CPI and CPI Supervisor determine that the child is safe and no court action is needed, no legal staffing is necessary.
6. Whenever CLS is involved, it is important for the lawyer assigned to the case to clearly articulate the legal analysis using the Legal Decision Making Form, (Note: This is referred to as the "Duty Form" or "CLS Staffing Form" on previous page), including material facts behind a conclusion. To ensure effective communication throughout the Department and accountability beyond the Department, the reasoning should be made clear to non-professional readers and to those within the Department who are not closely involved in these cases on a daily basis.

*Rating:*

- ✓ Document "9" if the case file contains evidence the investigation was staffed with CLS when there was evidence the child was in need of the protection and supervision of the court, regardless of the outcome of the staffing.
- ✓ Document "0" if the investigation documented the child was in need of the protection and supervision of the court, but a CLS staffing was not documented.
- ✓ Document "NA" if a CLS staffing was not required or needed.

**12.2 A dependency petition was filed or a valid reason for not pursuing a dependency action was documented, when the CLS staffing documented legal sufficiency.**

**Requirements:** If it is determined a child is in need of the protection and supervision of the court, the department is required to file a dependency petition.

*Instructions and Considerations:* The decision to file a dependency petition should result in subsequent court action unless the case file documented a compelling reason not to pursue a dependency action. The reviewer should determine if the investigation supported and/or the staffing results recommended filing a dependency petition.

*Rating:*

- ✓ Document "9" if the investigation supported and/or the CLS staffing recommended filing a dependency petition and a petition was filed; or the case file documented the basis for not pursuing a dependency action; or the CLS staffing documented no legal sufficiency and a dependency petition

was not filed and the reviewer agrees the protection and supervision of the court were not warranted.

- ✓ Document “0” if the CLS staffing documented legal sufficiency and a dependency petition was not filed and the case file failed to document the basis for this decision, e.g., family cooperating with services, etc.; the investigation supported the need for a dependency action, but the CLS staffing recommended no petition be filed, and the basis for this decision was not supported by the case file or the CLS staffing documentation.
  
- ✓ Document “NA” if “NA” was documented for review standard 12.1.

Note: When rating the standard “0,” the reviewer should document the presenting concerns that resulted in the risk being high, and the need for the protection and supervision of the court.

*Reference:* ss. 39.301(9) & (9) (b) & 39.401(1-3), F.S., Safety Outcome Item 3

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## **Child Protection Team (CPT)**

### **13.0 The CPI worked in partnership with the Child Protection Team (CPT) to identify child maltreatment, current and long term concerns and child and family service needs. [New 2011]**

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#### **13.1 A referral was made to the CPT when required.**

**Requirements:** If CPT services were indicated following the initial investigation, evidence of a referral for services must be found in the case file. The reviewer should determine if the allegation or subsequent investigative activities determined any one of the following CPT referral criteria was met:

- 1) Injuries to the head, bruises to the neck or head, burns, fractures in a child of any age.
- 2) Bruises anywhere on a child 5 or younger.
- 3) Any report alleging sexual abuse of a child.
- 4) Any sexually transmitted disease in a prepubescent child.
- 5) Reported malnutrition of a child and failure of a child to thrive
- 6) Reported medical neglect of a child.
- 7) Any family in which one or more children have pronounced dead on arrival at a hospital or other health care facility, or have been injured and later died, as a result of suspected abuse, abandonment or neglect, when any sibling remains in the home.
- 8) Symptoms of serious emotional problems in a child when emotional or other abuse, neglect, abandonment is suspected.

**NOTE:** If, during an investigation, circumstances indicate the need for a child to receive a medical evaluation or other CPT assessment or services in order to determine whether abuse or neglect has occurred (such as when a child expresses pain without visible injury) a referral to CPT should be made even if the injury did not meet mandatory referral criteria.

*Instructions and Considerations:* Determine if the allegation or circumstance met one of the criteria defined in statute. If the report met the criteria for a mandatory referral and a CPT service was not provided, there should be some documentation in the file explaining why this occurred. Assessment is based on referrals as required per law, and includes some specific exceptions. The following circumstances document when a face-to-face medical evaluation may not be required, even when the above have been alleged:

- The child was examined for the alleged abuse or neglect by a physician, who is not a member of the CPT, and a consultation between physician and CPT has occurred and the examining physician concluded a further medical evaluation was unnecessary.
- The CPI, with supervisory approval, determined, after conducting a child safety assessment, there were no indications of injuries. (Must be documented in the file).

- The CPT pediatrician determined a medical evaluation was not required.

*Rating:*

- ✓ Document “9” if the investigation met the CPT referral criteria (or the investigation circumstances warranted a CPT referral) and a referral was made to the CPT. (Refer to standard 16 if investigation involved an exception.)
  - ✓ Document “0” if the investigation met the CPT referral criteria (or the investigation circumstances warranted a CPT referral) and no referral was made.
  - ✓ Document “NA” if the report did not meet the CPT referral criteria.
- 

**13.2 The CPI appropriately considered CPT recommendations in the identification of child maltreatment, current and long term concerns, and child and family service needs.**

Requirement: CPT involvement may be limited or considerable depending upon the elements of the investigation. If CPT provided services such as medical diagnosis, psychological and/or psychiatric diagnoses and/or other evaluative services, the CPI should consider their findings and feedback when making investigative decisions and service referrals.

*Instructions and Considerations:* The reviewer should assess the services CPT provided and the team’s recommendations to serve the child and family and protect the child victim from future harm. It is not always necessary or expected that the CPI follow every recommendation CPT might make, but the reviewer must consider the facts of the case and evaluate whether the CPI made appropriate decisions that included considering CPT’s input.

