

Children's Administration  
**Training Academy**

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**Supervisor Academy  
Resource Manual**

**2010 - 2011**

<b>Category and Module</b>	<b>Competency</b>	<b>Learning Objectives</b>
Core Functions of Supervision	Ability to identify the four core functions of supervision and the tasks associated with them	Can understand and articulate the role of manager of personnel in CA
	Ability to understand the dynamics of leading a small group	
	Ability to understand the stresses and dynamics of transitioning to the supervisor role	

- ❖ Education
- ❖ Support
- ❖ Clinical
- ❖ Administration

### **Supervisory Core Functions**

### **Things we never say out loud...**

### **I'm Scared...**

### **I'm scared of ...**

Some...

- ❖ Staff
- ❖ Administrators
- ❖ Cases
- ❖ Conflict

### **I don't like...**

### **I don't like...**

Some...

- ❖ Staff
- ❖ Supervisors
- ❖ Administrators
- ❖ Systems
- ❖ Policy

**I don't know...**

**I don't know...**

Some...

❖ Policies or procedures

❖ What to do...

❖ How to use...

**I'm making this up...**

**Is it obvious?**

**So what do we do?**

**We do to what we're good at**

## I'm good at...

- ❖ Policy... Famlink... Procedures  
Or
- ❖ Community & Committees  
Or
- ❖ Supporting people  
Or
- ❖ Numbers  
Or
- ❖ Ideas for a case

## So what happens?

## Blind Spots

## Blind Spots

### Bad things happen...

- ❖ Children & Families
- ❖ Between Units
- ❖ Among Staff and Supervisors
- ❖ You hate your job

## Blind Spots

We start saying...

- ❖ **This is how we do things here!**
- ❖ *They're such jerks! We're so busy why can't they just take the case?*
- ❖ **It's in policy – just follow the policy!**

**Education \_\_\_\_\_ Teacher**

**Support \_\_\_\_ Cheerleader**

**Clinical \_\_\_\_\_ Caddie**

**Administration \_\_\_\_ Judge**

You must play all the parts...



## Teacher - What do I do?

## Teacher

### Do you know?

- ❖ Expectations of the job
- ❖ Legislation
- ❖ Policy
- ❖ Research
- ❖ Best Practice
- ❖ Process

## Assertively learn your subject

- ❖ Be accurate and up-to-date with information
- ❖ Your staff know that you don't know...
- ❖ Over time if you can't help – they will give up on you



## Caddy - Lost in the weeds?

## Caddy

### Are your staff lost in the weeds?

- ❖ What are the issues for the client?
- ❖ What are the issues for the social worker?
- ❖ Are you helping them get out of the weeds?

## Not the good old days again...

- ❖ Reality of today / Focus on staff
- ❖ Draw on basics
  - ❖ Health & Safety
  - ❖ Truth / Honesty
  - ❖ Fairness
  - ❖ Professionalism
- ❖ What are the motivations of your staff?
- ❖ Model the advice you are giving



## Cheerleader

Do you know your staff?

- ❖ Strengths
- ❖ Weaknesses
- ❖ Motivation
- ❖ Dreams

Individuals vs. Unit?  
Cheerleading is not denial...



## Judge

**All feelings aside...**

- ❖ What do the numbers say?
- ❖ Do they follow the rules?
- ❖ Can they do the whole job?
- ❖ Can they make the hard calls?

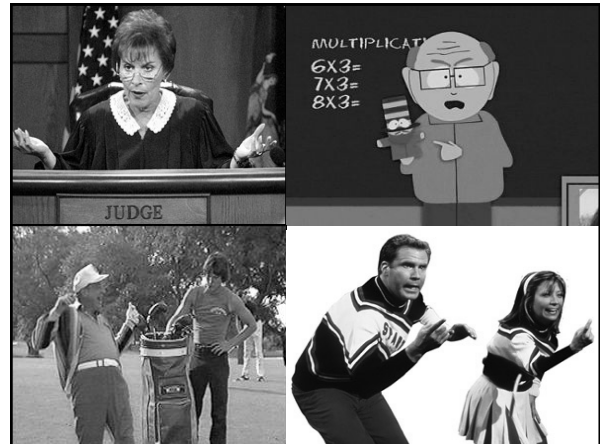
## What's your decision?

- ❖ What evidence do you use?
- ❖ What are you looking at?
  - ❖ Style
  - ❖ Results
  - ❖ Feelings
- ❖ What's stopping you?

## Social Workers must demonstrate the same skills with clients

## Staff work with clients as...

- Teacher
- Cheerleader
- Caddie
- Judge



## It's Your Best Day Ever!

# Group Activity!

## Practice – Practice – Practice

Later... we will watch a video and ask for your comments but 1<sup>st</sup> we need to:

## Practice!


Don't worry you'll all get "A's"...

*(We're cheating I'm giving you the answers!)*

## It's Your Best Day Ever!


- ❖ **Goal** – identify how each role speaks
- ❖ Break into 3 groups
- ❖ (Hint) Think of situations at the office (past or present)
- ❖ Each group will list 1 or 2 statements you might say as...
  - ❖ Education / **Teacher**
  - ❖ Support / **Cheerleader**
  - ❖ Clinical / **Caddie**
  - ❖ Administration / **Judge**
- ❖ Tell the class






**Do you have the X Factor?**

- ❖ **Goal** – each of you speak in a style of one of the supervisory core functions
- ❖ We will be watching a video of a singing audition
- ❖ Person auditioning is your employee
- ❖ What would you say to her as?
  - ❖ Education / **Teacher**
  - ❖ Support / **Cheerleader**
  - ❖ Clinical / **Caddie**
  - ❖ Administration / **Judge**



- ❖ Stay in your 3 groups
- ❖ Each group must identify who will speak as - Teacher / Cheerleader / Caddie / Judge
- ❖ Each group will be assigned a section of the video:
  - Group 1 – Introduction – before she sings
  - Group 2 – Singing
  - Group 3 – After she sings



- ❖ 1<sup>st</sup> we will watch the complete video
- ❖ After the video your group will think of something each role would say in your assigned section  
*(let me know if you need to see the video an extra time...)*
  - ❖ (PS... Each person at your table will have to make at least one statement)
  - ❖ (PSS... Yes I am a jerk for making you do this)
- ❖ Final time the video is played I will pause the video at each section to hear your statements & comments




**It can be scary out there...**



**Be kind to yourself...**

**"Leadership cannot really be taught.  
It can only be learned."**

## **We need to keep trying**

**"One thing is sure...we have to do something.  
We have to do the best we know how at the moment . . .  
If it doesn't turn out right we can modify it as we go  
along."**

**Franklin D. Roosevelt**

# Supervisor Core Functions!

## Administrative Function / Judge (Results focus)

Tell the honest truth – as if feelings do not matter – what was are good and poor behaviors or performance?

- Given the data your performance is \_\_\_\_
- You are really good at \_\_\_\_
- You are not good at \_\_\_\_
- When you spoke to the client you demonstrated \_\_\_\_
- Being late to \_\_\_\_ is not acceptable
- I am directing you to \_\_\_\_
- Your performance on this case was \_\_\_\_
- Your skills are best with \_\_\_\_ cases
- You need to file on this case
- Your behavior was not acceptable when you \_\_\_\_
- ?

## Education / Teacher (Task / Expectation focus)

Tell staff the expectations / process for the job:

- The goal of this job is to \_\_\_\_
- The policy is \_\_\_\_
- The procedure is \_\_\_\_
- The expectation for your caseload is \_\_\_\_
- When you go to court the court expects \_\_\_\_
- In this unit the expectation is that all \_\_\_\_ are mandatory
- You need to be at work by 8:00AM
- The expectation for your behavior is \_\_\_\_
- ?

## Clinical Function / Caddie (Person focus)

What is a good strategy? What's good advice?

- When you feel \_\_\_\_ you may need to \_\_\_\_
- When working with Borderline clients I \_\_\_\_
- Your style is very \_\_\_\_ how is that helping or hurting this situation?
- When going to court I always recommend \_\_\_\_
- What type of case do you like best?
- What do you like about this job?
- How would you do it differently next time?
- We work with tough people at times so I always just \_\_\_\_
- This job takes a lot of courage when I am in situations like this I \_\_\_\_
- ?

## Supportive Function / Cheerleader – (Person focus)

Helping people feel supported...

- You really look sad – if you want to talk let me know
- This assignment was tough – you did the best anyone could
- People tell me you're doing great at \_\_\_\_
- You're starting to get the hang of \_\_\_\_
- You have a very calm way about \_\_\_\_
- You really helped with \_\_\_\_
- You showed a lot of courage when \_\_\_\_
- Yeah that didn't go very well... However you \_\_\_\_
- Hey it's coffee and doughnuts for everyone!
- This unit is really helping each other get things done
- ?

# *The "Good" Supervisor*

Alfred Kadushin

Daniel Harkness

*Supervision in Social Work (4<sup>th</sup> edition)*

Columbia University Press

2002

At various points in the text, reference has been made in passing to factors that characterize "good" supervision. Our objective at this point is to pull together and highlight these factors in a systematic way. The recapitulation is based on reviews of the supervision research literature, empirical studies of effective and ineffective supervision, studies of supervision associated with supervisees' positive and negative responses to supervisors, and studies that define the kind of supervision that has the highest possibility of achieving the objectives of supervision (Hansen and Warner 1971; Nash 1975; Mayer and Rosenblatt 1975b; Hansen, Pound, and Petro 1976; Herrick 1977; Thing 1979; Ford 1979; Blumberg 1980; Lambert 1980; Hansen, Robins, and Grimes 1982; Shulman 1982; Kaplan 1983; Zucker and Worthington 1986; Allen, Szollos, and Williams 1986; Rabinowitz, Heppner, and Roehlke 1986; Carifio and Hess 1987; Kennard, Stewart, and Gluck 1987; Schacht, Howe, and Berman 1989; Wetchler, Piercy, and Sprengle 1989; Baril 1989; Grube and Painton 1990; Wetchler and Vaughn 1991; Shanfield, Matthews, and Hetherly 1993; Worthen and McNeill 1996; Lambert and Ogles 1997; Lazar and Eisikovits 1997; Vonk and Thyer 1997; Watkins 1997; Henderson, Cawyer, and Watkins 1999; Anderson, Schlossberg, and Rigazio-DiGilio 2000; Magnuson, Wilcoxon, and Norem 2000; O'Connor 2000).

It needs to be noted that the picture of the "good" supervisor that emerges from the research is derived primarily from findings regarding supervisee satisfactions and preferences. The "good" supervisor is one the supervisees most prefer, find satisfactory, respond to positively, and like, and trust.

Little empirical research into outcomes related to the supervisee, and especially to the supervisee's clients, has been done (Lambert and Ogles 1997; Ellis and Ladany 1997). Outcome research would provide results showing that the "good" supervisor's supervisees are more efficient and effective, learn more and better than supervisees of other supervisors, or that clients of the "good" supervisor's supervisees made quicker and better progress in their treatment (Jaynes *et al.* 1979; Steinhelber *et al.* 1984; Ginsberg, Weisberg, and Cowan 1985; Kadushin 1981; Sosin 1986; Harkness and Poertner 1989; Harkness and Hensley 1991; Harkness 1997).

The following listing presents a composite picture of the "good" supervisor, organized in terms of the supervisory functions discussed in the text - Administrative Supervision, Educational-Clinical Supervision, and Supportive Supervision.

**As an Administrator the Good Supervisor:**

- 1. Accepts, is comfortable with, and appropriately implements the administrative authority and power inherent in the position in a nonauthoritarian manner; holds workers accountable for assigned work and sensitively but determinedly evaluates supervisees practice; balances support and clear expectations of work in conformity with clearly defined performance standards;**
- 2. Provides clearly structured procedures and constructive feedback for workers in their relation to the agency and their clinical practice: The "good" supervisor provides direction, confronts when appropriate, and provides constructive, honest, critical feedback in a way that respects supervisees' strength and confident growth toward independence;**
- 3. Makes active efforts to integrate agency's need for production with the socio-emotional needs of the workers, balances agency output objectives with workers morale, makes task demands with concern for employees, balances instrumental tasks with expressive needs;**
- 4. Is unobtrusive in her supervision, so that supervisees know that they are being supervised but are not consciously and explicitly aware of this; availability without continuous presence is manifested;**
- 5. Is generally physically available as well as psychologically accessible and approachable;**
- 6. Develops and maintains good interpersonal relationships among the group of workers she supervises;**
- 7. Communicates effectively up as well as down the hierarchical communication ladder, vigorously representing workers messages for administration's consideration, and representing administration's concerns fairly and understandingly to supervisees;**
- 8. Balances the agency's need for stability with need to change; and is ready to advocate for validated change.**

**As an Educator the Good Supervisor:**

- 9. Has a positive, forward-looking attitude toward social work and its mandate; displays a solidarity with and commitment to the profession; embodies the values of the profession in his behavior.**
- 10. Displays a sincere interest in promoting supervisee learning and professional development balancing control and direction with respect for supervisee's autonomy**

11. Has expert, updated knowledge of social work theory and practice and is ready to share such expertise in providing the supervisee with information and suggestions relevant to practice problems;

12. Has a problem-solving orientation toward the work of the supervisee based on consensus and cooperation derived from democratic participation rather than power-centered techniques and superordinate-subordinate relationships;

13. Provides a clear flexible structure for the supervisor-supervisee relationship;

14. Actively prepares for conferences and group supervisory meetings; preparation involves review of knowledge of supervisees as well as knowledge of content;

15. Is culturally sensitive in helping the supervisee to understand clients in their situation; is nonsexist and nonracist in orientation;

16. Establishes benign relationships with supervisees characterized by a sense of psychological safety--accepting, warm, empathic, respectful, interested, supportive, flexible, genuine;

17. Is ready, willing, and able to share expertise, effectively teaching her practice in a way which optimally facilitates learning; sharing involves readiness to engage in appropriate self-disclosure;

18. Displays technical professional competence in helping supervisees with their work as well as competence in interpersonal human relations with supervisees;

19. Is ready to tolerate and accept mistakes and failures recognizing these as a natural component of the learning experience;

In Being Supportive the Good Supervisor:

20. Projects an attitude of confidence and trust toward the supervisee, resulting in optimization of supervisee autonomy and discretion;

21. Is ready, willing, and comfortable in offering praise and approval for good performance; is equally ready to challenge and confront inadequate work;

22. Is sensitive to the manifestations of workers' stress and is flexible in adjusting work demands accordingly;

23. Establishes full and free reciprocal communication with the supervisee in an atmosphere that not only permits but encourages the expression of authentic feeling;

24. Is comfortable in nondefensively considering negative feedback and countertransference reaction and is tolerant of constructive criticism;

25. While appropriately supportive she is not emotionally intrusive on workers private concerns.

In the end, it may all add up to the maxim "Good supervisors are available, accessible, affable, and able." The general picture of the "good" supervisor shows him/her to be a person who is a technically competent professional, with good human relations skills and good organizational-managerial skills. But the contribution of the effective supervisor to the supervisor-supervisee interaction is only one factor in the equation. A detailed analysis of ninety-four supervisory experiences based on structured interviews found that supervisees also made a contribution to the kind of relationship that developed. While supervisors were more or less inclined to be permissive or controlling, directive or nondirective, egalitarian or distant, accepting or disparaging, these tendencies were muted or intensified by the supervisees' own characteristic way of relating.

In order for a supervisor to be collaborative, the supervisee must be someone he can collaborate with; [supervisees] who have a collaborative approach to supervision themselves most probably elicit collaborative behavior from their supervisors. . . . In many cases a supervisor's coercive style may be the result of the [supervisee's] continually challenging or resisting his authority. . . . The exercise of coercive power is not necessarily attributable to the intrapsychic dynamics of the supervisor but may be the result of the supervisory interaction. (Nash 1975:26)

Some supervisors were described by some supervisees as their most preferred supervisor while the same supervisor was described by others as their least preferred supervisor.

The configuration of effective and ineffective supervision that emerges is then in the nature of a generalization. This implies that an approach to supervision that mirrors the "good" supervisor configuration is more apt to lead to effective supervision. But like all generalizations, it suggests that this is not invariably the case. The complexity of bidirectional interaction between supervisee and supervisor precludes any such statement. A contingency model that takes into consideration the uniqueness of the relationship between these factors comes closer to the truth. It argues for a best-fit decision on the part of the individual supervisor in contact with a particular supervisee working in a particular agency offering service to a specific client in an idiosyncratic, problematic situation. But a generalization is useful. It suggests that among the myriad of possibilities, the relevant literature shows the approaches listed above should be given priority for consideration because the research indicates they have been shown to be effective for many supervisors in many instances.

## the function of supervision

Examining the different functions of supervision throws up various questions and issues. These questions include asking 'in whose interest does supervision work?'

Confusion also arises concerning notions such as 'mentoring', 'practice teaching' and 'clinical supervision'. Here we explore Alfred Kadushin's model of supervision and the insights it brings to these questions.

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The immediate roots of what we have come to know as supervision in the human services lie in the development of social work and casework. We see this, for example, in the concern for the needs of clients; and the taking up of ideas and practices that owe much to the emergence of psychoanalysis. However, to make sense of supervision it is necessary to look to the various forms of apprenticeship that have existed in different societies. In ancient China, Africa and Europe (feudal and otherwise), for example, there are numerous examples of people new to a craft or activity having to reveal their work to, and explore it with, masters or mistresses i.e. those recognized as skilled and wise. This process of being attached to an expert, of 'learning through doing' allows the novice to gain knowledge, skill and commitment. It also enables them to enter into a particular 'community of practice' such as tailoring or midwifery (see Lave and Wenger 1991). By spending time with practitioners, by 'looking over their shoulders', taking part in the routines and practices associated with the trade or activity, and having them explore our work, we become full members of the community of practice.

### Overseeing

Supervision can be found in the growth of charitable social agencies in Europe and North America during the nineteenth century. It involved the recruitment, organization and oversight



of a large number of volunteers and, later, paid workers. The volunteers were commonly known as 'visitors'. Their task was to call on a small number of families to offer advice and support. The main concern was to foster self help, and the adoption of 'healthy' habits and behaviours. In addition, visitors were also often in a position to access limited funds via their agencies, although such monies were only given after a careful investigation of the family's circumstances. In other words, a decision had to be made as to whether they were 'deserving'. (See, for example, the discussion of Maude Stanley, girls' clubs and district visiting and Ellen Ranyard, 'bible women' and informal education).

The person assigning cases, organizing work and taking decisions on behalf of the agency was basically an 'overseer' - and hence the growing use of the term 'supervisor'. (In Latin *super* means 'over', and *videre*, 'to watch, or see'). As Peters (1969: 170) has pointed out, traditionally, part of the overseer's job was to ensure that work was done well and to standard. This can be viewed as an administrative task. However, overseers also had to be teachers and innovators. These were new forms of organization and intervention: 'standards were being set, new methods developed' (op cit.).

In these early forms - and especially in the work of the Charity Organization Society in the USA and UK - the present functions and approaches of supervision were signalled. As thinking and practice around casework became more sophisticated, especially through the work of pioneers such as Mary Richmond (1899; 1917; 1922), and demands for more paid workers grew, so supervision became more of an identified process. For example, books on the subject began to appear - e.g. Jeffrey R. Brackett's *Supervision and Education in Charity* (1904).

Also, the hierarchical position of the supervisor (or paid agent) was revealed:

While the 'paid agent' acted as supervisor to the volunteer visitor, the paid agent 'supervisor' was himself supervised by the district committee, which had ultimate authority for case decisions... The paid agent supervisor was then in a middle-management position, as is true of supervisors today - supervising the direct service worker but themselves under the

authority of the agency administrators. (Kadushin 1992: 6)

It is this hierarchical and managerial idea of supervision that tends to permeate much of the literature in social work.

### **Kadushin's model of supervision**

It is at this point that Alfred Kadushin's discussion of supervision in social work becomes helpful. He goes back to earlier commentators such as John Dawson (1926) who stated the functions of supervision in the following terms:

*Administrative* - the promotion and maintenance of good standards of work, co-ordination of practice with policies of administration, the assurance of an efficient and smooth-running office;

*Educational* - the educational development of each individual worker on the staff in a manner calculated to evoke her fully to realize her possibilities of usefulness; and

*Supportive* - the maintenance of harmonious working relationships, the cultivation of esprit de corps. [This is Kadushin's (1992) rendering of Dawson 1926: 293].

It is a short step to translate these concerns into the current language of the 'learning organization'. As Salaman (1995: 63) argues, managers must have a concern for both performance and learning.

[T]he essentially *managerial* aspects of managers' work is their responsibility for monitoring and improving the work of others; their *managerial* effectiveness is determined by their capacity to improve the work of others. if managers are not able to make this contribution, then what value are they adding? The only ultimate justification of managers' existence is the improvement of the work of their subordinates. If managers fail in this way they fail as managers.

In this way managers are expect to develop relationships and environments that enable people to work together and respond to change. Such 'joint performance' involves having common goals, common values, the right structures, and continuing

training and development (Drucker 1988: 75).

I want to concentrate on how managers approach supervision - later I will suggest that the threefold education/administration/support model also works for 'non-managerial' supervision. In our experience of management some of us will have found that all three elements were present - and were acknowledged by the parties involved. As managers we may well express a concern for the well being of those we are responsible for; we may also attend to gaining clarity around the tasks to be achieved (and how they are to be undertaken). In addition, we may have a care for staff development. We may well explore particular incidents and situations and seeing how they could be handled in different ways.

There may also be situations where these elements are not all present. For example, we may have slipped into a strong task orientation with a particular worker. Or, and this is quite common, we may focus rather too strongly on the support side. In voluntary and not-for-profit organizations it is not uncommon to find that staff require a good deal of 'working with'!

I find it helpful to think of the three elements as inter linked (or as overlapping). They flow one into another. If we are to remove one element then the process becomes potentially less satisfying to both the immediate parties - and less effective. It is easy to simply identify managerial supervision with administrative supervision

### ***Administration***

Kadushin tightens up on Dawson's formulation and presents his understanding of the three elements in terms of the primary problem and the primary goal. In administrative supervision the primary problem is concerned with the correct, effective and appropriate implementation of agency policies and procedures. The primary goal is to ensure adherence to policy and procedure (Kadushin 1992: 20). The supervisor has been given authority by the agency to oversee the work of the supervisee. This carries the responsibility:

... both to *ensure* that agency policy is implemented - which

implies a controlling function - and a parallel responsibility to enable supervisees to work to the best of their ability. (Brown and Bourne 1995: 10)

It also entails a responsibility not to lose touch with the rationale for the agency - 'to provide a first-class service for people who need it (or in some cases are required to have it, in order that they or others may be protected from harm)' (op cit.).