*Rating:*

- ✓ Document “9” if the CPI appropriately considered all of CPT’s findings and recommendations when making investigative decisions and identifying service needs.
- ✓ Document “7” or “5” if the CPI appropriately considered only some of the CPT’s findings and recommendations when making investigative decisions and identifying service needs.
- ✓ Document “0” if there is no evidence the CPI considered any of CPT’s findings and recommendations when making investigative decisions and identifying service needs.

*Reference:* s. 39.303(2-4), F.S., Safety Outcome 2, Item 4

## **Added Maltreatments**

### **17.0 When the information and evidence gathered through interviews and observations indicated an additional alleged maltreatment might have occurred, the CPI ensured this new information was processed appropriately.**

Requirement: If the interviews or observations indicate that additional maltreatment(s) allegedly occurred, the CPI must add the maltreatment(s) to the investigation case, or inform the Hotline to add the new maltreatments, and ensure appropriate follow-up occurred based on the information obtained via additional investigation.

*Instructions and Considerations:* There are instances when a child victim or another child in the home reveal more than what was originally reported and documented in the Intake Report for investigation. If the new information alleges additional child maltreatment, the allegation must be documented in the investigation case by adding the specific maltreatment and the CPI must subsequently fully explore the new information to ensure child safety and service needs.

*Rating:*

- ✓ Document “9” if all new alleged maltreatments were formally added to the investigation case and appropriate follow-up occurred.
  - ✓ Document “7” or “5” if the new information was formally added to the investigation case and if there was some or less than desired follow-up.
  - ✓ Document “0” if the new information was not appropriately documented or explored.
  - ✓ Document “NA” if no new allegations of maltreatment were made.
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## **Maltreatment Findings**

### **18.0 All maltreatment findings were supported by the information gathered and appropriately documented in the investigative record.**

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**Requirements:** The following guidelines should be followed.

- Verified findings – a preponderance of the credible evidence results in a determination the specific harm or threat of harm was the result of abuse, neglect or abandonment.
- Not substantiated findings – credible evidence, which does not meet the standard of “preponderance” to support the specific harm was the result of abuse, neglect or abandonment.
- No Indicator findings – there is no credible evidence to support the allegations of abuse, abandonment, or neglect.

“Preponderance” means the greater weight of the evidence, or more likely than not to have occurred.

*Instructions and Considerations:* Consider whether information obtained from the investigation activities supported the findings entered for the alleged maltreatment(s). The reviewer may consult the approved CFOP 175-28 Child Maltreatment Index (formerly known as the Allegation Matrix) for additional guidelines and factors to consider in determining whether information gathered during the investigation supported the maltreatment findings.

*Additional Guidance:* The reviewer should note in the comment section if maltreatments were identified during the course of the investigation, but not added to the report. The omission may require a new report be called to the Florida Abuse Hotline by the QA Reviewer.

*Rating:*

- ✓ Document “9” if the case file contained sufficient support for all maltreatment findings initially identified, as well as subsequently identified during the course of the investigation.
- ✓ Document “7” or “5” if the case file provided sufficient support for some but not all of the maltreatment findings or an additional maltreatment(s) should have been but was not.
- ✓ Document “0” if the case file failed to document sufficient support for all of the maltreatment findings identified during the course of the investigation.

*Reference:* ss. 39.301(10) (b), F.S.; CFOP 175-28

### **Early Service Intervention Staffings**

- 19.0 If at any point during the investigation placement of the child outside of the home was a possibility, the CPI requested an Early Services Intervention (ESI) Staffing to determine if the Community Based Care (CBC) should provide family preservation services that would allow the child to remain safely in the home.**
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**Requirements:** ESI staffings may prevent unnecessary placements by initiating family preservation services in the child’s own home.

The intent of an ESI staffing is to gather all interested parties to participate in a collaborative effort to make the most informed and beneficial decisions concerning services for the family, case planning, and possibly moving a child into out-of-home care.

The ESI process should start a multi-disciplinary team pre-placement process when placement is necessary, which should increase the chance of placement stability.

*Instructions and Considerations:* The reviewer is not limited to responding favorably only if an ESI staffing occurred. Rather the reviewer should determine if any staffing or other assessment processes between two or more parties occurred to determine if there were services that would allow the child to safely remain in the home.

*Rating:*

- ✓ Document “9” if placement was a possibility and an ESI staffing occurred, regardless of the outcome of the staffing.
- ✓ Document “0” if placement was a possibility and no ESI staffing occurred.
- ✓ Document “N/A” if there was no possibility of placement during the investigation.
- ✓ Document “N/A” if it was completely unreasonable to “staff” the situation prior to taking emergency steps to protect the child, i.e., middle of the night, egregious abuse/neglect.

*Reference:* Section 65C-30.002, F.A.C.

## **Identification of Service Needs**

**20.0 Based on the child/family needs, the immediate service and/or ongoing supervision needs were identified for the child, mother, father, other caregiver and/or caretaker responsible, if other than the mother or father.**

20.1 Child. (*Not restricted to focus child or child identified as the victim in the abuse hotline report.*)

20.2 Mother

20.3 Father

20.4 Other Caregiver or Caretaker Responsible. (*if other than the mother or father and has access or ongoing contact with the child*)

**Requirement:** One of the requirements for conducting an investigation is to determine the immediate protective, treatment, and ameliorative services necessary to reduce or eliminate the immediate identified risks or the need for ongoing supervision. The CPI is required to identify the immediate service needs of the children and families served. Administrative Code states if the Department or Sheriff's Office CPI determines a child requires immediate or long term protection, such services shall first be offered for non-judicial acceptance unless there are high risk factors that may impact the ability of the parents or legal custodians to exercise judgment. It further states if the Department or Sheriff's Office or contracted service provider determines the need to engage ongoing services, an Early Services Intervention staffing shall be requested by the CPI or the CPI Supervisor. During the staffing, the CPI is to provide any recommendations for expedited services. Examples of immediate service needs may include removal, at risk childcare, food, housing, clothing, referral to domestic violence shelter, assistance with a domestic violence injunction, emergency hospitalizations to address substance abuse or mental health concerns, or other community services.

*Instructions and Considerations:* Immediate service needs require the CPI to complete the service referrals rather than delay until the family is staffed for ongoing supervision services or because there is no plan to refer for ongoing supervision services. Immediate services should mitigate or eliminate immediate safety concerns. The reviewer must determine if the CPI appropriately identified the immediate service needs of the family and/or the need for ongoing supervision services to stabilize the family and mitigate the risks.

### *Rating:*

- ✓ Document "9" if the CPI identified the immediate service needs of the family and/or the ongoing supervision service needs to stabilize the family and mitigate the risks.
- ✓ Document "7" or "5" if the CPI identified some but not all of the immediate service needs and/or ongoing needed supervision services to stabilize the family and mitigate the risks.
- ✓ Document "0" if the CPI did not identify any of the immediate service needs and/or ongoing supervision needs, but should have based on the facts of the case.

- ✓ Document “NA” if the investigation did not support the need for immediate services or ongoing supervision services.
- ✓ If the family was already receiving services and the reviewer concurs with continuation of all or some of those services, document “9,” “7,” or “5,” as appropriate. Do not document “NA” because the family was already receiving services or was under supervision.

*Reference:* ss. 39.301(10) (b) 6, F.S.; 65C-29.00(3) (k-I) & 65C-30.002 (1) (d) (12), F.A.C.,  
Safety Outcome 2, Item 4

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## **Referral for Services**

**21.0 If immediate services or ongoing supervision was needed, referrals for these services were completed for the child, mother, father and other caregiver or caretaker responsible (if other than the mother or father).**

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**21.1 Child. (Not restricted to the focus child or child identified as the victim in the abuse hotline report.)**

**21.2 Mother**

**21.3 Father**

**21.4 Other Caregiver or Caretaker Responsible. (if someone other than the mother or father and has access or ongoing contact with the child)**

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**Requirements:** The CPI is required to identify and make arrangements for the immediate service and/or ongoing supervision needs of the children and families served. The immediate service needs may include at risk childcare, food, housing, clothing, referral to a domestic violence shelter, assistance with a domestic violence injunction, emergency hospitalizations to address substance abuse or mental health concerns, or other community services.

*Instructions and Considerations:* The reviewer should assess compliance with this review element for the entire family, not just the victim/child identified by the Hotline. The reviewer must determine if the CPI identified either immediate services or ongoing supervision needs or should have identified immediate services or ongoing supervision needs, and whether a referral for these services was completed. If in-home non-judicial services were offered and the family declined the service, the record should support the protection and supervision of the court was not warranted based on the existing concerns.

*Rating:*

- ✓ Document “9” if the CPI documented referrals for all immediate services and/or ongoing supervision needs.
- ✓ Document “7” or “5” if the CPI documented referrals for some of the immediate services and/or ongoing supervision needs.
- ✓ Document “0” if the CPI did not document referrals for any of the immediate services or ongoing supervision needs.
- ✓ Document “NA” if the investigation determined no need for immediate services or ongoing supervision, or the family was currently receiving ongoing services and no additional service needs were identified.

*Reference:* ss. 39.301(9) (a-b) & 39.301(915), F.S.; & 65C-29.003(3) (k-m), F.A.C., Safety Outcome 2, Item 3

## Engaging Services

### **22.0 If documentation reflects the need for immediate services and/or ongoing supervision, the investigation record contained evidence the services were engaged.**

**Requirements:** The CPI is responsible for following up on referrals to the services deemed necessary to ensure immediate safety and mitigate risk, when the services are assessed to be critical to the protection of the child(ren).

*Instructions and Considerations:* The reviewer should assess compliance based on the identification and engagement of all identified immediate services and ongoing supervision needs of all family members, and not just the identified child victims or focus child under review. The reviewer is required to consider child safety and the level of family functioning when assessing the CPI's performance in ensuring the engagement of services. If in-home non-judicial services were deemed necessary as a result of a CLS staffing, the case file should confirm the family agreed when contacted by the case manager responsible for ongoing supervision services. (*Note: If in-home non-judicial services are recommended and the family declines the services, and the case is considered moderate to near high risk, a multi-disciplinary staffing shall be held to decide next steps.*)

The reviewer should consider engagement if court ordered supervision is in place. Documentation of engagement may be confirmed through documentation in the case file. If a referral is made for a community service such as in-home prevention services and the service is deemed critical to reducing risk, the reviewer should look for evidence the family followed through on the referral or the provider made contact with the family. The reviewer may assume engagement occurred if the provider and family made contact and/or a waiting list exists.

#### *Rating:*

- ✓ Document "9" if community, family preservation, removal or CBC services were required to reduce the identified risk to the children and the case file documented the needed services were engaged.
- ✓ Document "7" or "5" if the case file documented engagement with some but not all needed services or supervision to reduce risk to the children.
- ✓ Document "0" if the case file did not document engagement with any of the needed services or supervision identified as critical to reducing risk.
- ✓ Document "NA" if the investigation documented no needs for immediate or ongoing supervision, if the family declined services, or the family was currently receiving ongoing services and no additional service needs were identified.