### **Education**

In educational supervision the primary problem for Kadushin (1990: 20) is worker ignorance and/or ineptitude regarding the knowledge, attitude and skills required to do the job. The primary goal is to dispel ignorance and upgrade skill. The classic process involved with this task is to encourage reflection on, and exploration of the work. Supervisees may be helped to:

Understand the client better;

Become more aware of their own reactions and responses to the client;

Understand the dynamics of how they and their client are interacting;

Look at how they intervened and the consequences of their interventions;

Explore other ways of working with this and other similar client situations (Hawkins and Shohet 1989: 42)

### **Support**

In supportive supervision the primary problem is worker morale and job satisfaction. The primary goal is to improve morale and job satisfaction (Kadushin 1992: 20). Workers are seen as facing a variety of job-related stresses which, unless they have help to deal with them, could seriously affect their work and lead to a less than satisfactory service to clients. For the worker there is ultimately the problem of 'burnout'.

Kadushin argues that the other two forms of supervision focus on instrumental needs, whereas supportive supervision is concerned with expressive needs (ibid.: 292).

[T]he supervisor seeks to prevent the development of potentially stressful situations, removes the worker from stress, reduces stress impinging on the worker, and helps her adjust to stress. The supervisor is available and approachable, communicates confidence in the worker, provides perspective, excuses failure when appropriate, sanctions and shares responsibility for different decisions, provides opportunities for independent functioning and for probable success in task achievement. (Kadushin 1992: 292)

### *Some issues*

This way of representing the functions of supervision does leave me with a number of questions.

First, the way these functions are depicted tends towards seeing supervisees in deficit. They are lacking in certain ways - and it is the job of the supervisor to help them put things right. The problem is that supervisors can easily slip into acting *on*, or upon behalf of, supervisees. Kadushin is primarily concerned with organizational or managerial supervision. Such supervisor-managers have responsibility to the organization or agency for the actions of their staff and so such a deficit orientation may not be surprising. However, there will be a number of us who would argue for a different approach to management - one that stresses conversation and a concern for fostering an environment in which workers can take responsibility for their own actions. I do not think that this criticism undermines the shape of the model, i.e. the splitting into administrative, educative and supportive functions, but it does remind us to take great care when approaching it.

Second, I am always a bit wary of fuzzy notions such as 'support'. At one level I could argue that having a concern for the management and development of the worker (i.e. looking to administrative and educational supervision) is support in itself. I suppose this is where the various functions could be seen as overlapping or feeding into each other. On the other hand,

separating out 'support' does have the virtue of making explicit the need to have a concern for the emotions of supervisees. I guess that it is in this area that the real danger of slippage into a counselling framework appears. We make the *main* focus the person of the supervisee rather than the work. By incorporating support into the model we are at least able to frame the concern for the person of the supervisee within the larger concern for the service to the client.

Third, there is always the question of what may have been left out from the model. Approaching it from a managerial perspective, especially where you are concerned with the operation of teams, there might be the temptation to add in mediation as a function (Richards et al 1990 in Brown and Bourne 1995: 9). Then there may be issues around the naming of the separate functions. For example, is it helpful to separate administration from management, would management be a better overall title and so on?

Fourth, there is the question of how tied this model is to managerial supervision. Proctor (1987) uses the same basic split but uses different terms - formative (education), normative (administration) and restorative (support). This has the virtue of lifting the administrative category out of line-management and thus, allowing the model to be approached from a 'non-managerial' standpoint. We will return to this later.

Even given these questions, the Kadushin framework remains helpful. It has found a consistent echo in the social work field, and in the English language literature of supervision. Perhaps the main reason for this is that by naming the categories in this way Kadushin and others are able to highlight a number of key issues and tensions around the performance of supervision.

### **Putting the functions together**

Having mapped out Kadushin's model it is now possible to look at some of the different foci that can be attributed to supervision. For example, Hawkins and Shohet (1989) list 10 different foci and then categorize them in relation to Kadushin's elements.

common distinction I hear made is that the manager's first point of reference has to be the interest of the organization or agency (it is on their authority that she or he is acting), while the non-managerial supervisor looks to the development of the worker. Sometimes this is reduced to the difference between administrative and educational supervision. That is to say, one version argues that managers should not be concerned with educational supervision; and consultant supervisors should only focus on education and support. There is some truth in portraying the primary responsibilities in this way - but it would be very misleading to leave it there. As we have seen, Kadushin argues that management supervision involves all three categories. I want to suggest that both 'managerial' and 'non-managerial' supervisors share larger responsibilities - to the client group and to other professionals; and that both look to the development of the worker.

### **Supervision and the emergence of psychoanalysis and counselling**

Some of the confusion around supposed differences arises from the roots of consultant, non-managerial or professional supervision. Its development has, arguably, owed much to the emergence of psychoanalysis and counselling. In the case of the former, practice, supervision, teaching and personal analysis have formed the central elements of training since the 1920s. If we consider current approaches to training social workers, teachers or informal and community educators, then we can see similar elements. For example, with regard to this programme there are various 'teaching' moments (perhaps most obviously seen in the form of lectures, study materials, seminars and study groups); self-assessment (as against self-analysis), practice (whether in the form of our day-to-day work, any placements we undertake, and our engagement with other students) and supervision.

Student or trainee supervision can be contrasted with practitioner supervision. The latter is addressed to established workers. Some writers, such as Page and Wosket (1994: 2), claim that there are many differences between the focus in supervision of students or trainees, and that of established practitioners. The former are more likely to be concerned with issues of technique,

boundary, understanding the material clients' bring, and dealing with personal feelings of anxiety. The experienced practitioner is more likely to be concerned with teasing out relationship dynamics, choosing intervention options and perhaps dealing with feelings of frustration and boredom towards clients' (op cit.). This is something that you may like to think about. My own experience of supervision is that the degree of difference in these respects can easily be overstated. Experienced practitioners may have a greater repertoire of experiences and models to draw upon, and may have grown jaded. But the supervisor who fails to attend to the extent to which experienced practitioners face new situations and different clients, can overlook the chance of practitioners feeling like novices again. Similarly, those labelled as student workers may well be experiencing frustration and boredom toward their clients!

However, the demand for 'practitioner supervision' in counselling can be seen as a key factor in the spread of non-managerial or consultant supervision. By the early 1950s, with the 'coming of age' of the profession, there was a substantial growth 'in the proportion of practitioners with significant experience', many of whom valued, 'having a fellow practitioner to act in a consultative capacity' (Page and Wosket 1994: 2). This linking of consultant supervision with the development of counselling is significant. The form that supervision takes may well mirror or adopt ways of working from the host profession. Thus, a counsellor supervisor may draw heavily on the theory and practice of a counselling model and apply this to supervision.

A psycho-dynamic supervisor would interpret the material being presented and use an awareness of the relationship dynamics between himself and the counsellor in supervision as a means of supervising. A client-centred supervisor would be concerned to communicate the core conditions of acceptance, respect and genuineness to her supervisee. (Page and Wosket 1994: 4)

We now can begin to appreciate why many of the arguments and questions around supervision can become confusing. Contrasts between managerial and consultant supervision, for example, inevitably focus on the managerial element. Yet those involved may well be drawing on very different models and sets



of understandings. The debate may be between a psycho-dynamic and a task orientation!

This drawing upon from psycho-dynamic and counselling can also add to the common slippage from supervision into therapy or 'working with'. We have already noted problems around this area with regard to the management of staff - and it applies with great force in consultant supervision.

The first thing to say here is that it may well be appropriate for us as supervisors to change the focus of the session from 'supervision' to 'counselling'. The situation may demand it - and we have what may be described as a 'counselling interlude'. However, there are two particular dangers: we may slip into a different framework without being aware of it; and, further, even where the shift is conscious, it may not be appropriate. That is to say we should have held our boundaries as supervisors.

There can also be confusion between *shifting* our frame of reference and *drawing upon* insights from a particular field. It may be that to properly approach a question that has arisen in workers' practice we need to attend to their emotional and psychological lives. Here we may draw upon, for example, psycho-dynamic insights, to work with supervisees to enhance the quality of their interactions with clients. This does not entail moving beyond a supervisor's frame of reference. Our focus remains on the enhancement of practice. However, where our primary concern is no longer the work, but the well-being of the supervisee, this is a different situation. When the worker becomes the primary focus (rather than the work), I think there is a significant shift - we move into the realm of counselling or 'working with' proper. We should not make the mistake of describing this as supervision.

### **Responsibilities to clients, other professionals and the community**

This last discussion highlights something fundamental about supervision. While the manager may have in mind the needs of the agency; and the practice teacher or college supervisor the needs of the student-worker, their fundamental concern in supervision lies with the quality of service offered by the

supervisee to their clients. In other words, supervision focuses on the work of the practitioner.

**Clients at the centre.** It is easy to fall into the trap of viewing changes in the individual supervisee as the central goal of the process. It is not difficult to understand how this happens. As we have seen, in supervision we draw on understandings and ways of working that we have developed in other settings. The most obvious of these are 'counselling' and other one-to-one relationships. Yet, as Kadushin (1992: 23) puts it in relation to managerial supervision, 'The supervisor's ultimate objective is to deliver to agency clients the best possible service, both quantitatively and qualitatively, in accordance with agency policies and procedures'. The same applies to consultant or non-managerial supervision:

The responsibility of the supervisor to protect the interests of the client emerges as a central component of trainee supervision. Attention to client welfare is equally important... in practitioner supervision. (Page and Wosket 1994: 9).

The British Association of Counselling makes the point unambiguously: 'The primary purpose of supervision is to protect the best interests of the client' (BAC 1987, quoted by Hawkins and Shohet 1987: 41). Change in supervisees is fostered for a purpose - the enhancement of the service they provide for their clients. However, in considering this we also have to take into account what may be in the interests of the community as a whole.

**Accountability to the wider community.** In the well known phrase of C. Wright Mills - there are considerable dangers in seeing private troubles merely as troubles - and not as public issues (and vice versa). There is always the danger that we 'slip past structure to focus on isolated situations..., a tendency for problems to be considered as the problems of individuals' (Mills 1943: 534). As practitioners and supervisors we have to balance the needs and wishes of the individual with considerations of those of others in the community. There will be times when what may be identified as being in the interest of the client seriously affects the rights and lives of others. The tensions can be quickly seen if we examine the four basic or first order principles identified by Sarah Banks (1995: 25 - 46) as central to social work

(and, indeed, informal and community education):

1. Respect for and promotion of individuals' rights to self determination.
2. Promotion of welfare or well-being .
3. Equality
4. Distributive justice.

As supervisors we may have to remind supervisees of the requirement to consider the extent to which a course of action they are pursuing leads to human flourishing, promotes equality or whether they are 'distributing public resources (whether they be counselling, care or money) according to certain criteria based variously on rights, desert and need' (Banks 1995: 44)? In a similar fashion we have to reflect on our actions as supervisors.

**Being part of a community of practice.** There are likely to be endless arguments about considerations such as these - especially when they are thought about in relation to specific cases and situations. We may have our individual ideas, but as members of a community of practice we need also to consider the views of others. That is to say we need to appeal to collective wisdom. Within professional groupings a key port of call here is a code of ethics (see Banks 1995: 67 - 93).

I want to suggest here that while managerial supervisors, as members of the profession or community of practice, have a duty to consider the appropriate standards and codes, the main way that they do this is via the policies and practices of the agency. On the other hand, while non-managerial or consultant supervisors may be contracted by the supervisee (or the College in the case of student workers), their authority comes from their membership of the community of practice [2]. Their concern for the service offered to clients is fed through a set of shared understandings concerning what constitutes 'good practice'. In other words, at certain points in the supervision process they may be required to represent that constitutes acceptable behaviour or good practice.

In *Figure 3* I have tried to bring out the position with regard to

professional and managerial supervision. Professional supervisors act on behalf of the community of practice of which they are members. They should have a concern with the quality of service offered and the needs of the wider community. This links back to the way that Proctor (1987) redefined Kadushin's administrative category as 'normative'. If we were to adjust Kadushin's (1992: 20) definition it would read something like the following:

The primary problem in administrative supervision is concerned with the quality of the supervisee's practice in respect of professional standard and ethics. The primary goal is to ensure adherence to these standards.

In other words, so called 'non-managerial' supervisors have an administrative responsibility. Where workers consistently fail to live up to these standards or present a danger to clients they have a responsibility to act. This could take the form of them discouraging the supervisee from practice, or of reporting matters to the appropriate professional body. Managerial supervisors also look to professional concerns and to the interests of clients and the wider community, but they do so through the framework of agency policies and procedures.

### **A question of power**

We can see in all this that there are questions concerning power relationships within supervision. There are issues arising from position in agency hierarchies; and the extent to which dynamics around gender, 'race', age and class (for example) intersect with the roles of supervisor and supervisee (see, for example, Brown and Bourne 1995: 32 - 49). Turner (1996 - in this unit) explores some issues and problems around this area. Here I just need to make three points.

First, because one person may be seen as more powerful (perhaps in the sense that they occupy a particular position, or are experts in their field) this should not encourage us to fall into the trap of seeing the other party as powerless. For example, Erving Goffman has provided us with numerous examples of how the performance of one party in an encounter depends on getting the right sorts of cues and responses from

other participants. When these are denied or subverted in some way then the performance becomes problematic. Thus managers, for example, require information from their subordinates in order to function. The subordinate, by managing the flow and character of information is in a position to affect how a manager sees an issue or situation.

Second, it is not possible to eliminate power differentials in supervision. Some writers have argued strongly for more dialogical approaches to supervision in order to 'flatten' unequal relations and to allow interaction across 'difference' (e.g. Waite 1995). Yet even in such forms there are power relationships - e.g. the supervisor is responsible to the community of practice. However, this need not be a one-way relationship. Here it is useful to think of supervisees also as members of the professional community (Waite 1995: 137 - 141). They may already be 'full' members (recognized and qualified) or apprentices. As such supervisors can be held accountable for the quality of the service they provide; and supervisees for their practice with clients. Both have a responsibility to participate appropriately in the professional community of which they are a part.

Third, and linked to the above, we need to bear in mind questions of authority. Power is often discussed alongside questions of authority. When we talk of the authority of the supervisor, for example, what we can mean is that the supervisor has some sort of right or entitlement to act in relation to the supervisee. Managers occupy a certain position in the agency and with this is associated the ability to direct the labours of their staff. There are various formal and informal 'rules' within which this may take place. Some activities may be seen as legitimate, others as not [3]. The same applies to supervisors undertaking their work to meet the requirements of professional training programmes. To operate, the actions of supervisors must be seen as legitimate - by the supervisee and by significant others. Thus, in certain situations supervisors may be in a position to effectively impose their requirements on supervisees (for example, around the way in which someone records). This they may do through the threat of sanctions such as a 'bad' assessment, or the allocation of unrewarding work. However, such actions may not be viewed as legitimate by the supervisee or other interested parties. In other words, their authority is

questioned.

### **The college or training programme supervisor**

At this point it may be useful to reflect more fully on the role of the supervisor within professional training programmes such as those involved with informal and community education.

For the professional or non-managerial supervisor within a training programme the lines of their authority are fairly clear. They act on behalf of the profession or community of practice. Students within programmes are having to develop, and provide evidence concerning, their work so that they may be recognized as qualified to join the professional community. Supervisors agree to provide a certain number of sessions and an assessment of supervisees' abilities for the training provider. The training provider, in turn, is accredited act for the profession by a relevant professional body (in the case of the College's informal and community education programmes this is CeVe Scotland and the English National Youth Agency).

A supervisor may also hold some form of line-managerial responsibility for the student-worker. In their supervision of the student-worker they will, thus, want to represent the interests of the agency and safeguard the quality of service offered to the agency's clientele. At the same time their involvement within the training programme highlights their responsibility to the community of practice or profession. Perhaps the best way of representing this is as a dual line of authority - to the profession and to the agency.

Training programmes are one of the few areas within informal and community education in Britain and Ireland where there is something approaching a formal mechanism linking supervision and the community of practice. We do not have full professional associations, nor codes of ethics. However, with the development of the accreditation of fieldwork supervisors and of training programmes - especially in Scotland - we have the beginnings of a technical framework (CeVe 1995).

### **Mentoring and clinical supervision**

Talk of training brings me round to some variations or additions to the supervisors' role. In some settings, the supervisor is asked to become more of a practice teacher or mentor. Their task is not just to enable the supervisee to reflect on practice and to develop new understandings and ways of working, but also to teach in a more formal sense. Mentors and practice teachers may well need to instruct a student-worker on how to proceed in a particular situation; or to provide theoretical insights. This comes closer to the apprentice-master/mistress relationship with which we began this discussion. Mentors are skilled performers - they can be observed, consulted and their actions copied.

For my own part I know that I am apt to slip into a 'telling' mode more often than I ought within a supervision framework - so I have to attend to this area. The line I try to apply in this area runs something like the following:

1. Supervision is a space for the supervisee to explore their practice, to build theory, attend to feelings and values, and to examine how they may act.
2. The supervisor should only switch into a more instructional mode where they are reasonably certain that the supervision process will be enhanced by their doing so.
3. Such 'instructional interludes' should remain interludes i.e. they should as far as is possible be brief and oriented to resuming exploration.

I suppose the key idea underlying this is that we should not act to undermine supervisees' ability and commitment to take responsibility for exploring their practice. All this is not to say that the supervisor, outside the supervision session, should not also have an instructional role. However, where they do so there is always the danger that expectations in one setting (the instructional) may be carried across into another (supervision). Here supervisors will have to make clear the difference between the two forms - and mark the boundary in some way e.g. by sitting in a different way, or waiting for the supervisee to begin the session.

### ***Clinical supervision***

Instruction and supervision can get confused in the arena of educational supervision. This form of supervision is sometimes described as 'clinical'. This way of describing or approaching supervision derives from medical experience. It has been popularized in teacher training - especially in North America. As Cogan (1973: 8) one of the pioneers of the approach in education has commented, the use of the term 'clinical' has involved some resistance, but what he particularly wanted to highlight was use of direct observation in the approach. Apprentice surgeons learn their trade by first observing the skilled practitioner at work; then by undertaking surgery under close surveillance. In this way they begin to develop their 'professional artistry' (Schön 1983; 1987).

A working definition of clinical supervision has been given by Goldhammer *et al* (1993: 4) in what has become pretty much the set text on the field:

Clinical supervision is that aspect of instructional supervision which draws upon data from direct firsthand observation of actual teaching, or other professional events, and involves face-to-face and other associated interactions between the observer(s) and the person(s) observed in the course of analyzing the observed professional behaviours and activities and seeking to define and/or develop next steps toward improved performance.

I think it is helpful to think of clinical supervision as a subset of educational supervision rather than confusing the two. Some approaches to supervision benefit directly from the fact that the supervisor has not observed practice. This is because supervisees have to articulate what happened - and what they were thinking and feeling. It is much easier for us as supervisors to focus on what was happening for the practitioner if we are not encumbered by our own direct memories of the encounter or incident.

On the other hand, directly observed practice also has its benefits. As we have seen it allows for feedback and the facility for the supervisor to introduce other material from the situation. Managerial supervisors will often engage in this form of activity on a day-to-day basis



## **Conclusion**

In this discussion particular questions have been highlighted. Some of the main points developed are as follows:

1. The central focus of supervision is the quality of practice offered by the supervisee to clients.
2. Supervision can be seen as having three aspects: administration (normative); education (formative) and support (restorative).
3. Supervisors' authority is derived from their positions in agencies and/or the appropriate community of practice (profession).
4. There are particular issues arising from the hierarchical position of supervisors.
5. In some forms of supervision direct observation of practice is a major obstacle to the exploration of practice; in others an aid.

I am conscious that I have left a number of important questions unasked or unanswered. The various issues discussed here have particular implications for what areas legitimately may be discussed within supervision; what supervisors themselves may put on the agenda, and so on.

## **Notes**

[1] Actually Hawkins and Shohet use the term 'managerial' to describe the administrative category in Kadushin's scheme.

[2] This is why in this item I like to use the term professional supervision rather than consultant or non-managerial supervision.

[3] The classic statement of this position was made by Max Weber. he described such authority as 'rational-legal' (in contrast to traditional and charismatic forms of authority). See Gerth and Mills (1948) pp. 245-252.

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## **Links**

**Kieran's Home Page For Social Work Supervisors:** various papers on supervision plus links.

**Socialworkresearch.org:** some useful articles on supervision.

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<b>Category and Module</b>	<b>Competency</b>	<b>Learning Objectives</b>
Mission, Ethics, Values, Law, Policy and Liability	Ability to understand and articulate the ethical standards that guide child welfare practice	Can articulate the ethics that guide CA child welfare practice to specific cases
	Ability to define and articulate personal values that guide the work of child welfare	Can understand the role of supervisory decision-making in child welfare
	Ability to understand legal ramifications of decision-making in child welfare	Understands legal requirements such as confidentiality, staff and agency liability, grievance process and legal rights
	Ability to understand and articulate agency policies and procedures specific to child welfare supervision	Can identify and apply agency policies and procedures using CA webpage



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# ETHICAL SUPERVISION

## AGENDA

1:15 – 2:30 PM Introduction; Definitions;  
An Ethic of Public Service

2:30 – 2:45 PM *Break*

2:45 – 3:30 PM Preventing Emotional Injury

3:30 – 4:30 PM Ethical Dilemmas

**Ethical**

"The discipline dealing with what is good and bad and with moral duty and obligation."

"The code of conduct or behavior governing an individual or group."

"The ideals, beliefs or standards that characterize or pervade a group, community or people."

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**Principle**

"A comprehensive and fundamental rule, doctrine or assumption."

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**Moral**

"Conforming to a standard of what is right and good."

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**Ethical Principles**

"Those fundamental rules of conduct which serve the common good."

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**Ethical Supervision**

"Principles of conduct which protect persons being supervised from exploitation or harm at the hands of supervisors and assist employees in the performance of their job duties and their professional development."

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**Ethical Supervision**

"Principles of conduct which demonstrate respect for the rights of others and genuine concern for the well being of children and parents served by the agency."

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"... the central problem of ethics; how the lives, interests and welfare of others makes claims on us and how these claims are to be reconciled with the aim of living our own lives."

Thomas Nagel, The View from Nowhere

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- Make it safe to tell the truth.
- Support subordinate leaders' professional growth.
- Build their competence to assess situations and take the initiative to develop adaptive solutions.

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- Mentor, rather than intimidate, subordinate leaders.
- Require subordinate leaders to study their profession.

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• Take responsibility for setting mission and priorities, not assigning every task as "highest priority, to be done immediately".

• Support self-maintenance, rather than defeat it.

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• Tell the truth and make it safe to tell the truth.

• Leadership truthfulness at all levels means eliminating perverse incentives to look good at the expense of *being* good.

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Use power in accordance with "what's right".

Nothing destroys trust in the chain of command so quickly as a leader's exploitation of institutional power to coerce a private gain from subordinates, be it sexual, financial, or careerist.

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Everyone watches the trustworthiness of those who wield power above them; and this "fishbowl factor" is far-reaching.

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Trust is the master concept that links cohesion, leadership, and training. In fact, they are the things that build trust.

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## **Ethical Conflict Examples**

1. A supervisor becomes aware that an acquaintance of hers is dating a man whom she knows to have a history of domestic violence. The supervisor's total knowledge of this man's DV history is based on a CPS case record; the case is currently open within her unit. The supervisor's acquaintance is about to become engaged to this man with the considerable DV history.