*Reference:* ss. 39.301(8) (a); & 39.301(14) (a), F.S., Safety Outcome 2, Item 3

### **Communication between the Child Protective Investigator and Case Manager**

**23.0 If there was an active services case when the investigative report was received, timely and appropriate communication and collaboration between the CPI and Case Manager occurred to assure mutual understanding of history and current events.**

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**Requirements:** The CPI is required to notify the assigned Case Manager within one workday when there was an active service case at the time a report was received for investigation. However, there should be more than notification; there should be evidence of meaningful communication between the CPI and the Case Manager or Case Management Supervisor as the CPI needs to know what is happening in the services case and the case manager needs to be aware of the investigative events, subsequent findings, and dispositional decisions.

*Rating:*

- ✓ Document “9” if communication with case management occurred within one workday of receiving the report and there is documentation the CPI and case management collaborated in making appropriate safety decisions on behalf of the child.
- ✓ Document “7” if the CPI made continuous attempts to communicate with the case manager or supervisor within a reasonable amount of time, and upon contact collaborated with case management in making appropriate investigation decisions on behalf of the child.
- ✓ Document “5” if CPI made some attempts throughout the investigation to collaborate with case management, but did not assertively pursue contact and collaboration.
- ✓ Document “0” if there is no documentation to support attempts to contact case management and thus no collaborative communication occurred.
- ✓ Document “NA” if the child was not active to case management supervision services during the time the report was under investigation.

*Reference:* 65C-30.015(1), F.A.C.

## **Thoroughness of the Investigation**

### **24.0 The investigation was thorough and appropriate steps were taken to ensure child safety.**

**Requirements:** For each report received, the CPI is required to determine the protective treatment and ameliorative services necessary to safeguard and ensure the child's safety, well-being and development, and initiate the delivery of those services through the early intervention of the department.

**Instructions and Considerations:** Key to ensuring a thorough investigation, is the CPI's assessment of the background check results and information obtained from the interviews conducted with alleged child victim, other children and relevant collateral contacts; an accurate determination of the immediate safety and long terms risks to each child; and verification of service engagement. A sound decision should be derived through collaborative efforts among the CPI, CPI Supervisor, services Case Manager and CLS (DCF, Office of the Attorney General or Office of the State Attorney) involved. The reviewer must determine if the CPI's assessment and decision-making were accurate, appropriate, and consistent with the information obtained.

**Additional Guidance:** The reviewer should consider whether the child was living in a safe environment, whether a safety plan was needed and developed, whether the plan was adequate to ensure the child's continued safety, and whether the family was engaged with the services needed to reduce risk to the children prior to closing the investigation. Note: This standard should be evaluated based on the ratings assigned to standards 1, 4, 5, 7, 10 and 22.

#### *Rating:*

- ✓ Document "9" if the case file contained evidence all necessary investigative activities were completed, and child safety was accurately assessed and addressed and the disposition of the case was appropriate.
- ✓ Document "7" if the case file contained evidence most of the necessary investigative activities were completed, and child safety was not compromised and the disposition of the case was appropriate.
- ✓ Document "5" if the case file contained evidence some of the investigative activities were completed, and the deficiencies noted negatively impacted the assessment of child safety or the appropriate disposition of the case.
- ✓ Document "0" if the case file contained minimal evidence the necessary investigative activities were completed, and the deficiencies noted negatively impacted the assessment of child safety or the disposition of the case.

**Note:** The Reviewer must carefully consider any ratings of "5" or "0" to this standard to determine if a Request for Action is needed to ensure child safety.

*Reference:* ss. 39.301, F.S., 65C-29.003, F.A.C., Safety Outcome 1, Item 1 and 2



## **Supervisory Guidance and Direction**

### **26.0 Appropriate supervisory guidance and direction were provided and ensured a thorough investigation was completed.**

#### **26.1 Initial supervisory guidance**

#### **26.2 On-going supervisory guidance**

**Requirements:** The CPI Supervisor is required to review all investigations and provide appropriate guidance and direction.

*Instructions and Considerations:* The reviewer should consider the information known or needed at the time the supervisor reviewed the case file and whether the guidance and direction were appropriate given what was known and needed before the conclusion of the investigation.

*Rating:*

- ✓ Document “9” if the case file contained appropriate supervisory guidance and direction.
- ✓ Document “7” or “5” if the case file documented some but not all of the needed supervisory guidance and direction were provided. Consideration should be given to guidance relative to child safety and disposition.
- ✓ Document “0” if the case file failed to document needed supervisory guidance and direction.
- ✓ Document “NA” if the supervisor's signature affirmed the CPI’s actions to date were appropriate and the case file documentation supported no further supervisory guidance and direction were needed.

*Reference:* s. 39.301(4), F.S.; & 65C-29.003(6) (b), F.A.C., CFSR Systemic Factor #31

## **Follow Through**

**27.0 Follow through occurred on the supervisory guidance and direction provided, or there was documentation it was no longer necessary.**

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- 27.1 The CPI followed through on the supervisory guidance and direction.**
- 27.2 The CPI supervisor ensured CPI followed through on supervisory guidance and direction provided or the reason (s) the guidance and direction provided was no longer necessary was documented.**
- 27.3 The CPI supervisor ensured the CPI followed through on the 2<sup>nd</sup> party reviewer guidance and direction, or documented justification actions were no longer necessary.**
- 27.4 The CPI Supervisor ensured follow-up communication and consensus with the 2<sup>nd</sup> party reviewer prior to determining 2<sup>nd</sup> party review recommendations were no longer necessary.**

**Requirements:** The CPI Supervisor is required to review investigations and provide guidance to the CPI throughout the investigation. The CPI should complete the follow-up activities that were recommended by the CPI Supervisor as quickly and thoroughly as possible.

*Instructions and Considerations:* The reviewer must identify all of the guidance and direction provided by the CPI Supervisor and the information documenting the CPI's follow-through on the guidance and direction provided. Consider all information documented in the case file to assess compliance with this review element.

*Additional Guidance:* The reviewer should not consider follow-up on guidance initially provided by the CPI Supervisor if the CPI Supervisor documented the initial guidance and direction were no longer needed, and the reviewer agrees the guidance and direction were no longer needed.

*Rating:*

- ✓ Document "9" if the CPI followed up on all of the supervisory guidance and direction provided.
- ✓ Document "7" or "5" if the CPI followed up on some but not all of the supervisory guidance and direction provided. Consideration should be given to guidance relative to child safety and disposition.
- ✓ Document "0" if the CPI followed up on none of the supervisory guidance and direction provided.
- ✓ Document "NA" if the supervisor documented no specific guidance and direction because none was needed.

*Reference:* 65C-29.003(6) (b) 1, F.A.C., CFSR Systemic Factor #31

## **Planning for Safe Case Closure**

### **28.0 When the investigation was being closed, the case file documents the CPI or CPI Supervisor ensured the receiving case management agency was notified of the closure, and the completed transfer of responsibilities from CPI to case management was clearly communicated.**

**Requirements:** If the investigation determines the child and family need on-going services or supervision administered by the community based care (CBC) lead agency, the CPI or CPI supervisor must ensure the receiving agency is notified the investigation is being closed and no further intervention or oversight will be provided by the CPI. A well-communicated and documented notification should help ensure the child remains safe either in the home or in placement (if the child was removed) and clearly identify who is responsible from that point forward.

*Instructions and Considerations:* Even if the case was previously staffed and the receiving agency agreed to begin service provision while the investigation continued, actually closing the investigation is a critical juncture and all parties must be aware of the implications therein. Department and CBC staff must understand who is responsible for any intervention activity at all times, and especially when the investigation is being closed. The reviewer should look for documentation of a telephone contact, an email, or other form(s) of documentation that reflects the CPI or CPI supervisor clearly alerted the receiving lead agency about investigative closure and that any ongoing interventions would be the receiving agency's responsibility.

*Rating:*

- ✓ Document "9" if the case file clearly documents that the CPI or CPI supervisor alerted the receiving agency that the investigation was being closed and no further intervention/oversight would be provided by the CPI.
- ✓ Document "7" if there is some indication the CPI or CPI supervisor made the receiving agency aware of the closure, but it was beyond the closure date and/or there was limited communication.
- ✓ Document "5" if there is some indication the CPI or CPI supervisor made the receiving agency aware of the closure, but it was well after closure and/or there were significant deficiencies or discrepancies in the information exchanged.
- ✓ Document "0" if there was no indication that the CPI or CPI supervisor completed this activity during the closure and hand-off period. .
- ✓ Document "NA" for investigations that were closed with no request for services or supervision by the CBC.

### **28.1 The plan for closing the investigation case was thoughtful, individualized and matched to the child and family's present situation, preferences, and long-term view for child safety.**

**Requirement:** The CPI must carefully consider all of the information gathered during the investigation to ensure closing the investigation will not generate additional safety concerns. If there were multiple parties involved, the CPI should consider their input in the decision-making process including but not limited to having multi-disciplinary staffings when appropriate to assure all involved participants share information in the best interests of the child and family.

*Instructions and Considerations:* The reviewer should consider that planning for safe investigation case closure in some investigation cases must be methodical and carefully considered and implemented. Some investigation case closures may be complex and require confirmation that very specific services are actively in place and involved with the child and family. Other investigation case closures may be simpler when there are no indications abuse or neglect has occurred.

*Rating:*

- ✓ Document “9” if the plan for closing the investigation case was thoughtful, individualized and matched to the child and family’s present situation, preferences, and long-term view for child safety.
- ✓ Document “7” or “5” if the plan for closing the investigation was somewhat thoughtful, individualized and matched to the child and family’s present situation, preferences, and long-term view for child safety.
- ✓ Document “0” if there was no plan or if the plan for closing the investigation was not thoughtful, individualized or matched to the child and family’s present situation.

**Reference:** Effective practices as defined and mandated by the Assistant Secretary for Operations.

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Section II: Emergency Removal

## **Services Prior to Removal**

### **29.0 Prior to the removal, the CPI made concerted efforts to provide appropriate services that would allow the child to remain safely in his/her own home.**

**Requirements:** A child should not be removed from his/her home if, with the provisions of intervention and preventive services, the child could safely remain in the home.

*Instructions and Considerations:* The reviewer should not assume the requirement is achieved based solely on finding “reasonable efforts” language in court orders. The reviewer must assess the investigative response based on evidence regarding the reasons for removal found in the case file. The reviewer should determine if the CPI made concerted and reasonable efforts to provide appropriate services to the family to prevent removal.

Concerted efforts refer to conducting a safety assessment to identify the services necessary to ensure child safety in the home, facilitating the family’s access to the services, and ensuring the family’s engagement with needed services. Appropriate services are those provided to, or arranged for the family with the explicit goal of ensuring the child’s immediate safety and meeting the specific needs or circumstances of the family. For example, if in-home intervention services were immediately available to ensure safety, removal may not be necessary. In another example, if the parent alleged to be the caretaker responsible is willing to leave the home and the non-custodial parent can ensure his/her continued absence, is willing to engage in appropriate services and can ensure the child’s immediate and ongoing safety, removal may not be necessary.

*Rating:*

- ✓ Document “9” when the case file contained evidence the CPI made concerted efforts to provide services that would allow the child to remain safely in his/her home.
- ✓ Document “0” when the case file did not document support for the CPI’s decision to remove the child based on the evidence and the circumstances that existed at the time of the child’s removal.
- ✓ Document NA if the parent was hospitalized, arrested or was a perpetrator of egregious abuse and/or no services could protect the child while in the home.