What should the supervisor do?

2. A social worker within Ann's unit returns from a joint police / CPS interview of an alleged perpetrator of torture of a child, stating that the child's step-father confessed to abusing the child. When asked to describe the interview, the social worker is reluctant to go into detail. "Doug (the detective) asked me not to talk about it." "His approach was a little unorthodox." Ann then demands an explanation. "He kept asking the guy (the step-father) the same questions in a more and more intimidating tone." "He got in the guy's face and demanded the truth." "He pushed him against the wall, and pinned him there." However, the social worker maintains that the detective didn't actually hit the step-father. The social worker is convinced that the step-father's confession was truthful. "He knew a lot of details he couldn't have known unless he's guilty." The 4 year old child in this case will not talk about how he received his burn injuries. "Without this confession, we may lose this case at trial," the social worker states. "The child's life will be in jeopardy if he's returned home." "Furthermore, I have to work with the police." "I can't be ratting out a detective who was a bit over zealous."

What should Ann do?

3. Cheryl, a 14 month old child, has lived in the Baker foster home since she was a month old. Cheryl is strongly attached to her foster parents. Neither the mother or father has complied with the service plan and the CWS social worker is about to file for termination of parental rights. At this point, the paternal grandparents in Colorado contact the CWS social worker and state that they want to adopt the child. The paternal grandmother is a nurse and the grandfather is a high school principal. They appear to be an excellent family. The social worker tells the grandparents that the plan is for Cheryl to be adopted by the foster parents. The social worker has the support of the guardian ad litem. Don, the supervisor, supports the foster parents because of the length of time Cheryl has lived with the foster parents, the quality of parenting the child has received and because both grandparents work while the foster mother is home all day. However, the grandparents appeal to the Area Administrator who then involves the RA in the review. The RA orders the supervisor to initiate an interstate compact request in order to obtain a home study of the grandparents. When the home study of the grandparents is received describing the

grandparents as "an outstanding family universally admired and even loved by colleagues," and "wonderful grandparents to their several grandchildren", the RA decides that Cheryl should be moved to the grandparents' home. By this time, Cheryl is 17 months old, a healthy, happy toddler deeply loved by her foster parents. The RA orders the supervisor to represent the CA position in court; but the guardian ad litem knows that the supervisor has been (until now) supportive of the foster parents. The RA is adamant that "supervisors are a part of management and managers must advocate for the agency's plan."

What should the supervisor do?

4. Blake, a 14 year old, is suspended from middle school in mid-February, for telling a teacher to "fuck off" after being told to quiet down. This is one of several instances of defiant and oppositional behavior with school staff. Blake then meets with the principal who refuses to readmit Blake or set a date for his readmission to the school setting because of Blake's attitude. The principle says to the social worker "I'll readmit him when he (Blake) apologizes and means the apology." Until his attitude changes, I don't want him around here."

The school principal has been a strong supporter of the CA office and is active in almost every community collaboration on behalf of high risk youth. Meanwhile, the foster parents, both of whom work, tell the social worker that unless Blake is readmitted to school in the near future, he will have to be moved. Blake has already burned out several foster homes, and the social worker has no good placement alternative.

Does the social worker have a duty to advocate for Blake with the principle and the school district?

5. Blake has been placed on Wellbutrin, an anti-depressant, Ritalin and, most recently, Lithium for manic-depressive disorder by the foster parent's physician. However, the only psychiatric diagnosis documented in the case file is ADHD. Blake has not been in mental health treatment for over a year; the local mental health center will not approve conduct disordered youth for treatment. The local mental health assessment states that Blake is "oppositional defiant" with ADHD but says nothing about depression or manic depressive disorder. The foster parents are adamant that it is only the psychotropic meds which allow them to keep Blake in their home.

Does the social worker have an ethical duty in this situation?

<b>Category and Module</b>	<b>Competency</b>	<b>Learning Objectives</b>
Supervision and Legal Issues	Ability to understand the legal requirements affecting the supervision of child welfare programs	Can monitor casework to be consistent with Federal, state, agency policies and procedures
	Ability to understand and apply RCWs, WACs, and Federal Laws to child welfare practice	Can access RCWs, WACs, and Federal statutes from the CA Webpage
	Ability to understand legal ramifications of decisions in child welfare practice	Can apply agency policies and procedures and understand how they relate to best practice

**Understand and comply with all relevant federal and state laws, regulations, policies and rules**

The following laws, at a minimum, are essential for the supervisor to understand and have a general working knowledge of:

RCW Chapter 13.34 (dependency, guardianship and termination proceedings)

RCW Chapter 26.44 (child abuse and neglect, mandatory reporting and CAPTA)

RCW Chapter 74.13 (child welfare services, foster care)

RCW Chapter 74.15 (licensing, relatives)

RCW Chapter 13.50 (child welfare records disclosure)

RCW Chapter 26.34 (ICPC)

25 U.S.C. §§1901-1963 Indian Child Welfare Act (ICWA)

RCW 26.33 (adoption) Adoption Unit Supervisors

RCW 13.32A (CHINS and ARY) FRS Unit Supervisors

WAC Chapter 388-15 (CPS investigations and CAPTA hearings)

WAC Chapter 388-25 (foster care)

**Other:** More general knowledge may be sufficient, but know they exist:

Titles IV-B and IV-E of the Social Security Act, including the Adoption and Safe Families Act (ASFA), 42 U.S.C. §§ 620-679 and the ASFA Regulations, 45 C.F.R. Parts 1355, 1356, 1357

Child Abuse Prevention Treatment Act (CAPTA), 42 U.S.C. §5101

Multi-Ethnic Placement Act (MEPA), as amended by the Inter-Ethnic Adoption Provisions of 1996 (MEPA-IEP) 42 U.S.C. § 622 (b)(9)

Foster Care Independence Act of 1999, P.L. 106-169

State laws concerning privilege and confidentiality, public benefits, education, and disabilities



**OVERVIEW OF FEDERAL AND STATE LAWS  
RELATING TO CHILD WELFARE SERVICES**

I. Federal Legislation Affecting Services to Children

A. The Social Security Act, Title XX Program

This program furnishes services directed at preventing or remedying abuse or neglect, reunifying or preserving families, and providing services to persons in institutions.

B. The Social Security Act, Title IV B, Child Welfare Services Program

The purpose is to help state and local agencies provide preventive and protective services for children, including foster care.

C. The Social Security Act: The Adoption Assistance and Child Welfare Act of 1980, Public Law 96-272

The purpose is to enact reforms designed to ensure that children placed in foster care are either returned home, placed for adoption, or placed in some other stable, long-term situation within a reasonable time after they are received into care.

D. The Child Abuse Prevention and Treatment Act, Public Law 93 -247

This was enacted in 1974 to assist states, localities, and other organizations to develop preventative programs and services of abused and neglected children and their families. It established the National Center for Child Abuse and Neglect. It called for a complete study of the incidence of CA/N as well as research into the causes, prevention, identification, and treatment of CA/N. States became eligible for federal monies when they met certain conditions. Those conditions included a state reporting law; an investigation procedure for substantiation, trained personnel to deal with the problem, and defined child abuse and neglect.

E. The Indian Child Welfare Act of 1978, Public Law 95-608

This protects the best interests of Indian children and was enacted to promote the stability and security of Indian tribes and families. It establishes minimum federal standards for the removal of Indian children from their families and placed in foster or adoptive homes. It allows Indian tribes to assert jurisdiction over the children.

**2. The Assistant Attorney General is responsible for representing the Department of Social and Health Services in dependency proceedings.**

Participants in a dependency proceeding typically include the court, either a superior court judge or commissioner; DSHS, in the person of the social worker assigned to the case; an Assistant Attorney General (AAG) or deputy prosecuting attorney representing DSHS; the parents and their attorneys; and the child, represented by either a guardian ad litem (GAL) or an attorney depending on his or her age.

The Office of the Attorney General provides legal representation to DSHS as it does to all state agencies pursuant to RCW 43.10.040.<sup>1</sup>

The attorney general shall also represent the state and all officials, departments, boards, commissions and agencies of the state in the courts, and before all administrative tribunals or bodies of any nature, in all legal or quasi legal matters, hearings, or proceedings, and advise all officials, departments, boards, commissions, or agencies of the state in all matters involving legal or quasi legal questions, except those declared by law to be the duty of the prosecuting attorney of any county.

RCW 13.04.093 further defines the duty of the attorney general in representing the department in dependency proceedings and provides in part:

[I]t shall be the duty of the attorney general to handle dependency cases under chapter 13.24 RCW. It shall be the duty of the attorney general in contested cases brought by the department to present the evidence supporting any petition alleging dependency or seeking the termination of a parent and child relationship or any contested case filed under RCW 26.33.100 or approving or disapproving out-of-home placement.<sup>2</sup>

This duty is consistent with normal attorney-client relationships and is also consistent with Rule 1.2(a) of the Rules of Professional Conduct for attorneys which provides that a lawyer shall abide by a client's decisions concerning the objectives of representation, with some limitations, and shall consult with the client as to the means by which they are to be pursued.

There is no legal authority for an AAG to conduct independent investigations in dependency cases, as is sometimes suggested in these cases. Such an action would generally be inconsistent with the attorney-client relationship between the AAG and DSHS. DSHS social workers are trained professionals charged with carrying out defined statutory duties in providing child welfare services to children and families. See RCW 13.34.136 (defining this duty in the context of permanency planning); RCW 13.34.062,

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<sup>1</sup> The Office of the Attorney General contracts with the prosecuting attorneys or appoints Special AAG's to provide representation for DSHS in dependency and termination cases in 10 rural counties in the State. For all purposes related to this memo, they have the same attorney-client relationship with DSHS as regularly appointed AAG's.

<sup>2</sup> The statutory references in this statute are incorrect. Chapter 13.24 RCW should be chapter 13.34 RCW.

.065; .094, .120 and .130; RCW 74.13.031. Simply stated, the social worker has the responsibility for case planning and for developing recommendations for placement and services to the court and the AAG provides legal advice and representation to the department.<sup>3</sup>

To some extent the role of the AAG in a dependency proceeding is analogous to that of a prosecutor in a criminal case. For the most part prosecutors rely on the expertise of law enforcement to develop a case and do not conduct independent investigations. This relationship is addressed in Rule of Professional Conduct 3.8, which does not include a duty or responsibility to conduct an independent investigation.

While the AAG does not have specific authority to conduct independent investigations in dependency cases, the guardian ad litem does. RCW 13.34.105 defines the duties of a GAL in a dependency proceeding to include:

- (a) To investigate, collect relevant information about the child's situation, and report to the court factual information regarding the best interests of the child;
- (b) To monitor all court orders for compliance and to bring to the court's attention any change in circumstances that may require a modification of the court's order;
- (c) To report to the court information on the legal status of a child's membership in any Indian tribe or band;
- (d) Court-appointed special advocates and guardians ad litem may make recommendations based upon an independent investigation regarding the best interests of the child, which the court may consider and weigh in conjunction with the recommendations of all of the parties; and
- (e) To represent and be an advocate for the best interests of the child.

This is not to say that the assigned AAG does not or should not ascertain relevant facts in these cases and review the in-depth investigations done by the social worker as part of his or her job. For instance, if an AAG is preparing for a fact finding in a dependency or termination case, he or she would most likely interview any witnesses identified by the social worker. The role of the AAG generally is to advise a social worker on the legal sufficiency of the department's proposed actions and rely on the social worker to gather any additional facts or information that may be needed. Part of this involves advising the social worker to make sure he or she has conducted an adequate investigation and complied with relevant department policies and standards. In other words, the obligation of the AAG is not to conduct the investigation, but to help ensure that the requisite investigations are done.

However, there may be certain situations that, when present in a dependency case, should prompt the AAG to inquire further of the social worker and others involved in the case.

First, when the AAG knows that a case involves allegations of serious physical or sexual abuse, I would expect an AAG to ensure that all medical evidence was reviewed by a qualified expert and to counsel against proceeding with any change to the case plan

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<sup>3</sup> The AGO has worked with DSHS in developing training materials on the dependency process for new social workers, part of which address the respective roles of the participants. The sections on the roles of the social workers and AAG's are attached to this memo.

until that had been done. However, once a review of the evidence had been done by someone with the necessary level of experience and expertise, I would not expect an AAG to conduct further inquiry unless he or she was preparing a declaration from the physician or was going to call the physician as a witness.

Second, if the AAG knew that the social worker's recommendation for placement was return to the parents and there were any concerns regarding past abuse or future risk, I would expect an AAG to advise the social worker to make sure that the case was presented to a Community Protection Team (CPT). CPT's were established by Executive Order 95-04 by Governor Mike Lowry in 1995 and DSHS social workers are required to utilize them in certain defined situations, including cases "where serious professional disagreement exists about a risk of death or serious injury" and in "complex child protection cases where such consultation will help improve outcomes for children." It is not necessary for the AAG to participate in the CPT staffing, as long as he or she knows one is taking place on a timely basis and can be reasonably certain that the social worker will present all relevant information to the CPT members.

Third, if the assigned AAG knows that there is a dispute within DSHS that may impact child safety, placement or permanency planning, the AAG should encourage the involved department employees to collaborate to resolve the issues in a manner consistent with the health, safety and welfare or the best interests of the involved child or children. Such disputes may arise between CPS and CWS social workers or between the social worker assigned to a child's case and a licensor or investigator from the Division of Licensed Resources (DLR). If such disputes arise, it is important to remember that we represent the department, not individual social workers, and we should take steps to have the dispute addressed at whatever level is necessary, up to and including the office of the Assistant Secretary for the Children's Administration, to ensure that DSHS achieves and implements an agency position on the issue.

On these issues, and others of a similar nature, it is a reasonable expectation for an AAG to review the case and take the steps necessary to ensure that the department follows statute and policy and consults when appropriate with available experts in the community.

This represents my opinion as juvenile litigation coordinator for the Office of the Attorney General and is not a formal opinion of the office.

## **DSHS Training Materials on Roles and Responsibilities:**

### **Social Worker for the Agency**

The social worker represents the Department of Social and Health Services (DSHS), Division of Children and Family Services (DCFS). The social worker's duties include compliance with state and federal laws as well as agency policies. Part of the social worker's duties include appearing as agent for DSHS/DCFS in court actions. Many workers' duties include significant work at the court.

The worker is responsible for providing the court with service plans when a child and their family falls under the jurisdiction of the court. In that role they maintain a working/helping relationship with parents and the child before, during and after court intervention. In addition they facilitate and/or provide supportive services to the child and the family.

### **Attorney for the Agency**

The attorney for DSHS/DCFS represents the agency and ultimately the State. In Washington, DCFS is represented by the Office of the Attorney General (AGO). Generally, Assistant Attorneys General will represent and advise the social worker. In some counties, Deputy Prosecutors or Special Assistant Attorneys general contract with the AGO to represent the agency.

Functions of the attorney representing the agency include:

- ◆ Advise the agency and represent it in litigation;
- ◆ Work with the social worker (and those in the social worker's chain of command as necessary) to evaluate whether the evidence in the case is legally sufficient to support court intervention;

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- ◆ Consult on language of the dependency petition and prepare many of the legal documents to be used in the case;
- ◆ Clarify the purposes, procedures and objectives of different types of hearings for the social worker and other actors in the system;
- ◆ Consult with the social worker regarding potential witnesses, including the necessity for expert witnesses; subpoena and otherwise arrange for witnesses' appearance at hearings;
- ◆ Plan with the social worker to ensure all relevant evidence is presented to the court to ensure that the court has information necessary to make an informed decision;
- ◆ Prepare the social worker and other witnesses to testify; analyze potential questions/responses in direct and cross examination; evaluate expert testimony and reports; discuss matters of demeanor and court culture;
- ◆ Review reports submitted to the court;
- ◆ Provide legal issues training for child welfare staff.

**Attachment**

**B-1 Models of Agency Attorney Representation:** There are two basic models of agency representation:

**Agency Representation Model:** Under this model, the agency attorney represents the agency as a legal entity, much the same as in-house counsel's role in representing a corporation.<sup>2</sup> The attorney could be an employee of the agency or of another governmental body, but the agency is clearly the defined client. Some of the benefits of this model include:

- reliance on agency's familiarity with a child and family in decision making;
- value placed on the agency's expertise in making decisions regarding the safety, permanency and well-being of children and on the lawyer's legal expertise on legal matters;
- consistent decision making and interpretation of laws;
- legal action supported by caseworker opinion, thus boosting caseworker credibility in court, for example, in deciding when to file an initial petition; and,
- the attorney is very familiar with the agency and its practices and policies.

One drawback to this model is that caseworkers may believe the attorney represents them personally rather than the agency as a whole. While in practice this may generally be true because the caseworker is the voice for the agency in court, the agency attorney must clearly communicate that he or she represents the agency as an entity and should use the conflict resolution system (refer to D-1 below) when the caseworker's opinion varies from agency policy or the attorney has reason to question the caseworker's decision.<sup>3</sup>

**Prosecutorial Model:** Under this model, an elected or appointed attorney (or the attorneys working for this individual), often a district attorney or county attorney, files petitions and appears in court on behalf of the agency, and represents the state or "the people" of the jurisdiction. This may mean the elected attorney may override the views of the agency in court. One positive aspect of this model is that the attorney may be more in tune with the wishes and beliefs of the community and how the community feels about handling child welfare cases. Concerns with this model include:

- the caseworker is often the only party in court without an attorney speaking for him or her;
- the caseworker's expertise may be ignored, as the attorney has the ultimate say;
- the attorney may be handling all the business for the community and therefore not be able to specialize in child welfare law;
- political agendas may play a large role in decision-making;
- the agency as a whole may not be getting legal advice on policy issues;
- the attorney's personal beliefs about issues such as permanency rather than caseworker expertise dictate what will happen for a child; and,
- potential conflicts of interest may arise, such as when the prosecutor is pursuing a delinquency petition against a child who is in the agency's custody.<sup>4</sup>

**Commentary:** No matter what model of representation, it is essential that the agency attorney and agency communicate clearly about which model applies. Each should understand who makes the ultimate decisions in different circumstances and there should

be a method for resolving a decision making conflict, should it arise. In each model, there will be times when decision-making roles are unclear and open communication is essential. The agency attorney and agency should understand the attorney's role and responsibilities concerning advising and protecting the agency on liability issues. Additionally, no matter which representation model is used, the agency attorney must understand his or her role with respect to private agencies with whom the agency contracts. The most important issues are that children are safe, their needs are met, and their families are treated fairly.



# THE DEPENDENCY PROCESS

## 1. LEGAL BASIS FOR DEPENDENCY

### RCW 13.34.020

#### Legislative declaration of family unit as resource to be nurtured – Rights of child.

The legislature declares that the family unit is a fundamental resource of American life which should be nurtured. Toward the continuance of this principle, the legislature declares that the family unit should remain intact unless a child's right to conditions of basic nurture, health, or safety is jeopardized. When the rights of basic nurture, physical and mental health, and safety of the child and the legal rights of the parents are in conflict, the rights and safety of the child should prevail. In making reasonable efforts under this chapter, the child's health and safety shall be the paramount concern. The right of a child to basic nurturing includes the right to a safe, stable, and permanent home and a speedy resolution of any proceeding under this chapter.

### RCW 13.34.030

#### Definitions.

For purposes of this chapter:

(3) "Current placement episode" means the period of time that begins with the most recent date that the child was removed from the home of the parent, guardian, or legal custodian for purposes of placement in out-of-home care and continues until: (a) The child returns home; (b) an adoption decree, a permanent custody order, or guardianship order is entered; or (c) the dependency is dismissed, whichever occurs first.

(5) "Dependent child" means any child who:

- (a) Has been abandoned;
- (b) Is abused or neglected as defined in chapter 26.44 RCW by a person legally responsible for the care of the child; or
- (c) Has no parent, guardian, or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development.

(11) "Out-of-home care" means placement in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW or placement in a home, other than that of the child's parent, guardian, or legal custodian, not required to be licensed pursuant to chapter 74.15 RCW.

(13) "Shelter care" means temporary physical care in a facility licensed pursuant to RCW 74.15.030 or in a home not required to be licensed pursuant to RCW 74.15.030.

(14) "Sibling" means a child's birth brother, birth sister, adoptive brother, adoptive sister, half-brother, or half-sister, or as defined by the law or custom of the Indian child's tribe for an Indian child as defined in 25 U.S.C. Sec. 1903(4).

### RCW 13.34.040

#### Petition to court to deal with dependent child

(1) Any person may file with the clerk of the superior court a petition showing that there is within the county, or residing within the county, a dependent child and requesting that the superior court deal with such child as provided in this chapter. There shall be no fee for filing such petitions.

## **2. SHELTER CARE**

### **RCW 13.34.060**

#### **Shelter care -- Placement -- Notice of custody and rights to be given to parties.**

(1) A child taken into custody pursuant to RCW 13.34.050 or 26.44.050 shall be immediately placed in shelter care.

(a) Unless there is reasonable cause to believe that the health, safety, or welfare of the child would be jeopardized or that the efforts to reunite the parent and child will be hindered, priority placement for a child in shelter care shall be with any person described in RCW 74.15.020(2)(a). The person must be willing and available to care for the child and be able to meet any special needs of the child. The person must be willing to facilitate the child's visitation with siblings, if such visitation is part of the supervising agency's plan or is ordered by the court. If a child is not initially placed with a relative pursuant to this section, the supervising agency shall make an effort within available resources to place the child with a relative on the next business day after the child is taken into custody. The supervising agency shall document its effort to place the child with a relative pursuant to this section. Nothing within this subsection (1)(a) establishes an entitlement to services or a right to a particular placement.

(b) Whenever a child is taken into custody pursuant to this section, the supervising agency may authorize evaluations of the child's physical or emotional condition, routine medical and dental examination and care, and all necessary emergency care. In no case may a child who is taken into custody pursuant to RCW 13.34.055, 13.34.050, or 26.44.050 be detained in a secure detention facility. No child may be held longer than seventy-two hours, excluding Saturdays, Sundays and holidays, after such child is taken into custody unless a court order has been entered for continued shelter care. The child and his or her parent, guardian, or custodian shall be informed that they have a right to a shelter care hearing. The court shall hold a shelter care hearing within seventy-two hours after the child is taken into custody, excluding Saturdays, Sundays, and holidays. If a parent, guardian, or legal custodian desires to waive the shelter care hearing, the court shall determine, on the record and with the parties present, whether such waiver is knowing and voluntary.

(2) Whenever a child is taken into custody by child protective services pursuant to a court order issued under RCW 13.34.050 or when child protective services is notified that a child has been taken into custody pursuant to RCW 26.44.050 or 26.44.056, child protective services shall make reasonable efforts to inform the parents, guardian, or legal custodian of the fact that the child has been taken into custody, the reasons why the child was taken into custody, and their legal rights under this title as soon as possible and in no event shall notice be provided more than twenty-four hours after the child has been taken into custody or twenty-four hours after child protective services has been notified that the child has been taken into custody. The notice of custody and rights may be given by any means reasonably certain of notifying the parents including, but not limited to, written, telephone, or in person oral notification. If the initial notification is provided by a means other than writing, child protective services shall make reasonable efforts to also provide written notification.