*Reference:* Task Force on Child Protection (October 2007 Recommendations)  
ss. 39.401(1)(b)1-3; & 39.401(3); & 39.402(1)(a-c)&(2) & (7), F.S., Safety Outcome 2, Item 3

**Indian Child Welfare Act**

- 30. Upon removing a child from his/her home, the CPI made the appropriate inquiries to determine if the child was of American Indian or Native Alaskan descent so that the appropriate tribe could be contacted regarding the need for an alternative placement. [new for 2011]**
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**Requirements:** If a child is removed from his/her home the CPI must make appropriate inquiries to determine if the child is of American Indian or Native Alaskan descent so the appropriate tribe can be contacted regarding the child's need for an alternative placement.

*Instructions and Considerations:* The reviewer must look for evidence the CPI made the appropriate inquiries, and if the child was determined to be of American Indian or Native Alaskan descent, contact was initiated with the tribe or with the Bureau of Indian Affairs.

*Rating:*

- ✓ Document "9" if appropriate inquiries were made to determine if the child was of American Indian or Alaskan Native descent and if he/she was, contact with the tribe or the Bureau of Indian Affairs was initiated.
- ✓ Document "7" or "5" if there is some indication the appropriate inquiries were made, but was not completely clear and/or some indications that contacts with the tribe or the Bureau of Indian Affairs were initiated.
- ✓ Document "0" if there is no evidence the inquiry was made.

Reference: 65C-28.013(1)(7), F.A.C., 65C-30.001(67-69) & 65C-30.002(1)(a) & (1)(e) 4, F.A.C.

## **Placement Priority**

### **31.0 Once the decision was made to remove the child, placement priority was given to responsible relatives/non-relatives rather than licensed care.**

**Requirements:** If a decision is made to remove the child(ren), the CPI is required to explore alternatives to placement rather than licensed care, and give placement priority to a parent or other responsible adult relative/non-relative if it is in the child(ren)'s best interest.

*Instructions and Considerations:* The reviewer must assess compliance with this review element by looking for evidence in the case file of the CPI's efforts to identify, contact and interview relatives, non-custodial parents or non-relatives before placing the child in a licensed care. If potential placement with responsible relatives/non-relatives was not immediately available, the reviewer should consider attempts to identify potential caretakers for the entire period of time the CPI was responsible for identifying placement options.

*Rating:*

- ✓ Document "9" if the case file contained evidence of the CPI's inquiries and attempts to explore other responsible adult relative and non-relative caregivers during the removal process and investigation.
- ✓ Document "7" or "5" if the case file documents some but not all responsible relative and non-relative caregivers were explored during the removal process and investigation.
- ✓ Document "0" if the case file documented no efforts to explore other responsible relative and non-relative caregivers.
- ✓ Document NA if removal was completed by the CPI on an open case management services case **and** the placement decision with a relative/non-relative was made by the CBC case manager.

*Reference:* ss. 39.401(2), F.S., Permanency Outcome 2, Item 15



## **Background Checks and Home Inspections**

### **32.0 When the CPI placed the child with relatives or non-relatives, the case file contained evidence required background checks and a physical inspection of the home were completed prior to the child's placement.**

Note: If removal was completed by the CPI on an open case management services case **and** the decision to place with a relative or non-relative was made by the CBC case manager, the reviewer will document N/A to the question and subparts 1-4. The CPI should ensure copies of the home study and information related to the background checks completed by the CBC case manager, are included in the case file.

#### **32.1 The required background checks were completed during the home study process prior to the child's placement.**

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**Requirements:** If placement in a non-licensed setting is being arranged by the CPI, the CPI must ensure criminal background and abuse/neglect history checks are completed on all household members and frequent visitors. The CPI must fully and thoroughly assess all information gathered as a result of this request before making placement decisions.

*Instructions and Considerations:*

The CPI should not recommend the placement if the results of the criminal, delinquency, and/or abuse and neglect history indicate the child's safety may be jeopardized in the placement. The home is disqualified if the criminal records check reveals a felony conviction, including a plea of nolo contendere or guilty (regardless of adjudication) at any time for the following:

- child abuse or neglect or abandonment
- spousal abuse or domestic violence
- impregnation of a child under the age of 16 by a person over the age of 21
- selling or buying minors
- child pornography; sexual performance by a child; lewd or lascivious offenses committed upon or in the presence of a person less than 16 years of age; computer pornography
- rape; sexual assault; sexual batter
- homicide; murder; manslaughter
- physical assault or battery

The home is also disqualified if the criminal records check reveals a felony conviction, including a plea of nolo contendere or guilty (regardless of adjudication) within the past five years for the following:

- Aggravated assault; aggravated battery
- Prohibited acts (drug abuse)
- Unlawful possession of listed chemicals

*Rating:*

- ✓ Document “9” when the case file contained evidence all required background checks were completed prior to the child’s placement.
- ✓ Document “7” or “5” when the case file contained evidence some but not all of the required background checks were completed prior to the child’s placement or all of the required background checks were completed after the child was placed.
- ✓ Document “0” when the case file contains no evidence the required background checks were completed either before or following the child’s placement.
- ✓ Document “NA” when a background check was not required

**32.2 A physical inspection of the home was completed during the home study process prior to the child’s placement.**

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**Requirements:** If a placement in a non-licensed setting is being arranged by the CPI, the CPI must complete and document a physical inspection of the home prior to the child’s placement.

*Instructions and Considerations:* The reviewer is required to assess compliance with this review element through finding evidence the physical inspection of the home was completed prior to the child’s placement. The physical inspection of the home is typically documented on the unified home study.

*Rating:*

- ✓ Document “9” if the CPI documented a physical inspection of the home prior to the placement of the child.
- ✓ Document “7” or “5” if the CPI completed a physical inspection of the home following the child’s placement in the home or documentation of the physical inspection of the home was minimal.
- ✓ Document “0” if the case file contained no documentation a physical inspection of the home was completed.
- ✓ Document “NA” if no removal or no placement in an unlicensed placement occurred.

*Reference:* ss. 39.521(2) (r) 3 & 39.401(3), F.S., 65C-30.009(2) (c) 1, F.A.C.;

**32.3 An evaluation of the prospective caregiver’s capacity to protect was completed during the home study process prior to the child’s placement.**

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**Requirements:** The CPI is required to document an evaluation of the prospective caregiver’s capacity to protect prior to the child’s placement. The Unified Home Study

requires the CPI to document the caregiver's: understanding of the child's need for care and permanency; willingness to provide long-term permanency if needed; understanding of his or her rights and responsibilities in the dependency process; capacity to provide adequate and nurturing care and ensure an adequate and safe home; ability to financially care for the child; and understanding of the financial assistance and other services available from the community. Additionally, the CPI is required to document the basis for the decision to recommend or not recommend the placement.

*Instructions and Considerations:* The reviewer is required to determine compliance with this review element based on the CPI's documented assessment of the prospective caregivers' suitability. An evaluation of the prospective caregivers' capacity to protect should at a minimum address: the caregivers' relationship with the parents; medical, developmental, mental health and substance abuse issues; the presence or absence of threat to the child (ren)'s safety, and when a potential threat exists, discussion of an appropriate plan for responding to the threat.

*Rating:*

- ✓ Document "9" if there was evidence of the CPI's informed judgment of the prospective caregivers' suitability, and the presence or absence of a threat to the children's safety was addressed.
- ✓ Document "0" if there was no evidence of the CPI's informed judgment of the prospective caregivers' suitability.
- ✓ Document "0" if there was no evidence of the CPI's informed judgment of the presence or absence of a threat to the children's safety or the issue was addressed with a check in the box on the caregiver's home study.
- ✓ Document "NA" if no removal or placement with a relative or non-relative caregiver occurred.

*Reference:* s. 39.521(2) (r) 1-7, F.S.; 65C-30.009 (2), F.A.C.

## **Child Health Check-Up**

**34.0 If the child was removed and placed in a licensed home or with a relative or non-relative caregiver, a Child Health Check-Up was completed within 72 hours of removal.**

**34.1 The Child Health Check-Up was completed within 72 hours of the child's removal and a copy is in the case file.**

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**Requirements:** Florida law requires every child removed and maintained in out-of-home placement to have a Child Health Check-Up within 72 hours [formerly known as the Early Periodic Screening and Diagnostic Testing (EPSDT)], by a recognized healthcare provider to determine the child's current condition and healthcare needs. The Child Health Check-Up is required for every child placed in a licensed home or with a relative/non-relative caregiver. Administrative Rule states, "An initial health assessment shall be completed within 72 hours of removal, unless the child is returned to the home from which he/she was removed within 72 hours of removal. Following the Early Services Intervention (case transfer) staffing, the services worker shall provide or arrange for medical care or health check-up for a child who enters out-of-home care, unless already completed by the CPI per local agreements."

*Instructions and Considerations:* The reviewer is required to assess compliance with this review element based on finding a completed Child Health Check-Up within 72 hours of removal by a recognized healthcare provider or the medical discharge summary for a newborn or a medical discharge summary for a child discharged from a medical inpatient unit.

*Rating:*

- ✓ Document "9" if the case file contained a copy of the completed Child Health Check-Up or medical discharge summary for a newborn or a child discharged from a medical in-patient unit, if completed within 72 hours of removal.
- ✓ Document "0" if the case file did not contain a copy of the completed Child Health Check-Up or the medical discharge summary for a newborn or a child discharged from a medical inpatient unit.
- ✓ Document NA if the child was returned to the parent/caregiver within 72 hours of removal.
- ✓ Document NA if the local CBC is contractually required to conduct these check-ups.

**34.2 If the Child Health Check-Up was not completed within 72 hours of the child's removal, the Child Health Check-Up was completed at some point thereafter and a copy was in the case file.**

**Requirements:** Florida law requires every child removed to have a Child Health Check-Up.

*Instructions and Considerations:* The reviewer is required to assess compliance with this review element by ensuring a Child Health Check-Up is completed for each child removed and placed in out-of-home care. The timeframe should not be considered when evaluating compliance with this review element.

*Rating:*

- ✓ Document "9" if the Child Health Check-Up was completed, even if it was not completed timely.
- ✓ Document "0" if the case file did not contain a copy of the completed Child Health Check-Up or a copy of the medical discharge summary if the investigation involved a newborn or a child discharged from a medical in-patient unit.
- ✓ Document NA if standard 34.1 was rated as "9".

*Reference:* s s. 39.407, F.S. & 65C-29.008 (1) & 65C-30.001(17) & 65C-30.002(1) (g) 1 & 4, F.A.C, Well Being Outcome 3, Item 22

## **Emergency Intake Information Sharing**

### **35.0 The CPI obtained medical information, including prescribed medicines, and/or other needs of the child as known by the parent, guardian or legal custodian and shared the necessary information with the substitute caregiver.**

**Requirements:** Florida Administrative Code requires the CPI to complete an Emergency Intake Form for each child taken into custody to identify any current medical information and/or needs of the child known by the parent, guardian or legal custodian. The form includes medical information, prescribed medicines and other needs that must be shared with the substitute caregiver for a safe and seamless change in the child's living situation.

*Instructions and Considerations:* The reviewer must determine if the CPI obtained the appropriate information and shared the information as necessary with the substitute caregiver. Prescribed medications must continue as ordered by the physician when the child enters an out-of-home placement, and it is the CPI's responsibility to ensure this is a seamless transaction. If a child is on psychotropic medications when removed, the investigator must take precautions to ensure the child's medical and medication needs are thoroughly assessed and documented.