### **RCW 13.34.062**

#### **Shelter care -- Shelter care order**

(3) Reasonable efforts to advise and to give notice, as required in RCW 13.34.060(2) and subsections (1) and (2) of this section, shall include, at a minimum, investigation of the whereabouts of the parent, guardian, or legal custodian.

(4) The court shall hear evidence regarding notice given to, and efforts to notify, the parent, guardian, or legal custodian and shall examine the need for shelter care. The court shall hear

evidence regarding the efforts made to place the child with a relative. The court shall make an express finding as to whether the notice required under RCW 13.34.060(2) and subsections (1) and (2) of this section was given to the parent, guardian, or legal custodian. All parties have the right to present testimony to the court regarding the need or lack of need for shelter care. Hearsay evidence before the court regarding the need or lack of need for shelter care must be supported by sworn testimony, affidavit, or declaration of the person offering such evidence.

(5)(a) A shelter care order issued pursuant to RCW 13.34.065 shall include the requirement for a case conference as provided in RCW 13.34.067. However, if the parent is not present at the shelter care hearing, or does not agree to the case conference, the court shall not include the requirement for the case conference in the shelter care order.

(b) If the court orders a case conference, the shelter care order shall include notice to all parties and establish the date, time, and location of the case conference which shall be no later than thirty days prior to the fact-finding hearing.

(6) A shelter care order issued pursuant to RCW 13.34.065 may be amended at any time with notice and hearing thereon. The shelter care decision of placement shall be modified only upon a showing of change in circumstances. No child may be placed in shelter care for longer than thirty days without an order, signed by the judge, authorizing continued shelter care.

**RCW 13.34.065**  
**Shelter care**

(2) The court shall release a child alleged to be dependent to the care, custody, and control of the child's parent, guardian, or legal custodian unless the court finds there is reasonable cause to believe that:

(a) After consideration of the specific services that have been provided, reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home; and

(b)(i) The child has no parent, guardian, or legal custodian to provide supervision and care for such child; or

(ii) The release of such child would present a serious threat of substantial harm to such child; or

(iii) The parent, guardian, or custodian to whom the child could be released has been charged with violating RCW 9A.40.060 or 9A.40.070.

If the court does not release the child to his or her parent, guardian, or legal custodian, and the child was initially placed with a relative pursuant to RCW 13.34.060(1), the court shall order continued placement with a relative, unless there is reasonable cause to believe the health, safety, or welfare of the child would be jeopardized. If the child was not initially placed with a relative, and the court does not release the child to his or her parent, guardian, or legal custodian, the supervising agency shall make reasonable efforts to locate a relative pursuant to RCW 13.34.060(1). If a relative is not available, the court shall order continued shelter care or order placement with another suitable person, and the court shall set forth its reasons for the order.

(3) An order releasing the child on any conditions specified in this section may at any time be amended, with notice and hearing thereon, so as to return the child to shelter care for failure of the parties to conform to the conditions originally imposed.

The court shall consider whether nonconformance with any conditions resulted from

circumstances beyond the control of the parent and give weight to that fact before ordering return of the child to shelter care.

**RCW 13.34.067**

**Shelter care – Case conference – Service agreement.**

(1) Following shelter care and no later than thirty days prior to fact-finding, the department shall convene a case conference as required in the shelter care order to develop and specify in a written service agreement the expectations of both the department and the parent regarding voluntary services for the parent.

The case conference shall include the parent, counsel for the parent, caseworker, counsel for the state, guardian ad litem, counsel for the child, and any other person agreed upon by the parties. Once the shelter care order is entered, the department is not required to provide additional notice of the case conference to any participants in the case conference.

The written service agreement expectations must correlate with the court's findings at the shelter care hearing. The written service agreement must set forth specific services to be provided to the parent.

**RCW 13.34.070**

**Hearing, when**

(1) Upon the filing of the petition, the clerk of the court shall issue a summons, one directed to the child, if the child is twelve or more years of age, and another to the parents, guardian, or custodian, and such other persons as appear to the court to be proper or necessary parties to the proceedings, requiring them to appear personally before the court at the time fixed to hear the petition. The fact-finding hearing on the petition shall be held no later than seventy-five days after the filing of the petition, unless exceptional reasons for a continuance are found. The party requesting the continuance shall have the burden of proving by a preponderance of the evidence that exceptional circumstances exist. To ensure that the hearing on the petition occurs within the seventy-five day time limit, the court shall schedule and hear the matter on an expedited basis.

**3. DEPENDENCY AND DISPOSITION**

**RCW 13.34.110**

**Hearings – Fact-finding and disposition**

(1) The court shall hold a fact-finding hearing on the petition and, unless the court dismisses the petition, shall make written findings of fact, stating the reasons therefor. The rules of evidence shall apply at the fact-finding hearing and the parent, guardian, or legal custodian of the child shall have all of the rights provided in RCW 13.34.090(1). The petitioner shall have the burden of establishing by a preponderance of the evidence that the child is dependent within the meaning of RCW 13.34.030.

(2)(a) The parent, guardian, or legal custodian of the child may waive his or her right to a fact-finding hearing by stipulating or agreeing to the entry of an order of dependency establishing that the child is dependent within the meaning of RCW 13.34.030. The parent, guardian, or legal custodian may also stipulate or agree to an order of disposition pursuant to RCW 13.34.130 at the same time.

(3) Immediately after the entry of the findings of fact, the court shall hold a disposition hearing, unless there is good cause for continuing the matter for up to fourteen days. If

good cause is shown, the case may be continued for longer than fourteen days. Notice of the time and place of the continued hearing may be given in open court. If notice in open court is not given to a party, that party shall be notified by certified mail of the time and place of any continued hearing.

**RCW 13.34.130**

**Order of disposition for a dependent child, alternatives – Petition seeking termination of parent-child relationship – Contact with siblings – Placement with relatives.**

If, after a fact-finding hearing pursuant to RCW 13.34.110, it has been proven by a preponderance of the evidence that the child is dependent within the meaning of RCW 13.34.030 after consideration of the social study prepared pursuant to RCW 13.34.110 and after a disposition hearing has been held pursuant to RCW 13.34.110, the court shall enter an order of disposition pursuant to this section.

(1) The court shall order one of the following dispositions of the case:

(a) Order a disposition other than removal of the child from his or her home, which shall provide a program designed to alleviate the immediate danger to the child, to mitigate or cure any damage the child has already suffered, and to aid the parents so that the child will not be endangered in the future. In determining the disposition, the court should choose those services, including housing assistance, that least interfere with family autonomy and are adequate to protect the child.

(b) Order the child to be removed from his or her home and into the custody, control, and care of a relative or the department or a licensed child placing agency for placement in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW or in a home not required to be licensed pursuant to chapter 74.15 RCW. Unless there is reasonable cause to believe that the health, safety, or welfare of the child would be jeopardized or that efforts to reunite the parent and child will be hindered, such child shall be placed with a person who is: (i) Related to the child as defined in RCW 74.15.020(2)(a) with whom the child has a relationship and is comfortable; and (ii) willing and available to care for the child.

(2) Placement of the child with a relative under this subsection shall be given preference by the court. An order for out-of-home placement may be made only if the court finds that reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home, specifying the services that have been provided to the child and the child's parent, guardian, or legal custodian, and that preventive services have been offered or provided and have failed to prevent the need for out-of-home placement, unless the health, safety, and welfare of the child cannot be protected adequately in the home, and that:

(a) There is no parent or guardian available to care for such child;

(b) The parent, guardian, or legal custodian is not willing to take custody of the child; or

(c) The court finds, by clear, cogent, and convincing evidence, a manifest danger exists that the child will suffer serious abuse or neglect if the child is not removed from the home and an order under RCW 26.44.063 would not protect the child from danger.

(3) If the court has ordered a child removed from his or her home pursuant to subsection (1)(b) of this section, the court shall consider whether it is in a child's best interest to be placed with, have contact with, or have visits with siblings.

(a) There shall be a presumption that such placement, contact, or visits are in the best

Interests of the child provided that:

(i) The court has jurisdiction over all siblings subject to the order of placement, contact, or visitation pursuant to petitions filed under this chapter or the parents of a child for whom there is no jurisdiction are willing to agree; and

(ii) There is no reasonable cause to believe that the health, safety, or welfare of any child subject to the order of placement, contact, or visitation would be jeopardized or that efforts to reunite the parent and child would be hindered by such placement, contact, or visitation. In no event shall parental visitation time be reduced in order to provide sibling visitation.

(b) The court may also order placement, contact, or visitation of a child with a step-brother or step-sister provided that in addition to the factors in (a) of this subsection, the child has a relationship and is comfortable with the step-sibling.

(4) If the court has ordered a child removed from his or her home pursuant to subsection (1)(b) of this section, the court may order that a petition seeking termination of the parent and child relationship be filed if the requirements of RCW 13.34.132 are met.

(5) If there is insufficient information at the time of the disposition hearing upon which to base a determination regarding the suitability of a proposed placement with a relative, the child shall remain in foster care and the court shall direct the supervising agency to conduct necessary background investigations as provided in chapter 74.15 RCW and report the results of such investigation to the court within thirty days. However, if such relative appears otherwise suitable and competent to provide care and treatment, the criminal history background check need not be completed before placement, but as soon as possible after placement. Any placements with relatives, pursuant to this section, shall be contingent upon cooperation by the relative with the agency case plan and compliance with court orders related to the care and supervision of the child including, but not limited to, court orders regarding parent-child contacts, sibling contacts, and any other conditions imposed by the court. Noncompliance with the case plan or court order shall be grounds for removal of the child from the relative's home, subject to review by the court.

#### **RCW 13.34.132**

##### **Petition seeking termination of parent-child relationship -- Requirements**

A court may order that a petition seeking termination of the parent and child relationship be filed if the following requirements are met:

(1) The court has removed the child from his or her home pursuant to RCW 13.34.130;

(2) Termination is recommended by the supervising agency;

(3) Termination is in the best interests of the child; and

(4) Because of the existence of aggravated circumstances, reasonable efforts to unify the family are not required. Notwithstanding the existence of aggravated circumstances, reasonable efforts may be required if the court or department determines it is in the best interests of the child.

#### **RCW 13.34.136**

##### **Permanency plan of care**

(1) Whenever a child is ordered removed from the child's home, the agency charged with his or her care shall provide the court with:

(a) A permanency plan of care that shall identify one of the following outcomes as a primary goal and may identify additional outcomes as alternative goals: Return of the child to the home of the child's parent, guardian, or legal custodian; adoption; guardianship; permanent legal custody; long-term relative or foster care, until the child is age eighteen, with a written agreement between the parties and the care provider; successful completion of a responsible living skills program; or independent living, if appropriate and if the child is age sixteen or older.

(b) Unless the court has ordered, pursuant to RCW 13.34.130(4), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to return the child home, what steps the agency will take to promote existing appropriate sibling relationships and/or facilitate placement together or contact in accordance with the best interests of each child, and what actions the agency will take to maintain parent-child ties. All aspects of the plan shall include the goal of achieving permanence for the child.

(i) The agency plan shall specify what services the parents will be offered to enable them to resume custody, what requirements the parents must meet to resume custody, and a time limit for each service plan and parental requirement.

(ii) Visitation is the right of the family, including the child and the parent, in cases in which visitation is in the best interest of the child. Early, consistent, and frequent visitation is crucial for maintaining parent-child relationships and making it possible for parents and children to safely reunify. The agency shall encourage the maximum parent and child and sibling contact possible, when it is in the best interest of the child, including regular visitation and participation by the parents in the care of the child while the child is in placement. Visitation shall not be limited as a sanction for a parent's failure to comply with court orders or services where the health, safety, or welfare of the child is not at risk as a result of the visitation. Visitation may be limited or denied only if the court determines that such limitation or denial is necessary to protect the child's health, safety, or welfare. The court and the agency should rely upon community resources, relatives, foster parents, and other appropriate persons to provide transportation and supervision for visitation to the extent that such resources are available, and appropriate, and the child's safety would not be compromised.

(iii) A child shall be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being.

(iv) The agency charged with supervising a child in placement shall provide all reasonable services that are available within the agency, or within the community, or those services which the department has existing contracts to purchase. It shall report to the court if it is unable to provide such services; and

(c) If the court has ordered, pursuant to RCW 13.34.130(4), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to achieve permanency for the child, services to be offered or provided to the child, and, if visitation would be in the best interests of the child, a recommendation to the court regarding visitation between parent and child pending a fact-finding hearing on the termination petition. The agency shall not be required to develop a plan of services for the parents or provide services to the parents if the court orders a termination petition be filed. However, reasonable efforts to ensure visitation and contact between siblings shall be made unless there is reasonable cause to believe the best interests of the child or siblings would be jeopardized.

(2) If the court determines that the continuation of reasonable efforts to prevent or eliminate the need to remove the child from his or her home or to safely return the child home should not be part of the permanency plan of care for the child, reasonable efforts shall be made to place the child in a timely manner and to complete whatever steps are necessary to finalize the permanent placement of the child.

(3) The court shall consider the child's relationships with the child's siblings in accordance with RCW 13.34.130(3).

#### 4. REVIEW AND PERMANENCY PLANNING HEARINGS

##### RCW 13.34.138

##### Review hearings -- Findings -- Housing assistance

(1) Except for children whose cases are reviewed by a citizen review board under chapter 13.70 RCW, the status of all children found to be dependent shall be reviewed by the court at least every six months from the beginning date of the placement episode or the date dependency is established, whichever is first, at a hearing in which it shall be determined whether court supervision should continue. The initial review hearing shall be an in-court review and shall be set six months from the beginning date of the placement episode or no more than ninety days from the entry of the disposition order, whichever comes first. The initial review hearing may be a permanency planning hearing when necessary to meet the time frames set forth in RCW 13.34.145(3) or 13.34.134. The review shall include findings regarding the agency and parental completion of disposition plan requirements, and if necessary, revised permanency time limits. This review shall consider both the agency's and parent's efforts that demonstrate consistent measurable progress over time in meeting the disposition plan requirements. The requirements for the initial review hearing, including the in-court requirement, shall be accomplished within existing resources. The supervising agency shall provide a foster parent, preadoptive parent, or relative with notice of, and their right to an opportunity to be heard in, a review hearing pertaining to the child, but only if that person is currently providing care to that child at the time of the hearing. This section shall not be construed to grant party status to any person who has been provided an opportunity to be heard.

(a) A child shall not be returned home at the review hearing unless the court finds that a reason for removal as set forth in RCW 13.34.130 no longer exists. The parents, guardian, or legal custodian shall report to the court the efforts they have made to correct the conditions which led to removal. If a child is returned, casework supervision shall continue for a period of six months, at which time there shall be a hearing on the need for continued intervention.

(b) If the child is not returned home, the court shall establish in writing:

(i) Whether reasonable services have been provided to or offered to the parties to facilitate reunion, specifying the services provided or offered;

(ii) Whether the child has been placed in the least-restrictive setting appropriate to the child's needs, including whether consideration and preference has been given to placement with the child's relatives;

(iii) Whether there is a continuing need for placement and whether the placement is appropriate;

(iv) Whether there has been compliance with the case plan by the child, the child's parents, and the agency supervising the placement;

(v) Whether progress has been made toward correcting the problems that necessitated the child's placement in out-of-home care;

(vi) Whether the parents have visited the child and any reasons why visitation has not occurred or has been infrequent;



(vii) Whether additional services, including housing assistance, are needed to facilitate the return of the child to the child's parents; if so, the court shall order that reasonable services be offered specifying such services; and

(viii) The projected date by which the child will be returned home or other permanent plan of care will be implemented.

(c) The court at the review hearing may order that a petition seeking termination of the parent and child relationship be filed.

(2) The court's ability to order housing assistance under RCW 13.34.130 and this section is: (a) Limited to cases in which homelessness or the lack of adequate and safe housing is the primary reason for an out-of-home placement; and (b) subject to the availability of funds appropriated for this specific purpose.

(3) The court shall consider the child's relationship with siblings in accordance with RCW 13.34.130(3).

*As of January 1, 2007 add new subsection 2:*

*(2)(a) In any case in which the court orders that a dependent child may be returned to or remain in the child's home, the in-home placement shall be contingent upon the following:*

*(i) The compliance of the parents with court orders related to the care and supervision of the child, including compliance with an agency case plan; and*

*(ii) The continued participation of the parents, if applicable, in available substance abuse or mental health treatment if substance abuse or mental illness was a contributing factor to the removal of the child.*

*(b) The following may be grounds for removal of the child from the home, subject to review by the court:*

*(i) Noncompliance by the parents with the agency case plan or court order;*

*(ii) The parent's inability, unwillingness, or failure to participate in available services or treatment for themselves or the child, including substance abuse treatment if a parent's substance abuse was a contributing factor to the abuse or neglect; or*

*(iii) The failure of the parents to successfully and substantially complete available services or treatment for themselves or the child, including substance abuse treatment if a parent's substance abuse was a contributing factor to the abuse or neglect.*

#### **RCW 13.34.145**

#### **Permanency plan required – Permanency planning hearing – Time limits**

**(1) A permanency plan shall be developed no later than sixty days from the time the supervising agency assumes responsibility for providing services, including placing the child, or at the time of a hearing under RCW 13.34.130, whichever occurs first. The permanency planning process continues until a permanency planning goal is achieved or dependency is dismissed. The planning process shall include reasonable efforts to return the child to the parent's home.**

**(a) Whenever a child is placed in out-of-home care pursuant to RCW 13.34.130, the agency that has custody of the child shall provide the court with a written permanency plan of care directed towards securing a safe, stable, and permanent home for the child as soon as possible. The plan shall identify one of the following outcomes as the primary goal and may also identify additional outcomes as alternative goals: Return of the child to the home of the child's parent, guardian, or legal custodian; adoption; guardianship; permanent legal custody; long-term relative or foster care, until the child is age eighteen, with a written agreement between the parties and**

the care provider; a responsible living skills program; and independent living, if appropriate and if the child is age sixteen or older and the provisions of subsection (2) of this section are met.

(b) The identified outcomes and goals of the permanency plan may change over time based upon the circumstances of the particular case.

(c) Permanency planning goals should be achieved at the earliest possible date, preferably before the child has been in out-of-home care for fifteen months. In cases where parental rights have been terminated, the child is legally free for adoption, and adoption has been identified as the primary permanency planning goal, it shall be a goal to complete the adoption within six months following entry of the termination order.

(3) A permanency planning hearing shall be held in all cases where the child has remained in out-of-home care for at least nine months and an adoption decree, guardianship order, or permanent custody order has not previously been entered. The hearing shall take place no later than twelve months following commencement of the current placement episode.

(6) At the permanency planning hearing, the court shall enter findings as required by RCW 13.34.138 and shall review the permanency plan prepared by the agency. If the child has resided in the home of a foster parent or relative for more than six months prior to the permanency planning hearing, the court shall also enter a finding regarding whether the foster parent or relative was informed of the hearing as required in RCW 74.13.280 and 13.34.138. If a goal of long-term foster or relative care has been achieved prior to the permanency planning hearing, the court shall review the child's status to determine whether the placement and the plan for the child's care remain appropriate. In cases where the primary permanency planning goal has not been achieved, the court shall inquire regarding the reasons why the primary goal has not been achieved and determine what needs to be done to make it possible to achieve the primary goal. In all cases, the court shall:

(a)(i) Order the permanency plan prepared by the agency to be implemented; or

(ii) Modify the permanency plan, and order implementation of the modified plan; and

(b)(i) Order the child returned home only if the court finds that a reason for removal as set forth in RCW 13.34.130 no longer exists; or

(ii) Order the child to remain in out-of-home care for a limited specified time period while efforts are made to implement the permanency plan.

(7) If the court orders the child returned home, casework supervision shall continue for at least six months, at which time a review hearing shall be held pursuant to RCW 13.34.138, and the court shall determine the need for continued intervention.

(10) Following the first permanency planning hearing, the court shall hold a further permanency planning hearing in accordance with this section at least once every twelve months until a permanency planning goal is achieved or the dependency is dismissed, whichever occurs first.

(11) Except as provided in RCW 13.34.235, the status of all dependent children shall continue to be reviewed by the court at least once every six months, in accordance with RCW 13.34.138, until the dependency is dismissed. Prior to the second permanency planning hearing, the agency that has custody of the child shall consider whether to file a petition for termination of parental rights.

(12) Nothing in this chapter may be construed to limit the ability of the agency that has custody

of the child to file a petition for termination of parental rights or a guardianship petition at any time following the establishment of dependency.

(13) The approval of a permanency plan that does not contemplate return of the child to the parent does not relieve the supervising agency of its obligation to provide reasonable services, under this chapter, intended to effectuate the return of the child to the parent, including but not limited to, visitation rights. The court shall consider the child's relationships with siblings in accordance with RCW 13.34.130.

## **5. TERMINATION OF PARENTAL RIGHTS AND GUARDIANSHIP**

### **RCW 13.34.180**

#### **Order terminating parent and child relationship -- Petition**

(1) A petition seeking termination of a parent and child relationship may be filed in juvenile court by any party to the dependency proceedings concerning that child. Such petition shall conform to the requirements of RCW 13.34.040, shall be served upon the parties as provided in RCW 13.34.070(8), and shall allege all of the following unless subsection (2) or (3) of this section applies:

(a) That the child has been found to be a dependent child;

(b) That the court has entered a dispositional order pursuant to RCW 13.34.130;

(c) That the child has been removed or will, at the time of the hearing, have been removed from the custody of the parent for a period of at least six months pursuant to a finding of dependency;

(d) That the services ordered under RCW 13.34.136 have been expressly and understandably offered or provided and all necessary services, reasonably available, capable of correcting the parental deficiencies within the foreseeable future have been expressly and understandably offered or provided;

(e) That there is little likelihood that conditions will be remedied so that the child can be returned to the parent in the near future. A parent's failure to substantially improve parental deficiencies within twelve months following entry of the dispositional order shall give rise to a rebuttable presumption that there is little likelihood that conditions will be remedied so that the child can be returned to the parent in the near future. The presumption shall not arise unless the petitioner makes a showing that all necessary services reasonably capable of correcting the parental deficiencies within the foreseeable future have been clearly offered or provided. In determining whether the conditions will be remedied the court may consider, but is not limited to, the following factors:

(i) Use of intoxicating or controlled substances so as to render the parent incapable of providing proper care for the child for extended periods of time or for periods of time that present a risk of imminent harm to the child, and documented unwillingness of the parent to receive and complete treatment or documented multiple failed treatment attempts; or

(ii) Psychological incapacity or mental deficiency of the parent that is so severe and chronic as to render the parent incapable of providing proper care for the child for extended periods of time or for periods of time that present a risk of imminent harm to the child, and documented unwillingness of the parent to receive and complete treatment or documentation that there is no treatment that can render the parent capable of providing proper care for the child in the near future; and

(f) That continuation of the parent and child relationship clearly diminishes the child's

prospects for early integration into a stable and permanent home.

(2) In lieu of the allegations in subsection (1) of this section, the petition may allege that the child was found under such circumstances that the whereabouts of the child's parent are unknown and no person has acknowledged paternity or maternity and requested custody of the child within two months after the child was found.

**RCW 13.34.190**

**Order terminating parent and child relationship -- Findings.**

After hearings pursuant to RCW 13.34.110 or 13.34.130, the court may enter an order terminating all parental rights to a child only if the court finds that:

(1)(a) The allegations contained in the petition as provided in RCW 13.34.180(1) are established by clear, cogent, and convincing evidence; or

(b) The provisions of RCW 13.34.180(1) (a), (b), (e), and (f) are established beyond a reasonable doubt and if so, then RCW 13.34.180(1) (c) and (d) may be waived. When an infant has been abandoned, as defined in RCW 13.34.030, and the abandonment has been proved beyond a reasonable doubt, then RCW 13.34.180(1) (c) and (d) may be waived; or

(c) The allegation under RCW 13.34.180(2) is established beyond a reasonable doubt. In determining whether RCW 13.34.180(1) (e) and (f) are established beyond a reasonable doubt, the court shall consider whether one or more of the aggravated circumstances listed in RCW 13.34.132 exist; or

(d) The allegation under RCW 13.34.180(3) is established beyond a reasonable doubt; and

(2) Such an order is in the best interests of the child.

**RCW 13.34.200**

**Order terminating parent and child relationship -- Rights of parties when granted.**

(1) Upon the termination of parental rights pursuant to RCW 13.34.180, all rights, powers, privileges, immunities, duties, and obligations, including any rights to custody, control, visitation, or support existing between the child and parent shall be severed and terminated and the parent shall have no standing to appear at any further legal proceedings concerning the child: PROVIDED, That any support obligation existing prior to the effective date of the order terminating parental rights shall not be severed or terminated. The rights of one parent may be terminated without affecting the rights of the other parent and the order shall so state.

(2) An order terminating the parent and child relationship shall not disentitle a child to any benefit due the child from any third person, agency, state, or the United States, nor shall any action under this chapter be deemed to affect any rights and benefits that an Indian child derives from the child's descent from a member of a federally recognized Indian tribe.

(3) An order terminating the parent-child relationship shall include a statement addressing the status of the child's sibling relationships and the nature and extent of sibling placement, contact, or visits.

**RCW 13.34.210**

**Order terminating parent and child relationship -- Custody where no one has parental rights.**

If, upon entering an order terminating the parental rights of a parent, there remains no parent having parental rights, the court shall commit the child to the custody of the department or to a licensed child-placing agency willing to accept custody for the purpose of placing the child for adoption. If an adoptive home has not been identified, the department or agency shall place the child in a licensed foster home, or take other suitable measures for the care and welfare of the child. The custodian shall have authority to consent to the adoption of the child consistent with chapter 26.33 RCW, the marriage of the child, the enlistment of the child in the armed forces of the United States, necessary surgical and other medical treatment for the child, and to consent to such other matters as might normally be required of the parent of the child.

If a child has not been adopted within six months after the date of the order and a guardianship of the child under RCW 13.34.231 or chapter 11.88 RCW, or a permanent custody order under chapter 26.10 RCW, has not been entered by the court, the court shall review the case every six months until a decree of adoption is entered except for those cases which are reviewed by a citizen review board under chapter 13.70 RCW. The supervising agency shall take reasonable steps to ensure that the child maintains relationships with siblings as provided in RCW 13.34.130(3) and shall report to the court the status and extent of such relationships.

**RCW 13.34.230**

**Guardianship for dependent child -- Petition for -- Notice to, Intervention by, department.**

Any party to a dependency proceeding, including the supervising agency, may file a petition in juvenile court requesting that guardianship be created as to a dependent child. The department of social and health services shall receive notice of any guardianship proceedings and have the right to intervene in the proceedings.

**RCW 13.34.231**

**Guardianship for dependent child -- Hearing -- Rights of parties -- Rules of evidence -- Guardianship established, when.**

At the hearing on a dependency guardianship petition, all parties have the right to present evidence and cross examine witnesses. The rules of evidence apply to the conduct of the hearing. A guardianship shall be established if the court finds by a preponderance of the evidence that:

- (1) The child has been found to be a dependent child under RCW 13.34.030;
- (2) A dispositional order has been entered pursuant to RCW 13.34.130;
- (3) The child has been removed or will, at the time of the hearing, have been removed from the custody of the parent for a period of at least six months pursuant to a finding of dependency under RCW 13.34.030;
- (4) The services ordered under RCW 13.34.130 and 13.34.136 have been offered or provided and all necessary services, reasonably available, capable of correcting the parental deficiencies within the foreseeable future have been offered or provided;
- (5) There is little likelihood that conditions will be remedied so that the child can be returned to the parent in the near future; and

(6) A guardianship, rather than termination of the parent-child relationship or continuation of efforts to return the child to the custody of the parent, would be in the best interest of the child.

**RCW 13.34.232**

**Guardianship for dependent child – Order, contents – Rights and duties of dependency guardian.**

(1) If the court has made a finding under RCW 13.34.231, it shall enter an order establishing a dependency guardianship for the child. The order shall:

(a) Appoint a person or agency to serve as dependency guardian for the limited purpose of assisting the court to supervise the dependency;

(b) Specify the dependency guardian's rights and responsibilities concerning the care, custody, and control of the child. A dependency guardian shall not have the authority to consent to the child's adoption;

(c) Specify the dependency guardian's authority, if any, to receive, invest, and expend funds, benefits, or property belonging to the child;

(d) Specify an appropriate frequency of visitation between the parent and the child; and

(e) Specify the need for any continued involvement of the supervising agency and the nature of that involvement, if any.

(2) Unless the court specifies otherwise in the guardianship order, the dependency guardian shall maintain the physical custody of the child and have the following rights and duties:

(a) Protect, discipline, and educate the child;

(b) Provide food, clothing, shelter, education as required by law, and routine health care for the child;

(c) Consent to necessary health and surgical care and sign a release of health care information to appropriate authorities, pursuant to law;

(d) Consent to social and school activities of the child; and

(e) Provide an annual written accounting to the court regarding receipt by the dependency guardian of any funds, benefits, or property belonging to the child and expenditures made therefrom.

(3) As used in this section, the term "health care" includes, but is not limited to, medical, dental, psychological, and psychiatric care and treatment.

(4) The child shall remain dependent for the duration of the guardianship. While the guardianship remains in effect, the dependency guardian shall be a party to any dependency proceedings pertaining to the child.

(5) The guardianship shall remain in effect only until the child is eighteen years of age or until the court terminates the guardianship order, whichever occurs sooner.

## **6. OTHER**

### **RCW 13.34.090**

#### **Rights under chapter proceedings.**

(1) Any party has a right to be represented by an attorney in all proceedings under this chapter, to introduce evidence, to be heard in his or her own behalf, to examine witnesses, to receive a decision based solely on the evidence adduced at the hearing, and to an unbiased fact-finder.

(2) At all stages of a proceeding in which a child is alleged to be dependent, the child's parent, guardian, or legal custodian has the right to be represented by counsel, and if indigent, to have counsel appointed for him or her by the court. Unless waived in court, counsel shall be provided to the child's parent, guardian, or legal custodian, if such person (a) has appeared in the proceeding or requested the court to appoint counsel and (b) is financially unable to obtain counsel because of indigency.

(3) If a party to an action under this chapter is represented by counsel, no order shall be provided to that party for his or her signature without prior notice and provision of the order to counsel.

(4) Copies of department of social and health services or supervising agency records to which parents have legal access pursuant to chapter 13.50 RCW shall be given to the child's parent, guardian, legal custodian, or his or her legal counsel, prior to any shelter care hearing and within fifteen days after the department or supervising agency receives a written request for such records from the parent, guardian, legal custodian, or his or her legal counsel. These records shall be provided to the child's parents, guardian, legal custodian, or legal counsel a reasonable period of time prior to the shelter care hearing in order to allow an opportunity to review the records prior to the hearing. These records shall be legible and shall be provided at no expense to the parents, guardian, legal custodian, or his or her counsel. When the records are served on legal counsel, legal counsel shall have the opportunity to review the records with the parents and shall review the records with the parents prior to the shelter care hearing.

### **RCW 13.34.100**

#### **Appointment of guardian ad litem -- Appointment of counsel for child.**

(1) The court shall appoint a guardian ad litem for a child who is the subject of an action under this chapter, unless a court for good cause finds the appointment unnecessary. The requirement of a guardian ad litem may be deemed satisfied if the child is represented by independent counsel in the proceedings.

(2) If the court does not have available to it a guardian ad litem program with a sufficient number of volunteers, the court may appoint a suitable person to act as guardian ad litem for the child under this chapter. Another party to the proceeding or the party's employee or representative shall not be so appointed.

(4) The appointment of the guardian ad litem shall remain in effect until the court discharges the appointment or no longer has jurisdiction, whichever comes first. The guardian ad litem may also be discharged upon entry of an order of guardianship.

(5) A guardian ad litem through counsel, or as otherwise authorized by the court, shall have the right to present evidence, examine and cross-examine witnesses, and to be present at all hearings. A guardian ad litem shall receive copies of all pleadings and other documents filed or submitted to the court, and notice of all hearings according to court rules. The guardian ad litem shall receive all notice contemplated for a parent or other party in all proceedings under this

chapter.

(6) If the child requests legal counsel and is age twelve or older, or if the guardian ad litem or the court determines that the child needs to be independently represented by counsel, the court may appoint an attorney to represent the child's position.

#### **RCW 13.34.105**

##### **Guardian ad litem -- Duties -- Immunity**

(1) Unless otherwise directed by the court, the duties of the guardian ad litem include but are not limited to the following:

(a) To investigate, collect relevant information about the child's situation, and report to the court factual information regarding the best interests of the child;

(b) To monitor all court orders for compliance and to bring to the court's attention any change in circumstances that may require a modification of the court's order;

(c) To report to the court information on the legal status of a child's membership in any Indian tribe or band;

(d) Court-appointed special advocates and guardians ad litem may make recommendations based upon an independent investigation regarding the best interests of the child, which the court may consider and weigh in conjunction with the recommendations of all of the parties; and

(e) To represent and be an advocate for the best interests of the child.

(2) A guardian ad litem shall be deemed an officer of the court for the purpose of immunity from civil liability.

#### **RCW 13.34.370**

##### **Evaluation of parties -- Selection of evaluators.**

The court may order expert evaluations of parties to obtain information regarding visitation issues or other issues in a case. These evaluations shall be performed by appointed evaluators who are mutually agreed upon by the court, the state, and the parents' counsel, and, if the child is to be evaluated, by the representative for the child. If no agreement can be reached, the court shall select the expert evaluator.

#### **RCW 26.44.053**

##### **Guardian ad litem, appointment -- Examination of person having legal custody**

(1) In any judicial proceeding under this chapter or chapter 13.34 RCW in which it is alleged that a child has been subjected to child abuse or neglect, the court shall appoint a guardian ad litem for the child as provided in chapter 13.34 RCW. The requirement of a guardian ad litem may be deemed satisfied if the child is represented by counsel in the proceedings.

(2) At any time prior to or during a hearing in such a case, the court may, on its own motion, or the motion of the guardian ad litem, or other parties, order the examination by a physician, psychologist, or psychiatrist, of any parent or child or other person having custody of the child at the time of the alleged child abuse or neglect, if the court finds such an examination is necessary to the proper determination of the case. The hearing may be continued pending the completion of such examination. The physician, psychologist, or psychiatrist conducting such an examination may be required to testify concerning the results of such examination and may be asked to give



his or her opinion as to whether the protection of the child requires that he or she not be returned to the custody of his or her parents or other persons having custody of him or her at the time of the alleged child abuse or neglect. Persons so testifying shall be subject to cross-examination as are other witnesses. No information given at any such examination of the parent or any other person having custody of the child may be used against such person in any subsequent criminal proceedings against such person or custodian concerning the alleged abuse or neglect of the child.

**RCW 26.44.063**

**Temporary restraining order or preliminary injunction -- Enforcement -- Notice of modification or termination of restraining order**

(1) It is the intent of the legislature to minimize trauma to a child involved in an allegation of sexual or physical abuse. The legislature declares that removing the child from the home often has the effect of further traumatizing the child. It is, therefore, the legislature's intent that the alleged offender, rather than the child, shall be removed from the home and that this should be done at the earliest possible point of intervention in accordance with RCW 10.31.100, 13.34.130, this section, and RCW 26.44.130.

(2) In any judicial proceeding in which it is alleged that a child has been subjected to sexual or physical abuse, if the court finds reasonable grounds to believe that an incident of sexual or physical abuse has occurred, the court may, on its own motion, or the motion of the guardian ad litem or other parties, issue a temporary restraining order or preliminary injunction restraining or enjoining the person accused of committing the abuse from:

(a) Molesting or disturbing the peace of the alleged victim;

(b) Entering the family home of the alleged victim except as specifically authorized by the court;

(c) Having any contact with the alleged victim, except as specifically authorized by the court;

(d) Knowingly coming within, or knowingly remaining within, a specified distance of a specified location.

(3) In issuing a temporary restraining order or preliminary injunction, the court may impose any additional restrictions that the court in its discretion determines are necessary to protect the child from further abuse or emotional trauma pending final resolution of the abuse allegations.

(4) The court shall issue a temporary restraining order prohibiting a person from entering the family home if the court finds that the order would eliminate the need for an out-of-home placement to protect the child's right to nurturance, health, and safety and is sufficient to protect the child from further sexual or physical abuse or coercion.

(5) The court may issue a temporary restraining order without requiring notice to the party to be restrained or other parties only if it finds on the basis of the moving affidavit or other evidence that irreparable injury could result if an order is not issued until the time for responding has elapsed.

(6) A temporary restraining order or preliminary injunction:

(a) Does not prejudice the rights of a party or any child which are to be adjudicated at subsequent hearings in the proceeding; and

(b) May be revoked or modified.

(7) The person having physical custody of the child shall have an affirmative duty to assist in

the enforcement of the restraining order including but not limited to a duty to notify the court as soon as practicable of any violation of the order, a duty to request the assistance of law enforcement officers to enforce the order, and a duty to notify the department of social and health services of any violation of the order as soon as practicable if the department is a party to the action. Failure by the custodial party to discharge these affirmative duties shall be subject to contempt proceedings.

(8) Willful violation of a court order entered under this section is a misdemeanor. A written order shall contain the court's directive and shall bear the legend: "Violation of this order with actual notice of its terms is a criminal offense under chapter 26.44 RCW, is also subject to contempt proceedings, and will subject a violator to arrest."

(9) If a restraining order issued under this section is modified or terminated, the clerk of the court shall notify the law enforcement agency specified in the order on or before the next judicial day. Upon receipt of notice that an order has been terminated, the law enforcement agency shall remove the order from any computer-based criminal intelligence system.

## STATUTORY AUTHORITY FOR CHILD WELFARE SERVICES

### 1. FEDERAL STATUTES

#### Child Abuse Prevention and Treatment Act (CAPTA), 42 U.S.C. §5101 et seq.

- First enacted in 1974 as Public Law 93-247. Major amendments in 1988, 1996 and 2003. Requires states to enact statutes or establish policies in certain areas as a condition of eligibility for some federal funding and grants.

**COORDINATION.**—A State plan... shall contain an outline of the activities that the State intends to carry out using amounts received under the grant to achieve the purposes of this title, including—

A. an assurance in the form of a certification by the chief executive officer of the State that the State has in effect and is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes—

- i. provisions or procedures for the reporting of known and suspected instances of child abuse and neglect;
- ii. procedures for the immediate screening, safety assessment, and prompt investigation of such reports;
- iii. procedures for immediate steps to be taken to ensure and protect the safety of the abused or neglected child and of any other child under the same care who may also be in danger of abuse or neglect and ensuring their placement in a safe environment;
- iv. provisions for immunity from prosecution under State and local laws and regulations for individuals making good faith reports of suspected or known instances of child abuse or neglect;
- v. methods to preserve the confidentiality of all records in order to protect the rights of the child and of the child's parents or guardians, including requirements ensuring that reports and records made and maintained pursuant to the purposes of this Act shall only be made available to—

- I. individuals who are the subject of the report;
- II. Federal, State, or local government entities, or any agent of such entities, having a need for such information in order to carry out its responsibilities under law to protect children from abuse and neglect;
- III. child abuse citizen review panels;
- IV. child fatality review panels;
- V. a grand jury or court, upon a finding that information in the record is necessary for the determination of an issue before the court or grand jury; and
- VI. other entities or classes of individuals statutorily authorized by the State to receive such information pursuant to a legitimate State purpose;

vi. provisions which allow for public disclosure of the findings or information about the case of child abuse or neglect which has resulted in a child fatality or near fatality;

- vii. the cooperation of State law enforcement officials, court of competent jurisdiction, and appropriate State agencies providing human services in the investigation, assessment, prosecution, and treatment of child abuse or neglect;
- viii. provisions requiring, and procedures in place that facilitate the prompt expungement of any records that are accessible to the general public or are used for purposes of employment or other background checks in cases determined to be unsubstantiated or false, except that nothing in this section shall prevent State child protective services agencies from keeping information on unsubstantiated reports in their casework files to assist in future risk and safety assessment;
- ix. provisions and procedures requiring that in every case involving an abused or neglected child which results in a judicial proceeding, a guardian ad litem, who may be an attorney or a court appointed special advocate (or both), shall be appointed to represent the child in such proceedings—
- xi. provisions, procedures, and mechanisms to be effective not later than 2 years after the date of the enactment of this section—

- I. for the expedited termination of parental rights in the case of any infant determined to be abandoned under State law; and
- II. by which individuals who disagree with an official finding of abuse or neglect can appeal such finding;

xii. provisions, procedures, and mechanisms to be effective not later than 2 years after the date of the enactment of this section that assure that the State does not require reunification of a surviving child with a parent who has been found by a court of competent jurisdiction [to have committed murder or voluntary manslaughter of another child of the parent or aided or abetted, attempted, conspired, or solicited to commit such a murder or such a voluntary manslaughter or committed a felony assault that results in serious bodily injury to the child or another child of the parent] --

D. an assurance or certification that the programs or projects relating to child abuse and neglect carried out under part B of title IV of the Social Security Act comply with the requirements set forth in paragraph (1) and this paragraph.

### **The Keeping Children and Families Safe Act of 2003**

- This act amended CAPTA to add additional requirements for state plans.
  - i. policies and procedures (including appropriate referrals to child protection service systems and for other appropriate services) to address the needs of infants born and identified as being affected by illegal substance abuse or withdrawal symptoms resulting from prenatal drug exposure, including a requirement that health care providers involved in the delivery or care of such infants notify the child protective services system of the occurrence of such condition in such infants, except that such notification shall not be construed to—
    - (I) establish a definition under Federal law of what constitutes child abuse; or
    - (II) require prosecution for any illegal action;
  - ii. the development of a plan of safe care for the infant born and identified as being affected by illegal substance abuse or withdrawal symptoms;
  - iii. triage procedures for the appropriate referral of a child not at risk of imminent harm to a community organization or voluntary preventive service;
  - iv. provisions and procedures to require that a representative of the child protective services agency shall, at the initial time of contact with the individual

subject to a child abuse and neglect investigation, advise the individual of the complaints or allegations made against the individual, in a manner that is consistent with laws protecting the rights of the informant;

v. provisions addressing the training of representatives of the child protective services system regarding the legal duties of the representatives, which may consist of various methods of informing such representatives of such duties, in order to protect the legal rights and safety of children and families from the initial time of contact during investigation through treatment;

vi. provisions and procedures for improving the training, retention, and supervision of caseworkers;

vii. provisions and procedures for referral of a child under the age of 3 who is involved in a substantiated case of child abuse or neglect to early intervention services funded under part C of the Individuals with Disabilities Education Act; and

viii. not later than 2 years after the date of enactment of the Keeping Children and Families Safe Act of 2003, provisions and procedures for requiring criminal background record checks for prospective foster and adoptive parents and other adult relatives and non-relatives residing in the household.

### **Adoption and Safe Families Act (ASFA) of 1997**

- This act emphasizes that in child welfare proceedings, the health, safety and welfare of a child shall be the paramount concern. It also requires that certain judicial findings be made in every case as a condition of federal reimbursement of foster care expenses. It's most significant impact was to require that states file termination petitions when children have been placed out of home for 15 months.

(A) in determining reasonable efforts to be made with respect to a child, as described in this paragraph, and in making such reasonable efforts, the child's health and safety shall be the paramount concern;

(B) except as provided in subparagraph (D), reasonable efforts shall be made to preserve and reunify families—

(i) prior to the placement of a child in foster care, to prevent or eliminate the need for removing the child from the child's home; and

(ii) to make it possible for a child to safely return to the child's home;

(C) if continuation of reasonable efforts of the type described in subparagraph (B) is determined to be inconsistent with the permanency plan for the child, reasonable efforts shall be made to place the child in a timely manner in accordance with the permanency plan, and to complete whatever steps are necessary to finalize the permanent placement of the child;

(D) reasonable efforts of the type described in subparagraph (B) shall not be required to be made with respect to a parent of a child if a court of competent jurisdiction has determined that—

(i) the parent has subjected the child to aggravated circumstances (as defined in State law....)

(ii) the parent has [committed murder or voluntary manslaughter of another child of the parent or aided or abetted, attempted, conspired, or solicited to commit such a murder or such a voluntary manslaughter or committed a felony assault that results in serious bodily injury to the child or another child of the parent] or

(iii) the parental rights of the parent to a sibling have been terminated involuntarily;

### **(b) DEFINITION OF LEGAL GUARDIANSHIP**

(7) The term 'legal guardianship' means a judicially created relationship between child and caretaker which is intended to be permanent and self-sustaining as evidenced by the transfer to the caretaker of the following parental rights with respect to the child: protection, education, care and control of the person, custody of the person, and decisionmaking. The term 'legal guardian' means the caretaker in such a relationship.'

(E) in the case of a child who has been in foster care under the responsibility of the State for 15 of the most recent 22 months, or, if a court of competent jurisdiction has determined a child to be an abandoned infant (as defined under State law) or has made a determination that the parent has committed murder of another child of the parent, committed voluntary manslaughter of another child of the parent, aided or abetted, attempted, conspired, or solicited to commit such a murder or such a voluntary manslaughter, or committed a felony assault that has resulted in serious bodily injury to the child or to another child of the parent, the State shall file a petition to terminate the parental rights of the child's parents (or, if such a petition has been filed by another party, seek to be joined as a party to the petition), and, concurrently, to identify, recruit, process, and approve a qualified family for an adoption, unless—

- (i) at the option of the State, the child is being cared for by a relative;
- (ii) a State agency has documented in the case plan (which shall be available for court review) a compelling reason for determining that filing such a petition would not be in the best interests of the child; or
- (iii) the State has not provided to the family of the child, consistent with the time period in the State case plan, such services as the State deems necessary for the safe return of the child to the child's home, if reasonable efforts of the type described in section 471(a)(15)(B)(ii) are required to be made with respect to the child.