*Rating:*

- ✓ Document "9" if all of the appropriate medical information was obtained and shared with the substitute caregiver for a safe and seamless change in the child's living situation.
  - ✓ Document "7" or "5" if most or some of the appropriate medical information was obtained and shared with the substitute caregiver for a safe and seamless change in the child's living situation.
- ✓ Document "0" if there is no documentation that any of the necessary medical information was obtained and shared with the substitute caregiver for a safe and seamless change in the child's living situation.
  - ✓ Document "NA" if the parent, guardian or legal custodian refused to provide the information and the court refused to order the parent, guardian or legal custodian to provide the information.

*Reference:* ss. 39.402(11), F.S. &65C-29.003(6)(a)1.d., F.A.C

## **Psychotropic Medication – Informed Consent or Court Ordered**

- 36.0 If the removed child was prescribed psychotropic medications prior to removal or prior to case responsibility being transferred to the case management agency, the CPI obtained written authorization from the parents to continue administration where appropriate and properly initiated the process to obtain written express and informed consent by the parents, or where necessary, a court order.**

**Requirements:** When a child taken into custody is already prescribed psychotropic medication, the CPI must take action to assure the child continues to be administered the medication under appropriate circumstances. These actions include:

- assessing the status of the medication (labeling, original container, current);
- obtaining confirmation from a physician or pharmacist as necessary;
- seeking written authorization from the parent or legal guardian; and taking follow-up action with a physician to determine the need to continue the medication and, if **necessary, obtain express and informed consent or a court order; and,**
- **taking necessary steps to facilitate the inclusion of the parent in any consultation with the prescribing physician.**

If parental rights are not terminated, parents (birth or adoptive) and/or a legal guardians are authorized to provide informed consent for the child to receive psychotropic medication(s). If a child does not have a birth or adoptive parent, or a legal guardian, authorization to treat with psychotropic medications must be pursued through a court order.

*Instructions and Considerations:* For children whose parents' rights are not terminated, the prescribing physician must attempt to obtain written express and informed consent from the child's parent or legal guardian. In a removal incident the CPI is required to take necessary steps to facilitate the inclusion of the parent in the child's consultation with the prescribing physician. Express and informed consent from the parents must be sought by the prescribing physician prior to the administration of psychotropic medication.

The reviewers should find documentation the CPI attempted to contact the parent as soon as possible upon learning of the prescribing physician's recommendation for psychotropic medication(s). In the pursuit of obtaining Informed Consent, the CPI is expected to facilitate communication between the parent and the prescribing physician. When express and informed consent cannot be obtained from the child's parents, the CPI must refer the situation to the CLS attorney who will then petition the court.

Express and informed consent means consent voluntarily given in writing, by a competent person, after sufficient explanation and disclosure of the subject matter involved to enable the person to make a knowing and willful decision without any element of force, fraud, deceit, duress, or other form of constraint or coercion. Sufficient explanation and disclosure includes:

- The reason for admission or treatment,
- The proposed treatment,
- The purpose of the treatment to be provided,
- The common risks, benefits and side effects,
- The specific dosage range for the medication,
- Alternative treatment modalities,

- The approximate length of care,
- The potential effects of stopping treatment,
- How treatment will be monitored, and
- Any consent for treatment may be revoked orally or in writing before or during the treatment period by the parent or legal guardian.

*Rating:*

- ✓ Document “9” if there was clear documentation a prescribing physician recommended the child be administered psychotropic medication(s), and the CPI facilitated communication between the parents and the physician to obtain their express and informed consent.
- ✓ Document “9” if express and informed consent by the parents or legal guardian was not obtained or their whereabouts were unknown, but the CPI immediately referred the matter to CLS to obtain a court order.
- ✓ Document “0” if there was no evidence the CPI attempted to obtain express and informed consent or worked with CLS to obtain a court order.
- ✓ Document “NA” if there were no recommendations to place the child on psychotropic medications or the recommendations were made after transfer to case management and case management was responsible for following through.

*Reference:* ss.394.455, F.S., 65C-35.007 & 65C-28.016, F.A.C., CFOP 175-98



## **Weekly Visits**

### **37.0 The CPI visited the child in shelter care on a weekly basis until the case was transferred to and accepted by the CBC provider who subsequently agreed to conduct the required visits.**

**Requirements:** Children in shelter care status must be seen through a face-to face contact at least once every seven days as long as the child remains in shelter status in a licensed home or facility. Face to face contact with the child and caregiver is to occur at least once every seven days during the first thirty days after removal for children placed with a relative or non-relative. After the first thirty days, the frequency of contacts may be modified to no less frequently than every thirty days for a child placed with a relative or non-relative.

*Instructions and Considerations:* The case manager or the CPI, depending on the Early Services Intervention (case transfer) agreement, must make these periodic contacts. The CPI maintains the responsibility for contact until the Early Services Intervention (case transfer) staffing occurs.

*Rating:*

- ✓ Document “9” if the child was seen by the CPI at least once every seven days or as required above.
- ✓ Document “7” or “5” if the child was seen by the CPI, but the frequency was less than every seven days, based on the child’s needs and safety in their placement.
- ✓ Document “0” if the child was not seen by the CPI at least once every seven days during the period of time the CPI maintained responsibility for this contact.
- ✓ Document “NA” if the Early Services Intervention staffing occurred prior to seven days after the CPI removed, and the agreement identifies the services worker as having responsibility for weekly contact with the child and/or caregiver.

*Reference:* 65C-30-001(16), F.A.C., 65C-30.007(3)(a)(b), F.A.C., Well Being Outcome 1, Item 19