(G) the foster parents (if any) of a child and any preadoptive parent or relative providing care for the child are provided with notice of, and an opportunity to be heard in, any review or hearing to be held with respect to the child, except that this subparagraph shall not be construed to require that any foster parent, preadoptive parent, or relative providing care for the child be made a party to such a review or hearing solely on the basis of such notice and opportunity to be heard.

### **Indian Child Welfare Act (ICWA), 25 U.S.C. §1901 et seq.**

- ICWA was enacted in 1978 to promote the stability and security of Indian tribes and families and protect the best interests of Indian children.

#### **§ 1903. Definitions**

For the purposes of this chapter, except as may be specifically provided otherwise, the term -

(1) "child custody proceeding" shall mean and include -

(i) "foster care placement" which shall mean any action removing an Indian child from its parent or Indian custodian for temporary placement in a foster home or institution or the home of a guardian or conservator where the parent or Indian custodian cannot have the child returned upon demand, but where parental rights have not been terminated;

(ii) "termination of parental rights" which shall mean any action resulting in the termination of the parent-child relationship;

(iii) "preadoptive placement" which shall mean the temporary placement of an Indian child in a foster home or institution after the termination of parental rights, but prior to or in lieu of adoptive placement; and

(iv) "adoptive placement" which shall mean the permanent placement of an Indian child for adoption, including any action resulting in a final decree of adoption.

Such term or terms shall not include a placement based upon an act which, if committed by an adult, would be deemed a crime or upon an award, in a divorce proceeding, of custody to one of the parents.

(4) "Indian child" means any unmarried person who is under age eighteen and is either (a) a member of an Indian tribe or (b) is eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe;

(8) "Indian tribe" means any Indian tribe, band, nation, or other organized group or community of Indians recognized as eligible for the services provided to Indians by the Secretary because of their status as Indians, including any Alaska Native village as defined in section 1602(c) of title 43;

**§ 1911. Indian tribe jurisdiction over Indian child custody proceedings**

**(a) Exclusive jurisdiction**

An Indian tribe shall have jurisdiction exclusive as to any State over any child custody proceeding involving an Indian child who resides or is domiciled within the reservation of such tribe...

**(b) Transfer of proceedings; declination by tribal court**

In any State court proceeding for the foster care placement of, or termination of parental rights to, an Indian child not domiciled or residing within the reservation of the Indian child's tribe, the court, in the absence of good cause to the contrary, shall transfer such proceeding to the jurisdiction of the tribe, absent objection by either parent, upon the petition of either parent or the Indian custodian or the Indian child's tribe ...

**(c) State court proceedings; intervention**

In any State court proceeding for the foster care placement of, or termination of parental rights to, an Indian child, the Indian custodian of the child and the Indian child's tribe shall have a right to intervene at any point in the proceeding.

**§ 1912. Pending court proceedings.**

**(d) Remedial services and rehabilitative programs; preventive measures**

Any party seeking to effect a foster care placement of, or termination of parental rights to, an Indian child under State law shall satisfy the court that active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family and that these efforts have proved unsuccessful.

**(e) Foster care placement orders; evidence; determination of damage to child**

No foster care placement may be ordered in such proceeding in the absence of a determination, supported by clear and convincing evidence, including testimony of qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.

**(f) Parental rights termination orders; evidence; determination of damage to child**

No termination of parental rights may be ordered in such proceeding in the absence of a determination, supported by evidence beyond a reasonable doubt, including testimony of qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.

**Foster Care Independence Act of 1999, P.L. 106-169**

**Multi-Ethnic Placement Act (MEPA) of 1994, as amended by the Inter-Ethnic Adoption Provisions of 1996 (MEPA-IEP)**

## **2. DUTY OF DSHS TO PROVIDE CHILD WELFARE SERVICES**

### **RCW 74.13.020**

#### **Definitions -- "child welfare services"**

As used in Title 74 RCW, child welfare services shall be defined as public social services including adoption services which strengthen, supplement, or substitute for, parental care and supervision for the purpose of:

- (1) Preventing or remedying, or assisting in the solution of problems which may result in families in conflict, or the neglect, abuse, exploitation, or criminal behavior of children;
- (2) Protecting and caring for dependent or neglected children;
- (3) Assisting children who are in conflict with their parents, and assisting parents who are in conflict with their children with services designed to resolve such conflicts;
- (4) Protecting and promoting the welfare of children, including the strengthening of their own homes where possible, or, where needed;
- (5) Providing adequate care of children away from their homes in foster family homes or day care or other child care agencies or facilities.

As used in this chapter, child means a person less than eighteen years of age.

### **RCW 74.13.031**

#### **Duties of department -- Child welfare services**

The department shall have the duty to provide child welfare services and shall:

- (1) Develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of runaway, dependent, or neglected children.
- (2) Within available resources, recruit an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e. homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, handicapped and emotionally disturbed, teens, pregnant and parenting teens, and annually report to the governor and the legislature concerning the department's success in: (a) Meeting the need for adoptive and foster home placements; (b) reducing the foster parent turnover rate; (c) completing home studies for legally free children; and (d) implementing and operating the passport program required by RCW 74.13.285. The report shall include a section entitled "Foster Home Turn-Over, Causes and Recommendations."
- (3) Investigate complaints of any recent act or failure to act on the part of a parent or caretaker that results in death, serious physical or emotional harm, or sexual abuse or exploitation, or that presents an imminent risk of serious harm, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency: PROVIDED, That an investigation is not required of nonaccidental injuries which are clearly not the result of a lack of care or supervision by the child's parents, legal custodians, or persons serving in loco parentis. If the investigation reveals that a crime against a child may have been committed, the department shall notify the appropriate law enforcement agency.



(4) Offer, on a voluntary basis, family reconciliation services to families who are in conflict.

(5) Monitor out-of-home placements, on a timely and routine basis, to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010, and annually submit a report measuring the extent to which the department achieved the specified goals to the governor and the legislature.

(6) Have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, and to provide for the physical care of such children and make payment of maintenance costs if needed. Except where required by Public Law 95-608 (25 U.S.C. Sec. 1915), no private adoption agency which receives children for adoption from the department shall discriminate on the basis of race, creed, or color when considering applications in their placement for adoption.

(7) Have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.

(8) Have authority to purchase care for children; and shall follow in general the policy of using properly approved private agency services for the actual care and supervision of such children insofar as they are available, paying for care of such children as are accepted by the department as eligible for support at reasonable rates established by the department.

(9) Establish a children's services advisory committee which shall assist the secretary in the development of a partnership plan for utilizing resources of the public and private sectors, and advise on all matters pertaining to child welfare, licensing of child care agencies, adoption, and services related thereto. At least one member shall represent the adoption community.

(10) Have authority to provide continued foster care or group care for individuals from eighteen through twenty years of age to enable them to complete their high school or vocational school program.

(11) Refer cases to the division of child support whenever state or federal funds are expended for the care and maintenance of a child, including a child with a developmental disability who is placed as a result of an action under chapter 13.34 RCW, unless the department finds that there is good cause not to pursue collection of child support against the parent or parents of the child.

(12) Have authority within funds appropriated for foster care services to purchase care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order; and the purchase of such care shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department purchases care.

Notwithstanding any other provision of RCW 13.32A.170 through 13.32A.200 and 74.13.032 through 74.13.036, or of this section all services to be provided by the department of social and health services under subsections (4), (6), and (7) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974.

(13) Within amounts appropriated for this specific purpose, provide preventive services to families with children that prevent or shorten the duration of an out-of-home placement.

(14) Have authority to provide independent living services to youths, including individuals eighteen through twenty years of age, who are or have been in foster care.

**RCW 26.44.050**

**Abuse or neglect of child – Duty of law enforcement agency or DSHS**

Upon the receipt of a report concerning the possible occurrence of abuse or neglect, the law enforcement agency or the department of social and health services must investigate and provide the protective services section with a report in accordance with chapter 74.13 RCW, and where necessary to refer such report to the court.

**3. DEFINITIONS OF CHILD ABUSE AND NEGLECT**

**RCW 26.44.020**

**Definitions**

(12) "Abuse or neglect" means the injury, sexual abuse, sexual exploitation, negligent treatment, or maltreatment of a child by any person under circumstances which indicate that the child's health, welfare, and safety is harmed, excluding conduct permitted under RCW 9A.16.100. An abused child is a child who has been subjected to child abuse or neglect as defined in this section.

**As of January 1, 2007:**

*(12) "Abuse or neglect" means sexual abuse, sexual exploitation, or injury of a child by any person under circumstances which cause harm to the child's health, welfare, or safety, excluding conduct permitted under RCW 9A.16.100; or the negligent treatment or maltreatment of a child by a person responsible for or providing care to the child. An abused child is a child who has been subjected to child abuse or neglect as defined in this section.*

(14) "Sexual exploitation" includes: (a) Allowing, permitting, or encouraging a child to engage in prostitution by any person; or (b) allowing, permitting, encouraging, or engaging in the obscene or pornographic photographing, filming, or depicting of a child by any person.

(15) "Negligent treatment or maltreatment" means an act or omission that evidences a serious disregard of consequences of such magnitude as to constitute a clear and present danger to the child's health, welfare, and safety. The fact that siblings share a bedroom is not, in and of itself, negligent treatment or maltreatment.

**As of January 1, 2007:**

*(15) "Negligent treatment or maltreatment" means an act or a failure to act, or the cumulative effects of a pattern of conduct, behavior, or inaction, that evidences a serious disregard of consequences of such magnitude as to constitute a clear and present danger to a child's health, welfare, or safety. When considering whether a clear and present danger exists, evidence of a parent's substance abuse as a contributing factor to negligent treatment or maltreatment shall be given great weight. The fact that siblings share a bedroom is not, in and of itself, negligent treatment or maltreatment. Poverty, homelessness, or exposure to domestic violence as defined in RCW 26.50.010 that is perpetrated against someone other than the child do not constitute negligent treatment or maltreatment in and of themselves.*

**RCW 9A.16.100**

**Use of force on children -- Policy -- Actions presumed unreasonable**

It is the policy of this state to protect children from assault and abuse and to encourage parents, teachers, and their authorized agents to use methods of correction and restraint of children that are not dangerous to the children. However, the physical discipline of a child is not unlawful when it is reasonable and moderate and is inflicted by a parent, teacher, or guardian for purposes of restraining or correcting the child. Any use of force on a child by any other person is unlawful unless it is reasonable and moderate and is authorized in advance by the child's parent or guardian for purposes of restraining or correcting the child.

The following actions are presumed unreasonable when used to correct or restrain a child: (1) Throwing, kicking, burning, or cutting a child; (2) striking a child with a closed fist; (3) shaking a child under age three; (4) interfering with a child's breathing; (5) threatening a child with a deadly weapon; or (6) doing any other act that is likely to cause and which does cause bodily harm greater than transient pain or minor temporary marks. The age, size, and condition of the child and the location of the injury shall be considered when determining whether the bodily harm is reasonable or moderate. This list is illustrative of unreasonable actions and is not intended to be exclusive.

**RCW 13.34.030**

**Definitions**

(1) "Abandoned" means when the child's parent, guardian, or other custodian has expressed, either by statement or conduct, an intent to forego, for an extended period, parental rights or responsibilities despite an ability to exercise such rights and responsibilities. If the court finds that the petitioner has exercised due diligence in attempting to locate the parent, no contact between the child and the child's parent, guardian, or other custodian for a period of three months creates a rebuttable presumption of abandonment, even if there is no expressed intent to abandon.

**RCW 13.34.300**

**Relevance of failure to cause juvenile to attend school to neglect petition**

The legislature finds that it is the responsibility of the custodial parent, parents or guardian to ensure that children within the custody of such individuals attend school as provided for by law. To this end, while a parent's failure to cause a juvenile to attend school should not alone provide a basis for a neglect petition against the parent or guardian, when a neglect petition is filed on the basis of other evidence, a parent or guardian's failure to take reasonable steps to ensure that the juvenile attends school may be relevant to the question of the appropriate disposition of a neglect petition.

**RCW 26.44.200**

**Methamphetamine manufacture -- Presence of child**

A law enforcement agency in the course of investigating: (1) An allegation under \*RCW 69.50.401(a) relating to manufacture of methamphetamine; or (2) an allegation under RCW 69.50.440 relating to possession of ephedrine or any of its salts or isomers or salts of isomers, pseudoephedrine or any of its salts or isomers or salts of isomers, pressurized ammonia gas, or pressurized ammonia gas solution with intent to manufacture methamphetamine, that discovers a child present at the site, shall contact the department immediately.

#### 4. REPORTING OF CHILD ABUSE AND NEGLECT

##### RCW 26.44.030

##### Reports -- Duty and authority to make

(1)(a) When any practitioner, county coroner or medical examiner, law enforcement officer, professional school personnel, registered or licensed nurse, social service counselor, psychologist, pharmacist, licensed or certified child care providers or their employees, employee of the department, juvenile probation officer, placement and liaison specialist, responsible living skills program staff, HOPE center staff, or state family and children's ombudsman or any volunteer in the ombudsman's office has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(b) When any person, in his or her official supervisory capacity with a nonprofit or for-profit organization, has reasonable cause to believe that a child has suffered abuse or neglect caused by a person over whom he or she regularly exercises supervisory authority, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency, provided that the person alleged to have caused the abuse or neglect is employed by, contracted by, or volunteers with the organization and coaches, trains, educates, or counsels a child or children or regularly has unsupervised access to a child or children as part of the employment, contract, or voluntary service. No one shall be required to report under this section when he or she obtains the information solely as a result of a privileged communication as provided in RCW 5.60.060.

Nothing in this subsection (1)(b) shall limit a person's duty to report under (a) of this subsection.

For the purposes of this subsection, the following definitions apply:

(i) "Official supervisory capacity" means a position, status, or role created, recognized, or designated by any nonprofit or for-profit organization, either for financial gain or without financial gain, whose scope includes, but is not limited to, overseeing, directing, or managing another person who is employed by, contracted by, or volunteers with the nonprofit or for-profit organization.

(ii) "Regularly exercises supervisory authority" means to act in his or her official supervisory capacity on an ongoing or continuing basis with regards to a particular person.

(d) The reporting requirement shall also apply to any adult who has reasonable cause to believe that a child who resides with them, has suffered severe abuse, and is able or capable of making a report. For the purposes of this subsection, "severe abuse" means any of the following: Any single act of abuse that causes physical trauma of sufficient severity that, if left untreated, could cause death; any single act of sexual abuse that causes significant bleeding, deep bruising, or significant external or internal swelling; or more than one act of physical abuse, each of which causes bleeding, deep bruising, significant external or internal swelling, bone fracture, or unconsciousness.

(e) The report must be made at the first opportunity, but in no case longer than forty-eight hours after there is reasonable cause to believe that the child has suffered abuse or neglect. The report must include the identity of the accused if known.

(2) The reporting requirement of subsection (1) of this section does not apply to the discovery of abuse or neglect that occurred during childhood if it is discovered after the child has become an adult. However, if there is reasonable cause to believe other children are or may be at risk of abuse or neglect by the accused, the reporting requirement of subsection (1) of this section does apply.

(3) Any other person who has reasonable cause to believe that a child has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department of social and health services as provided in RCW 26.44.040.

**RCW 26.44.080**  
**Violation – Penalty**

Every person who is required to make, or to cause to be made, a report pursuant to RCW 26.44.030 and 26.44.040, and who knowingly fails to make, or fails to cause to be made, such report, shall be guilty of a gross misdemeanor.

**5. AUTHORITY TO INVESTIGATE**

**RCW 26.44.020**  
**Definitions**

(16) "Child protective services" means those services provided by the department designed to protect children from child abuse and neglect and safeguard such children from future abuse and neglect, and conduct investigations of child abuse and neglect reports. Investigations may be conducted regardless of the location of the alleged abuse or neglect. Child protective services includes referral to services to ameliorate conditions that endanger the welfare of children, the coordination of necessary programs and services relevant to the prevention, intervention, and treatment of child abuse and neglect, and services to children to ensure that each child has a permanent home. In determining whether protective services should be provided, the department shall not decline to provide such services solely because of the child's unwillingness or developmental inability to describe the nature and severity of the abuse or neglect.

**RCW 26.44.030**  
**Reports – Interviews of children – Records – Risk assessment process**

(10) Upon receiving reports of alleged abuse or neglect, the department or law enforcement agency may interview children. The interviews may be conducted on school premises, at day-care facilities, at the child's home, or at other suitable locations outside of the presence of parents. Parental notification of the interview must occur at the earliest possible point in the investigation that will not jeopardize the safety or protection of the child or the course of the investigation. Prior to commencing the interview the department or law enforcement agency shall determine whether the child wishes a third party to be present for the interview and, if so, shall make reasonable efforts to accommodate the child's wishes. Unless the child objects, the department or law enforcement agency shall make reasonable efforts to include a third party in any interview so long as the presence of the third party will not jeopardize the course of the investigation.

(11) Upon receiving a report of alleged child abuse and neglect, the department or investigating law enforcement agency shall have access to all relevant records of the child in the possession of mandated reporters and their employees.

(13) The department shall use a risk assessment process when investigating alleged child abuse and neglect referrals. The department shall present the risk factors at all hearings in which the placement of a dependent child is an issue. Substance abuse must be a risk factor. The department shall, within funds appropriated for this purpose, offer enhanced community-based services to persons who are determined not to require further state intervention.

(15) The department shall make reasonable efforts to learn the name, address, and telephone number of each person making a report of abuse or neglect under this section. The department shall provide assurances of appropriate confidentiality of the identification of persons reporting under this section. If the department is unable to learn the information required under this subsection, the department shall only investigate cases in which: (a) The department believes

there is a serious threat of substantial harm to the child; (b) the report indicates conduct involving a criminal offense that has, or is about to occur, in which the child is the victim; or (c) the department has, after investigation, a report of abuse or neglect that has been founded with regard to a member of the household within three years of receipt of the referral.

**RCW 26.44.035**

**Procedure -- Written records**

(3) Every employee of the department who conducts an interview of any person involved in an allegation of abuse or neglect shall retain his or her original written records or notes setting forth the content of the interview unless the notes were entered into the electronic system operated by the department which is designed for storage, retrieval, and preservation of such records.

(4) Written records involving child sexual abuse shall, at a minimum, be a near verbatim record for the disclosure interview. The near verbatim record shall be produced within fifteen calendar days of the disclosure interview, unless waived by management on a case-by-case basis.

**RCW 26.44.050**

**Abuse or neglect of child -- Photographing child**

Upon the receipt of a report concerning the possible occurrence of abuse or neglect, the law enforcement agency or the department of social and health services must investigate and provide the protective services section with a report in accordance with chapter 74.13 RCW, and where necessary to refer such report to the court.

A law enforcement officer may take, or cause to be taken, a child into custody without a court order if there is probable cause to believe that the child is abused or neglected and that the child would be injured or could not be taken into custody if it were necessary to first obtain a court order pursuant to RCW 13.34.050. The law enforcement agency or the department of social and health services investigating such a report is hereby authorized to photograph such a child for the purpose of providing documentary evidence of the physical condition of the child.

**6. AUTHORITY TO REMOVE CHILD FROM HOME**

**RCW 26.44.050**

**Abuse or neglect of child -- Taking child into custody without court order**

A law enforcement officer may take, or cause to be taken, a child into custody without a court order if there is probable cause to believe that the child is abused or neglected and that the child would be injured or could not be taken into custody if it were necessary to first obtain a court order pursuant to RCW 13.34.050. The law enforcement agency or the department of social and health services investigating such a report is hereby authorized to photograph such a child for the purpose of providing documentary evidence of the physical condition of the child.

**RCW 13.34.050**

**Court order to take child into custody**

(1) The court may enter an order directing a law enforcement officer, probation counselor, or child protective services official to take a child into custody if: (a) A petition is filed with the juvenile court alleging that the child is dependent and that the child's health, safety, and welfare will be seriously endangered if not taken into custody; (b) an affidavit or declaration is filed by the department in support of the petition setting forth specific factual information evidencing reasonable grounds that the child's health, safety, and welfare will be seriously endangered if not taken into custody and at least one of the grounds set forth demonstrates a risk of imminent harm

to the child. "Imminent harm" for purposes of this section shall include, but not be limited to, circumstances of sexual abuse, or sexual exploitation as defined in RCW 26.44.020; and (c) the court finds reasonable grounds to believe the child is dependent and that the child's health, safety, and welfare will be seriously endangered if not taken into custody.

*As of January 1, 2007:*

*(1) The court may enter an order directing a law enforcement officer, probation counselor, or child protective services official to take a child into custody if: (a) A petition is filed with the juvenile court alleging that the child is dependent and that the child's health, safety, and welfare will be seriously endangered if not taken into custody; (b) an affidavit or declaration is filed by the department in support of the petition setting forth specific factual information evidencing reasonable grounds that the child's health, safety, and welfare will be seriously endangered if not taken into custody and at least one of the grounds set forth demonstrates a risk of imminent harm to the child. "Imminent harm" for purposes of this section shall include, but not be limited to, circumstances of sexual abuse, sexual exploitation as defined in RCW 26.44.020, and a parent's failure to perform basic parental functions, obligations, and duties as the result of substance abuse; and (c) the court finds reasonable grounds to believe the child is dependent and that the child's health, safety, and welfare will be seriously endangered if not taken into custody.*

**RCW 74.13.031**

**Duties of department – Child welfare services**

The department shall have the duty to provide child welfare services and shall:

(6) Have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, and to provide for the physical care of such children and make payment of maintenance costs if needed.

**RCW 26.44.056**

**Protective detention or custody of abused child – Reasonable cause**

(1) An administrator of a hospital or similar institution or any physician, licensed pursuant to chapters 18.71 or 18.57 RCW, may detain a child without consent of a person legally responsible for the child whether or not medical treatment is required, if the circumstances or conditions of the child are such that the detaining individual has reasonable cause to believe that permitting the child to continue in his or her place of residence or in the care and custody of the parent, guardian, custodian or other person legally responsible for the child's care would present an imminent danger to that child's safety: PROVIDED, That such administrator or physician shall notify or cause to be notified the appropriate law enforcement agency or child protective services pursuant to RCW 26.44.040. Such notification shall be made as soon as possible and in no case longer than seventy-two hours. Such temporary protective custody by an administrator or doctor shall not be deemed an arrest. Child protective services may detain the child until the court assumes custody, but in no case longer than seventy-two hours, excluding Saturdays, Sundays, and holidays.

(2) Whenever an administrator or physician has reasonable cause to believe that a child would be in imminent danger if released to a parent, guardian, custodian, or other person or is in imminent danger if left in the custody of a parent, guardian, custodian, or other person, the administrator or physician may notify a law enforcement agency and the law enforcement agency shall take the child into custody or cause the child to be taken into custody. The law enforcement agency shall release the child to the custody of child protective services. Child protective services shall detain the child until the court assumes custody or upon a documented and substantiated record that in the professional judgment of the child protective services the child's safety will not

be endangered if the child is returned. If the child is returned, the department shall establish a six-month plan to monitor and assure the continued safety of the child's life or health. The monitoring period may be extended for good cause.

(3) A child protective services employee, an administrator, doctor, or law enforcement officer shall not be held liable in any civil action for the decision for taking the child into custody, if done in good faith under this section.

**RCW 26.44.030**  
**Filing dependency petitions**

(8) Any case referred to the department by a physician licensed under chapter 18.57 or 18.71 RCW on the basis of an expert medical opinion that child abuse, neglect, or sexual assault has occurred and that the child's safety will be seriously endangered if returned home, the department shall file a dependency petition unless a second licensed physician of the parents' choice believes that such expert medical opinion is incorrect. If the parents fail to designate a second physician, the department may make the selection. If a physician finds that a child has suffered abuse or neglect but that such abuse or neglect does not constitute imminent danger to the child's health or safety, and the department agrees with the physician's assessment, the child may be left in the parents' home while the department proceeds with reasonable efforts to remedy parenting deficiencies.

**7. SUBSTANCE ABUSE**

**RCW 26.44.170**  
**Alleged child abuse or neglect – Use of alcohol or controlled substances as contributing factor**

(1) When, as a result of a report of alleged child abuse or neglect, an investigation is made that includes an in-person contact with the person who is alleged to have committed the abuse or neglect, there shall be a determination of whether it is probable that the use of alcohol or controlled substances is a contributing factor to the alleged abuse or neglect.

(2) The department shall provide appropriate training for persons who conduct the investigations under subsection (1) of this section. The training shall include methods of identifying indicators of abuse of alcohol or controlled substances.

(3) If a determination is made under subsection (1) of this section that there is probable cause to believe abuse of alcohol or controlled substances has contributed to the child abuse or neglect, the department shall, within available funds, cause a comprehensive chemical dependency evaluation to be made of the person or persons so identified. The evaluation shall be conducted by a physician or persons certified under rules adopted by the department to make such evaluation. The department shall perform the duties assigned under this section within existing personnel resources.

**RCW 13.34.174**  
**Order of alcohol or substance abuse diagnostic investigation and evaluation – Treatment plan – Breach of plan – Reports**

(1) The provisions of this section shall apply when a court orders a party to undergo an alcohol or substance abuse diagnostic investigation and evaluation.

(2) The facility conducting the investigation and evaluation shall make a written report to the court stating its findings and recommendations including family-based services or treatment when



appropriate. If its findings and recommendations support treatment, it shall also recommend a treatment plan setting out:

- (a) Type of treatment;
- (b) Nature of treatment;
- (c) Length of treatment;
- (d) A treatment time schedule; and
- (e) Approximate cost of the treatment.

The affected person shall be included in developing the appropriate treatment plan. The treatment plan must be signed by the treatment provider and the affected person. The initial written progress report based on the treatment plan shall be sent to the appropriate persons six weeks after initiation of treatment. Subsequent progress reports shall be provided after three months, six months, twelve months, and thereafter every six months if treatment exceeds twelve months. Reports are to be filed with the court in a timely manner. Close-out of the treatment record must include summary of pretreatment and posttreatment, with final outcome and disposition. The report shall also include recommendations for ongoing stability and decrease in destructive behavior.

Each report shall also be filed with the court and a copy given to the person evaluated and the person's counsel. A copy of the treatment plan shall also be given to the department's caseworker and to the guardian ad litem. Any program for chemical dependency shall meet the program requirements contained in chapter 70.96A RCW.

(3) If the court has ordered treatment pursuant to a dependency proceeding it shall also require the treatment program to provide, in the reports required by subsection (2) of this section, status reports to the court, the department, the supervising child-placing agency if any, and the person or person's counsel regarding the person's cooperation with the treatment plan proposed and the person's progress in treatment.

(4) If a person subject to this section fails or neglects to carry out and fulfill any term or condition of the treatment plan, the program or agency administering the treatment shall report such breach to the court, the department, the guardian ad litem, the supervising child-placing agency if any, and the person or person's counsel, within twenty-four hours, together with its recommendation. These reports shall be made as a declaration by the person who is personally responsible for providing the treatment.

(5) Nothing in this chapter may be construed as allowing the court to require the department to pay for the cost of any alcohol or substance abuse evaluation or treatment program.

**RCW 13.34.176**

**Violation of alcohol or substance abuse treatment conditions -- Hearing -- Notice -- Modification of order.**

(1) The court, upon receiving a report under RCW 13.34.174(4) or at the department's request, may schedule a show cause hearing to determine whether the person is in violation of the treatment conditions. All parties shall be given notice of the hearing. The court shall hold the hearing within ten days of the request for a hearing. At the hearing, testimony, declarations, reports, or other relevant information may be presented on the person's alleged failure to comply with the treatment plan and the person shall have the right to present similar information on his or her own behalf.

(2) If the court finds that there has been a violation of the treatment conditions it shall modify the dependency order, as necessary, to ensure the safety of the child. The modified order shall remain in effect until the party is in full compliance with the treatment requirements.

## **8. SHARING OF INFORMATION**

### **RCW 26.44.030**

#### **Case planning and consultation – Penalty for unauthorized exchange of information**

(7) The department may conduct ongoing case planning and consultation with those persons or agencies required to report under this section, with consultants designated by the department, and with designated representatives of Washington Indian tribes if the client information exchanged is pertinent to cases currently receiving child protective services. Upon request, the department shall conduct such planning and consultation with those persons required to report under this section if the department determines it is in the best interests of the child. Information considered privileged by statute and not directly related to reports required by this section must not be divulged without a valid written waiver of the privilege.

(9) Persons or agencies exchanging information under subsection (7) of this section shall not further disseminate or release the information except as authorized by state or federal statute. Violation of this subsection is a misdemeanor.

### **RCW 13.34.090**

#### **Rights under chapter proceedings.**

(4) Copies of department of social and health services or supervising agency records to which parents have legal access pursuant to chapter 13.50 RCW shall be given to the child's parent, guardian, legal custodian, or his or her legal counsel, prior to any shelter care hearing and within fifteen days after the department or supervising agency receives a written request for such records from the parent, guardian, legal custodian, or his or her legal counsel. These records shall be provided to the child's parents, guardian, legal custodian, or legal counsel a reasonable period of time prior to the shelter care hearing in order to allow an opportunity to review the records prior to the hearing. These records shall be legible and shall be provided at no expense to the parents, guardian, legal custodian, or his or her counsel. When the records are served on legal counsel, legal counsel shall have the opportunity to review the records with the parents and shall review the records with the parents prior to the shelter care hearing.

### **RCW 13.50.010**

#### **Definitions**

(1) For purposes of this chapter:

(a) "Juvenile justice or care agency" means (a) any of the following: Police, diversion units, court, prosecuting attorney, defense attorney, detention center, attorney general, the legislative children's oversight committee, the office of family and children's ombudsman, the department of social and health services and its contracting agencies, schools; persons or public or private agencies having children committed to their custody; and any placement oversight committee created under RCW 72.05.415;

(b) "Official juvenile court file" means the legal file of the juvenile court containing the petition or information, motions, memorandums, briefs, findings of the court, and court orders;

(c) "Records" means the official juvenile court file, the social file, and records of any other juvenile justice or care agency in the case;

**RCW 13.50.100**

(1) This section governs records not covered by RCW 13.50.050.

(2) Records covered by this section shall be confidential and shall be released only pursuant to this section and RCW 13.50.010.

(3) Records retained or produced by any juvenile justice or care agency may be released to other participants in the juvenile justice or care system only when an investigation or case involving the juvenile in question is being pursued by the other participant or when that other participant is assigned the responsibility of supervising the juvenile.

(4) Subject to (a) of this subsection, the department of social and health services may release information retained in the course of conducting child protective services investigations to a family or juvenile court hearing a petition for custody under chapter 26.10 RCW.

(a) Information that may be released shall be limited to information regarding investigations in which: (i) The juvenile was an alleged victim of abandonment or abuse or neglect; or (ii) the petitioner for custody of the juvenile, or any individual aged sixteen or older residing in the petitioner's household, is the subject of a founded or currently pending child protective services investigation made by the department subsequent to October 1, 1998.

(b) Additional information may only be released with the written consent of the subject of the investigation and the juvenile alleged to be the victim of abandonment or abuse and neglect, or the parent, custodian, guardian, or personal representative of the juvenile; or by court order obtained with notice to all interested parties.

(5) Any disclosure of records or information by the department of social and health services pursuant to this section shall not be deemed a waiver of any confidentiality or privilege attached to the records or information by operation of any state or federal statute or regulation, and any recipient of such records or information shall maintain it in such a manner as to comply with such state and federal statutes and regulations and to protect against unauthorized disclosure.

(6) A contracting agency or service provider of the department of social and health services that provides counseling, psychological, psychiatric, or medical services may release to the office of the family and children's ombudsman information or records relating to services provided to a juvenile who is dependent under chapter 13.34 RCW without the consent of the parent or guardian of the juvenile, or of the juvenile if the juvenile is under the age of thirteen years, unless such release is otherwise specifically prohibited by law.

(7) A juvenile, his or her parents, the juvenile's attorney and the juvenile's parent's attorney, shall, upon request, be given access to all records and information collected or retained by a juvenile justice or care agency which pertain to the juvenile except:

(a) If it is determined by the agency that release of this information is likely to cause severe psychological or physical harm to the juvenile or his or her parents the agency may withhold the information subject to other order of the court: PROVIDED, That if the court determines that limited release of the information is appropriate, the court may specify terms and conditions for the release of the information; or

(b) If the information or record has been obtained by a juvenile justice or care agency in connection with the provision of counseling, psychological, psychiatric, or medical services to the

juvenile, when the services have been sought voluntarily by the juvenile, and the juvenile has a legal right to receive those services without the consent of any person or agency, then the information or record may not be disclosed to the juvenile's parents without the informed consent of the juvenile unless otherwise authorized by law; or

(c) That the department of social and health services may delete the name and identifying information regarding persons or organizations who have reported alleged child abuse or neglect.

#### **RCW 74.13.280**

##### **Client Information**

(1) Except as provided in RCW 70.24.105, whenever a child is placed in out-of-home care by the department or a child-placing agency, the department or agency shall share information about the child and the child's family with the care provider and shall consult with the care provider regarding the child's case plan. If the child is dependent pursuant to a proceeding under chapter 13.34 RCW, the department or agency shall keep the care provider informed regarding the dates and location of dependency review and permanency planning hearings pertaining to the child.

(2) Any person who receives information about a child or a child's family pursuant to this section shall keep the information confidential and shall not further disclose or disseminate the information except as authorized by law.

(3) Nothing in this section shall be construed to limit the authority of the department or child-placing agencies to disclose client information or to maintain client confidentiality as provided by law.

#### **RCW 74.13.285**

##### **Passports – Information to be provided to foster parents**

(1) Within available resources, the department shall prepare a passport containing all known and available information concerning the mental, physical, health, and educational status of the child for any child who has been in a foster home for ninety consecutive days or more. The passport shall contain education records obtained pursuant to RCW 28A.150.510. The passport shall be provided to a foster parent at any placement of a child covered by this section. The department shall update the passport during the regularly scheduled court reviews required under chapter 13.34 RCW.

New placements after July 1, 1997, shall have first priority in the preparation of passports. Within available resources, the department may prepare passports for any child in a foster home on July 1, 1997, provided that no time spent in a foster home before July 1, 1997, shall be included in the computation of the ninety days.

(2) In addition to the requirements of subsection (1) of this section, the department shall, within available resources, notify a foster parent before placement of a child of any known health conditions that pose a serious threat to the child and any known behavioral history that presents a serious risk of harm to the child or others.

#### **RCW 13.34.105**

##### **Guardian ad litem – Access to Information**

(3) Except for information or records specified in RCW 13.50.100(5), the guardian ad litem shall have access to all information available to the state or agency on the case. Upon presentation of the order of appointment by the guardian ad litem, any agency, hospital, school organization, division or department of the state, doctor, nurse, or other health care provider,

psychologist, psychiatrist, police department, or mental health clinic shall permit the guardian ad litem to inspect and copy any records relating to the child or children involved in the case, without the consent of the parent or guardian of the child, or of the child if the child is under the age of thirteen years, unless such access is otherwise specifically prohibited by law.

(4) A guardian ad litem may release confidential information, records, and reports to the office of the family and children's ombudsman for the purposes of carrying out its duties under chapter 43.06A RCW.

(5) The guardian ad litem shall release case information in accordance with the provisions of RCW 13.50.100.

#### **RCW 13.34.340**

##### **Release of records – Disclosure to treating physician.**

For minors who cannot consent to the release of their records with the department because they are not old enough to consent to treatment, or, if old enough, lack the capacity to consent, or if the minor is receiving treatment involuntarily with a provider the department has authorized to provide mental health treatment under RCW 13.34.320, the department shall disclose, upon the treating physician's request, all relevant records, including the minor's passport as established under RCW 74.13.285, in the department's possession that the treating physician determines contain information required for treatment of the minor. The treating physician shall maintain all records received from the department in a manner that distinguishes the records from any other records in the minor's file with the treating physician and the department records may not be disclosed by the treating physician to any other person or entity absent a court order except that, for medical purposes only, a treating physician may disclose the department records to another treating physician.

#### **RCW 13.34.350**

##### **Dependent children – information sharing – Guidelines.**

In order to facilitate communication of information needed to serve the best interest of any child who is the subject of a dependency case filed under this chapter, the department of social and health services shall, consistent with state and federal law governing the release of confidential information, establish guidelines, and shall use those guidelines for the facilitation of communication of relevant information among divisions, providers, the courts, the family, caregivers, caseworkers, and others.

## **9. COMMUNITY PROTECTION TEAMS**

**Governor Lowry's Executive Order 95-04 (attached)**

#### **RCW 74.14B.030**

##### **Child abuse and neglect – Multidisciplinary teams.**

The department shall establish and maintain one or more multidisciplinary teams in each state region of the division of children and family services. The team shall consist of at least four persons, selected by the department, from professions which provide services to abused and neglected children and/or the parents of such children. The teams shall be available for

consultation on all cases where a risk exists of serious harm to the child and where there is dispute over whether out-of-home placement is appropriate.

## **10. CHILD FATALITY REVIEWS**

### **RCW 74.13.640**

#### **Child fatality review -- Report**

(1) The department of social and health services shall conduct a child fatality review in the event of an unexpected death of a minor in the state who is in the care of or receiving services described in chapter 74.13 RCW from the department or who has been in the care of or received services described in chapter 74.13 RCW from the department within one year preceding the minor's death.

(2) Upon conclusion of a child fatality review required pursuant to subsection (1) of this section, the department shall issue a report on the results of the review to the appropriate committees of the legislature and shall make copies of the report available to the public upon request.

(3) The department shall develop and implement procedures to carry out the requirements of subsections (1) and (2) of this section.

### **RCW 70.05.170**

#### **Child mortality review**

(1)(a) The legislature finds that the mortality rate in Washington state among infants and children less than eighteen years of age is unacceptably high, and that such mortality may be preventable. The legislature further finds that, through the performance of child mortality reviews, preventable causes of child mortality can be identified and addressed, thereby reducing the infant and child mortality in Washington state.

(b) It is the intent of the legislature to encourage the performance of child death reviews by local health departments by providing necessary legal protections to the families of children whose deaths are studied, local health department officials and employees, and health care professionals participating in child mortality review committee activities.

(2) As used in this section, "child mortality review" means a process authorized by a local health department as such department is defined in RCW 70.05.010 for examining factors that contribute to deaths of children less than eighteen years of age. The process may include a systematic review of medical, clinical, and hospital records; home interviews of parents and caretakers of children who have died; analysis of individual case information; and review of this information by a team of professionals in order to identify modifiable medical, socioeconomic, public health, behavioral, administrative, educational, and environmental factors associated with each death.

(3) Local health departments are authorized to conduct child mortality reviews. In conducting such reviews, the following provisions shall apply:

(a) All medical records, reports, and statements procured by, furnished to, or maintained by a local health department pursuant to chapter 70.02 RCW for purposes of a child mortality review are confidential insofar as the identity of an individual child and his or her adoptive or natural parents is concerned. Such records may be used solely by local health departments for the purposes of the review. This section does not prevent a local health department from publishing statistical compilations and reports related to the child mortality review, if such compilations and reports do not identify individual cases and sources of information.

(b) Any records or documents supplied or maintained for the purposes of a child mortality review are not subject to discovery or subpoena in any administrative, civil, or criminal proceeding related to the death of a child reviewed. This provision shall not restrict or limit the discovery or subpoena from a health care provider of records or documents maintained by such health care provider in the ordinary course of business, whether or not such records or documents may have been supplied to a local health department pursuant to this section.

(c) Any summaries or analyses of records, documents, or records of interviews prepared exclusively for purposes of a child mortality review are not subject to discovery, subpoena, or introduction into evidence in any administrative, civil, or criminal proceeding related to the death of a child reviewed.

(d) No local health department official or employee, and no members of technical committees established to perform case reviews of selected child deaths may be examined in any administrative, civil, or criminal proceeding as to the existence or contents of documents assembled, prepared, or maintained for purposes of a child mortality review.

(e) This section shall not be construed to prohibit or restrict any person from reporting suspected child abuse or neglect under chapter 26.44 RCW nor to limit access to or use of any records, documents, information, or testimony in any civil or criminal action arising out of any report made pursuant to chapter 26.44 RCW.

**EXECUTIVE ORDER 95-04****MANDATING THE USE OF COMMUNITY PROTECTION TEAMS**

**WHEREAS**, the number of children in the United States who face violence in their own homes is growing dramatically as more families experience poverty, homelessness, and substance abuse problems; and

**WHEREAS**, the rate of child abuse and neglect in our country has increased by 48 percent over the past eight years; and

**WHEREAS**, the state's child welfare system is struggling to keep up with growing caseloads and to respond effectively to increasingly severe cases of family dysfunction; and

**WHEREAS**, no reliable research-based approach exists to identify those families who are most at risk for child fatalities, thereby increasing the need for enhanced professional evaluations; and

**WHEREAS**, law enforcement officers, physicians, mental health and substance abuse treatment providers, child guardians ad litem, public health nurses, school counselors, and other professionals collectively possess the skills and expertise that can help to reliably assess risk to children, and;

**WHEREAS**, the checks and balances provided by an "outside" community review of state agency actions can improve outcomes for children and their families; and

**WHEREAS**, current law permits, but does not require, the Department of Social and Health Services to use community-based, multidisciplinary teams of service professionals for consultation in certain child protection cases;

**NOW, THEREFORE, I, Mike Lowry, Governor of the state of Washington, by virtue of the power vested in me, do hereby order the following:**

**I. The Department of Social and Health Services shall utilize the multidisciplinary community protection teams established pursuant to RCW 74.14B.030 as follows:**

**A. In all child protection cases in which the risk assessment results in a "moderately high" or "high" risk classification, and the child is age six years or younger;**

**B. In all child protection cases where serious professional disagreement exists about a risk of death or serious injury;**

**C. In all child protection cases that are opened on the basis of "imminent harm"; and**

**D. In all complex child protection cases where such consultation will help improve outcomes for children.**

**II. The Department of Social and Health Services shall establish, maintain, and staff multidisciplinary community protection teams sufficient to review these cases as soon as feasible and shall continue to develop a broad array of team members who will work with the department to make the best decisions possible to protect and improve the lives of the children in our state.**



III. This Executive Order shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set  
my hand and caused the seal of the State of  
Washington to be affixed at Olympia this  
27th day of July A.D., Nineteen hundred and ninety-five.

Mike Lowry  
Governor of Washington


BY THE GOVERNOR:

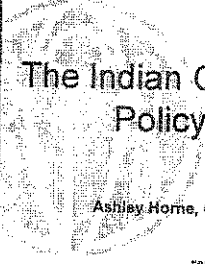
Assistant Secretary of State

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Category and Module	Competency	Learning Objectives
ICW for Supervisors	Ability to describe and inform their staff of the legal definition of an Indian child.	
	Ability to understand and relate the ICW Case Review process to their staff.	
	Ability to understand and relate the importance of early identification and tribal notification procedures on ICW cases.	
	Ability to relate ICW cultural resources in their region to their staff.	

  
**NICWA**  
 National Indian Child Welfare Association  
Protecting our children • Preserving our culture



## The Indian Child Welfare Act: Policy & Practice

Ashley Home, Government Affairs Associate  
 NICWA

503-222-4044, ext. 122  
[ahome@nicwa.org](mailto:ahome@nicwa.org)

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- American history (European immigration, colonization, etc.) and federal Indian policy (removal, termination, etc.) have impacted tribes since initial contact.
- Review of federal Indian laws and their implementation provides a context for understanding current socio-economic and political challenges — and underscores the importance of the Indian Child Welfare Act (ICWA).

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The Civilization Act of the early 1800s intended to "civilize" and "Christianize" Indians through federal and private means.

- The Indian Removal Act of 1830 was enacted to move Indians away from traditional homelands to "Indian Territory" west of the Mississippi so as to provide European immigrants with land and to prevent further conflict between colonists and tribes.
- Starting in the 1850s, Indian children were removed from their homes and sent to military style boarding schools, implementing federal policy aimed at assimilating Indian children.




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• With the passage of the Dawes Allotment Act of 1887, Indian land was divided up in an effort to turn Indians into nuclear families and farmers. It was with this law, that the concept of blood quantum (stemming from military's knowledge of horse breeding) was introduced as a concept of tribal enrollment.

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• Initiated in 1959, the Indian Adoption Project (Bureau of Indian Affairs and the Child Welfare League of America) and the adopting-out of Indian children to Christian non-Native families

• Public Law 83-280 of 1953 was enacted during the termination era in which one hundred and nine tribes were "ordered to cease exercising governmental powers and to disperse all land and property to tribal members." Public Law 280 was an interim step towards the termination of some tribes. It provided for states, some as a mandatory matter and others at their option, to exercise criminal jurisdiction over all AI/AN people living within the state and over "civil causes of action" involving AI/AN people residing in the state as well.

• Relocation program of 1950s and 60s.

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In the 1960s, tribes began to question the placement rate of their children into non-Native homes.

• In the 1970s, the Association on American Indian Affairs (AAIA), New York, conducted surveys to discover the extent of Indian child welfare issues.

- Studies found 25-35% of all Indian children had been removed from their families and placed into non-Native care.
- Findings created and expressed national tribal concern, leading to action and advocacy.

• In 1978, Congress passed the Indian Child Welfare Act (ICWA)

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§ 1902. Congressional Findings-

(3) that there is no resource that is more vital to the continued existence and integrity of Indian tribes than their children and that the United States has a direct interest, as trustee, in protecting Indian children who are members of or are eligible for membership in an Indian tribe;

(4) that an alarmingly high percentage of Indian families are broken up by the removal, often unwarranted, of their children from them by non-tribal public and private agencies and that an alarmingly high percentage of such children are placed in non-Indian foster and adoptive homes and institutions; and

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(5) that the States, exercising their recognized jurisdiction over Indian child custody proceedings through administrative and judicial bodies, have often failed to recognize the essential tribal relations of Indian people and the cultural and social standards prevailing in Indian communities and families.



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§ 1902. Congressional declaration of policy-

The Congress hereby declares that it is the policy of this Nation to protect the best interests of Indian children and to promote the stability and security of Indian tribes and families by the establishment of minimum Federal standards for the removal of Indian children from their families and the placement of such children in foster or adoptive homes which will reflect the unique values of Indian culture, and by providing for assistance to Indian tribes in the operation of child and family service programs.

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Is this an Indian child? In order for ICWA to apply, the child must be:

- Unmarried, under 18 years of age; and
- A member of a federally recognized Indian tribe, including an Eskimo, Aleut or other Alaska Native; or
- A child eligible for membership in a federally recognized tribe, including an Eskimo, Aleut or other Alaska Native and biological child of a member of an Indian tribe.

- The WA Tribal-State Agreement extends the definition of Indian child to include members of tribes recognized by Washington State and members of Canadian Native bands.
- Inquiry of Indian status must be made by the petitioning party if there is reason to believe a child is Indian.
- A tribe is the only entity that can make a determination of membership.




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ICWA covers voluntary and involuntary child custody proceedings in state court:

- Foster care placements in foster homes or institutions
- Termination of parental rights
- Pre-adoptive placements in homes or institutions
- Guardianship placements
- Adoptive placements




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ICWA does not cover:

- Situations where the public agency is providing services to the family, but the child has not been removed and is not a ward of the state court
- An award or dispute of custody related to divorce proceedings
- Most juvenile delinquency proceedings

Except:

- 1) Juvenile delinquency proceedings where TPR may occur
- 2) Status offenses (e.g. drinking, runaway, truancy)

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- The tribe has exclusive jurisdiction if the child resides or is domiciled on tribal lands (tribe determines this) or the child is currently a ward of a tribal court.
- P.L. 280 gave states concurrent jurisdiction with tribes in some areas.
- State courts exercise temporary jurisdiction over a child who is temporarily living off the reservation.
- If the Indian child is not living on tribal lands, the state court must still transfer jurisdiction to the tribal court, unless:
  - There is "good cause to the contrary"
  - Tribe or parent(s) object to transfer
- The Indian tribe, parent, or Indian custodian must petition to have the case transferred to tribal court.




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- Child's tribe, Indian parent, and Indian custodian have the right to intervene at any point in child custody proceedings.
- State agency/court must send notice, by registered mail, to parent, Indian custodian, and tribe of pending proceedings.
- No proceeding shall occur until at least 10 days after receipt of notice (interveners can request an additional 20 days).
- All parties have right to examine all reports or documents filed with the court.
- The court must be satisfied that *active* rehabilitative efforts have been made to provide remedial services to the Indian family.

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- Under ICWA, no *foster placement* may be ordered without "clear and convincing evidence" that "continued custody of a child by the parent is likely to result in serious emotional or physical damage to the child."
- *Active efforts* to provide remedial services to prevent family breakup must have been provided prior to removal and after removal to assist reunification.

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Foster placements must follow the following order unless there is good cause to the contrary.

- Member of the Indian child's extended family.
- Foster home licensed or approved by child's tribe.
- Indian foster home licensed or approved by an authorized licensing authority (state or tribe).
- An institution for children approved by an Indian tribe or operated by an Indian organization.

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Termination of parental rights (TPR) not be ordered without evidence "beyond a reasonable doubt", including testimony of a qualified expert witness, that "continued custody of a child by the parent is likely to result in serious emotional or physical damage to the child."

- Active efforts to provide remedial services to prevent family breakup and assist with reunification must have been provided prior to TPR.
- Provisions of the Adoption and Safe Families Act (ASFA) pertaining to TPR do not modify those of ICWA.

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Preference in placing an Indian child for adoption must be given to:

- A member of the child's extended family.
- Other members of the child's tribe.
- Other Indian families.



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Under ICWA, testimony of qualified expert witnesses is required to support court's determination for involuntary out-of-home placement.

A "qualified expert witness" is meant to apply to expertise beyond the normal social worker and should be selected/recognized by the tribe.

- Tribal members knowledgeable in family organization and child rearing practices
- Lay experts with experience in Indian child and family services.




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- Voluntary consent to TPR must be done in writing and recorded in presence of a judge.
- Certification is required that the parent fully understood their consent.
- Any consent for adoption given prior to, or within, 10 days after birth is not valid.
- Consent to TPR or adoption may be withdrawn at any time for any reason prior to the entry of final adoption decree.
- Consent to foster care can be withdrawn at any time and the child must be returned to the parent.
- Adoption can be overturned within two years of final adoption decree if fraud or duress in obtaining consent is proven.

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- An Indian adoptee who is at least 18 years old may, through the court, request their adoption records to identify their possible tribal affiliation and any rights they may be entitled to as an Indian person.
- It is important to consider the rights and privileges associated with tribal citizenship. These include, but are not limited to, the right to vote, hold office, own land, conduct traditional functions or assume inherited cultural roles, and the right to any applicable educational, health, or economic benefits.

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## ICWA and ASFA: Successful Integration and Compliance

David Simmons, Director of Government Affairs and Advocacy  
 Ashley Horna, Government Affairs Associate  
 NICWA  
 603-222-6044  
[ahorna@nicwa.org](mailto:ahorna@nicwa.org)

### ASFA

- TPR must be filed:
  - in care 15 of last 22 months (timeline varies),
  - child has been abandoned,
  - or serious crimes against child have occurred.
- Exceptions to TPR:
  - relative care, best interests,
  - or case plan services not achieved.
- Locate adoptive family when exceptions do not apply.

### ICWA

- TPR should only occur when legal standards met:
  - Evidence beyond a reasonable doubt, including expert witness testimony,
  - continued custody by parent is likely to result in serious harm; and
  - active efforts made.

### Indian children may be eligible for TPR exceptions (case-by-case determination):

- ICWA preferred placement is extended family (in relative care).
- ICWA legal standards for TPR - if not met, grounds to avoiding filing (not in best interests).
- Active efforts not provided - grounds to avoiding filing (case plan services not provided).



• Text of ICWA, federal guidelines, and practice help at the National Indian Child Welfare Association's (NICWA) website: [www.nicwa.org](http://www.nicwa.org)

• Comprehensive online guide to implementing ICWA at the Native American Rights Fund (NARF) website: [www.narf.org](http://www.narf.org)

• Legal services listings by state: <http://www.ptla.org/ptlasite/links/services.htm>

- Some states have Indian legal services programs.

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• Bureau of Indian Affairs (BIA) Regional Offices contact information: [http://www.dhs.state.or.us/policy/childwelfare/icwa/bia\\_offices.htm](http://www.dhs.state.or.us/policy/childwelfare/icwa/bia_offices.htm)

• National Congress of American Indians (NCAI) listing of federally-recognized tribes: [http://www.ncai.org/Tribal-Directory\\_3.0.html](http://www.ncai.org/Tribal-Directory_3.0.html)

• Individuals trying to determine eligibility for tribal membership for themselves, a parent or child should ask for the tribal child welfare program and/or tribal enrollment office. Only Indian tribes can issue membership determinations.

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• WA Office of Indian Policy: <http://www.dshs.wa.gov/oip/aboutoip.shtml>

• WA CA ICW Page and ICW Manual accessible from outside the firewall:

- ICW Page - <http://www.dshs.wa.gov/ca/services/srvicw.asp>
- ICW Manual - [www.dshs.wa.gov/ca/pubs/mnl\\_icw/chapter1.asp](http://www.dshs.wa.gov/ca/pubs/mnl_icw/chapter1.asp)

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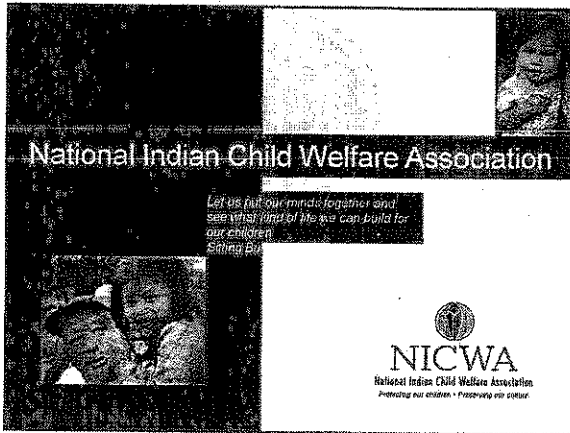
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National Indian Child Welfare Association

Let us put our minds together and see what kind of life we can build for our children  
Sitting Bull

  
**NICWA**  
National Indian Child Welfare Association  
Protecting our children • Preserving our culture

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Category and Module	Competency	Learning Objectives
Hiring, Screening, Interviewing	Ability to access and apply DSHS personnel policies	Can collaborate with HRD to understand and apply hiring procedures and processes
Performance and Development Plans	Ability to access and apply DSHS personnel policies	Can collaborate with HRD to apply the Performance and Development Plan process
	Ability to complete Performance and Development Plans that accurately assess the strengths and weaknesses of their staff	Can understand and articulate the Performance and Development Plan process

# Hiring, Screening & Interviewing

Presented by:

Rhea Seeber-Reynolds, HR Manager

Stefani Coverson, HR Manager

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## Objectives

- Recruit competent staff
- Access and apply Master Agreement, Policies and Practices
- Understand interviewing procedures

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## Rules and Policies

- For Washington General Service (WGS), the following apply:
  - ◆ WFSE CBA
  - ◆ DSHS Policy 18.19

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### Types of Appointments

- Probationary
- Trial Service
- Transfer
- Voluntary Demotion
- Elevation
- College Career Graduate-Social Services
- Non-permanent\*

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### Probationary Period

- Every part-time and full-time employee, following his or her initial appointment to a permanent position, will serve a probationary period of 6 consecutive months; except that employees in any class for which the probationary period was 12 months on July 1, 2005 will continue to serve a 12 month probationary period.

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### Probationary Period

- Agencies may extend the probationary period for an individual employee as long as the extension does not cause the total period to exceed 12 months
  
- The Employer may separate a probationary employee at any time during the probationary period.

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### Trial Service Period

- Except for those employees in an in-training appointment, all other employees with permanent status who are promoted, or who voluntarily accept a transfer or demotion into a job classification for which they have not previously attained permanent status, will serve a trial service period of 6 consecutive months.

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### Trial Service Period

- Agencies may extend the trial service period for an individual employee as long as the extension does not cause the total period to exceed 12 months.
- The Employer may revert an employee who does not satisfactorily complete his or her trial service period.

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### Vehicles for Transfer

- Transfers from Certification List
  - Between agencies or within same agency
  - Same job class or different job class with same salary range maximum
  - May have to serve a trial service period
- Internal Movement- *Permanent Employees*
  - Within DSHS
  - *Has permanent status with the State*
  - Employee makes written request to Appointing Authority (no Cert List required)
  - May have to serve a trial service period

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## Voluntary Demotion

- Voluntary Demotion from Certification List
  - Between agencies or within same agency
  - Position with a lower salary range maximum
  - May have to serve a trial service period
- Internal Movement— *Permanent Employees*
  - Within DSHS
  - Has permanent status with the State
  - Employee makes written request to Appointing Authority (no Cert List required)
  - May have to serve a trial service period

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## Elevations

- Elevations\* from Certification List
  - Can be used between agencies or within an agency
- Internal Movement— *Permanent Employees*
  - Within DSHS only
  - Has permanent status as a State employee
  - Previously held permanent status at the higher level
  - Employee makes written request to Appointing Authority (no Cert List required)

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## College Career Graduate Program & other in training plans

- College Career Graduate Program—SS
  - 6 months at CCGP
  - 18 months at Social Worker 1
  - 12 months at Social Worker 2
- Class Series In-Training
  - Done in same or like series
  - Can be multi level
  - Up to 36 months max

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## Non-Perm Appointments

- Fill in for the absence of permanent employee
- During a workload peak
- While recruitment is being conducted
- To reduce the possible effects of a layoff
- Incumbent must have the skills and abilities required for the position

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## When you have a vacancy...

- Speak with your Area Administrator/ Area Manager
- Consult with HRD Representative as necessary to strategize on hiring options based on your unit's needs
- Contact local HR Representative to initiate hiring process

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## Hiring Strategy

- Decide how you want to announce your vacancy...
  - Internal movement of permanent employees
  - Recruit through NeoGov (this includes both non-permanent and permanent hires)

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### Article 4.3 Internal Movement

Prior to certifying candidates in accordance with Subsection 4.1, an Appointing Authority may grant an administrative transfer, voluntary demotion, or elevation within an agency as long as the permanent employee has the skills and abilities required to perform the duties of the position.

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### Internal Movement Continued

Employees desiring a transfer, voluntary demotion, or elevation will initiate a request in writing, and appointing authorities will consider these individuals for an opening. *Candidates interviewed will be notified of the hiring decision...* [emphasis added]

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### Request for Certification

- Work with local HR Rep to initiate recruitment process through NeoGov
- Review Position Description Form (PDF)
  - Essential functions
  - Does position have specialist language?
  - Are geographic location, work shift, and work hours (F/T vs P/T) correct?
  - Update PDF if necessary
  - PDF must be approved by Class & Comp

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## Request for Certification Continued...

- Once the PDF has been approved, the local HR Rep can create a job announcement for your position in NeoGov
- Announcements are to be open for a minimum of 7 days (for both non-permanent and permanent hiring)

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## Ratio of Applicants on Certified List

- Agency Layoff-
  - "Certification of One"
- Otherwise....
  - 75% Permanent State Employees
  - 25% Open Competitive Candidates

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## Agency LayOff

- INTERNAL
  - Certification of one (most senior if more than one)
  - Must meet Skills & Abilities of position
  - Must be considered
  - Program determines/justifies if not hired

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## Under Represented Applicants

- Includes Vietnam Vet, Disabled Vet, Person of Disability and over 40
- No Special Consideration
- Don't ask we WON'T tell!!
- Decision to identify Under Represented status is voluntary

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## Tools for Screening Certified Candidates

- Supplemental Questionnaires
  - Questions must be directly related to job
  - Examples of writing
  - Clarification of responses to original questionnaire
- Review of Profiles/Resume
  - Must relate to experience needed for your job
  - Total experience
- Skills Screening Tools
  - Phone test
  - Typing test
  - Commercial assessment products

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## Working your Certified List

- You have your Certified List, "now what?"
  - Work it quickly
  - Contact applicants
    - E-mail
    - Allow reasonable time to respond... give a minimum of 3 days to respond and identify due date in correspondence

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## The Interview Process and Preparation

- A conversation with a defined purpose
  - Information unavailable through application, resume, or reference checks
  - Applicant's opportunity to learn about position and organization

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## Prior to the Interview

- Preparation and Considerations
  - PDF
  - Interview Questions/Rating Guide
    - Prepare standardized interview questions
    - Copy of interview questions for candidates?
  - Interview Panel
    - Consider diverse panel
  - Location
  - How many interviews?

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## Prior to Interview

- Have material items ready
  - Copy of PDF
  - Interview questions/Rating guide
- Introductions
- Explain the "process"
  - Length of interview
  - Number of questions
  - Explain if there will be additional round of interviews
  - Notification method
  - Q & A at the end of interview

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## Hiring Panels

- DCFS encourages hiring panels
  - Check with your Area Administrator
  - Coordinate hiring panel
  - Maintain same panel members

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## The Interview

- Be aware of your behavior
  - Verbal
    - Voice, tone
  - Non-Verbal
    - Establish positive relationship
    - Convey interest in applicant
    - Eye contact

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## Bias

- What are your strongest biases that could influence you during the interview process?
- How could each of these manifest itself during the hiring process?
- What approach would diffuse those biases?

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## Interview Questions

Questions should be:

- Combination of knowledge and behaviorally based questions
- Related to the position/job
- Selected prior to the interview
- Consistent for each applicant
- Legally defensible

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## Interview Questions

Questions related to the following should **NOT** be asked:

- |                         |                    |
|-------------------------|--------------------|
| ■ Race or Color         | ■ Age              |
| ■ Religion              | ■ Sex              |
| ■ Marital/Family Status | ■ Criminal Records |
| ■ Finances              | ■ Disability       |
| ■ National Origin       |                    |

Designing questions that comply with the ADA and Civil Rights Act is essential to good interviewing practices.

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## Background Check

- Request background authorization form (DSHS 03-210) if applicant is:
  - Moving to different class series
  - Moving to different administration
  - Moving from uncovered to covered position;  
or
  - Moving from uncovered to covered position in same class series

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## Checking References

- Goal: Obtain enough information to paint an accurate picture of past performance
- Obtain signed release from candidate
- Verify education and licensure
- *If a current or past state employee, check the personnel file*
- Beware – applicant supplied references not always objective.

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## Checking References

- Phrase questions to draw out some impressions from the reference person.
- Be aware of statements that can have various implications and be sure to ask for further clarification, for example:
  - "Let me see how I can put this."
  - "I guess it was a big misunderstanding."

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## References: Sample Questions

- How long and in what context do you know \_\_\_\_?
- What was \_\_\_\_\_ responsibilities?
- How would you describe his/her work?
- Given the opportunity would you hire him/her again?
- What reservations should I have about the hiring him/her?
- Who else in your organization could comment on his/her performance?
- What were his/her reason for leaving?

Ask in addition to questions specific to skills and abilities.

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## Wrapping It Up

- Compile all interview data
  - Ensure maintenance for 3 years based on Regional Procedures
- Look ahead to next steps
  - Determine preferred candidate
  - Check references
  - Submit approval to hire
  - Receive approval to hire THEN...
  - Contact/notify preferred candidate
  - Notify other candidates

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## Closing the Hiring Process...

- Upon selection/acceptance of a candidate, provide your local HR Rep with the following information:
  - A list of all candidates offered an interview, those who declined, and those who interviewed
  - A list of those candidates you felt had the necessary skills and abilities for the job and whether you were able to hire the first candidate to which the position was offered

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## Closing the Hiring Process...

### Continued

- Notes and questions that were asked of each candidate during the interview process
- The date the preferred candidate accepted the offered position
- The date the preferred candidate was appointed to the position

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### Keep in Mind:

- Successful hiring takes time and thought, and, like most skills, it also takes practice.
- HRD is available to guide and support you through the process.
- Keep the information from the interview for three years. While in most cases it will be exempt from public disclosure, it is not exempt from litigation.

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### HRMS

- Permanent state employees can only be hired on the 1<sup>st</sup> and the 16<sup>th</sup> of the month
- New hires can be hired anytime of the month ~ however, the preference is to hire on 1<sup>st</sup> or 16<sup>th</sup>.

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### HRD Web Addresses

- HRD Website:  
<http://hrd.dshs.wa.gov/>
- HRD link to useful Management tools:  
<http://hrd.dshs.wa.gov/Managers/Managers.htm>

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## **Interview Question Samples - Select Competencies**

Below you will find sample interview questions for 10 competencies that are used in multiple positions across state government. These samples provide you with a tool to help you create questions relevant to the competencies tied to your agency's individual positions.

Here are ten competencies that are related to "core" competencies or requirements associated in many government positions. Additionally, each competency has a number of associated "starter" questions or items that might be considered in the development of rating scales.

- Adaptability and Flexibility
- Conscientiousness
- Interpersonal Skill
- Leadership and Supervision
- Management Control
- Oral Communication
- Planning and Organization
- Problem Solving and Decision Making
- Resistance to Stress
- Written Communication

## Oral Communication

Oral communication is the effective interpretation, composition, and presentation of information, through speech and nonverbal means. Rate oral communication effectiveness shown throughout the interview.

Scale Points	Examples of Responses	Candidate's Score
Above Average Response, Well Qualified  (6-7 pts.)	Expressed self in a clear, distinct, and understandable manner.  Major ideas identified.  Persuasive and effective in establishing points of discussion.  Made needed connections between points.  Personalized discussion.  Enthusiastic.  Asked clarifying questions and paraphrased.  Responses were concise and to the point.  Usage of grammar was effective.  Demonstrated exceptional non-verbal communication.  No behaviors shown that distracted from presentation.	
Average Response, Qualified  (3-5 pts.)	Displayed an adequate though not exceptional number of the above or other effective responses.	
Below Average Response,	Rambled; unable to articulate responses.	

Limited Qualifications  (1-2 pts.)	Poor identification of major ideas.  Did not personalize discussion.  Excessively used "um" or other stall tactics to fill in pauses.  Demonstrated poor non-verbal communication	
Notes from Rater		

## Written Communication

Written communication is the effective interpretation, composition, and presentation of information through writing.

Rate communication effectiveness in writing sample completed.

Scale Points	Examples of Responses	Candidate's Score
<p>Above Average Response, Well Qualified</p> <p>(6-7 pts.)</p>	<p>Expressed self in a clear, distinct, and understandable manner.</p> <p>Sentences and paragraphs were effectively constructed.</p> <p>Major ideas identified.</p> <p>Persuasive and effective in establishing points of discussion.</p> <p>Made needed connections between points.</p> <p>Usage of grammar was effective.</p> <p>Few if any errors in punctuation and spelling.</p>	
<p>Average Response, Qualified</p> <p>(3-5 pts.)</p>	<p>Displayed an adequate though not exceptional number of the above or other effective responses.</p>	
<p>Below Average Response, Limited Qualifications</p>	<p>Did not express self in a clear, distinct, and understandable manner.</p> <p>Sentences and paragraphs were poorly constructed.</p> <p>Weak identification of major ideas.</p> <p>Was not persuasive and effective in establishing points of</p>	



(1-2 pts.)	discussion.  Connections between points were weak.  Usage of grammar was ineffective.  Many errors in punctuation and spelling shown.	
Notes from Rater		

## Leadership and Supervision

Individuals in leadership and supervisory positions can be expected to plan, organize, staff, coordinate, motivate, lead, and control. They also evaluate performance, develop employees, and resolve grievances.

Discuss a situation where you had a leadership role mentioning the leadership behaviors you showed.

Scale Points	Examples of Responses	Candidate's Score
<p>Above Average Response, Well Qualified</p> <p>(6-7 pts.)</p>	<p>Showed initiative in perceiving/dealing with problems.</p> <p>Motivated and inspired others.</p> <p>Demonstrated assertive and self-confident attitude.</p> <p>Accepted responsibility and dealt with conflict in an open yet firm manner.</p> <p>Actively moved to influence events rather than passively accepting or reacting to them.</p> <p>Took charge without overreacting.</p> <p>Directed and guided others in accomplishment of goals and tasks.</p> <p>Demonstrated a "command presence."</p> <p>Had respect of others</p>	
<p>Average Response, Qualified</p> <p>(3-5 pts.)</p>	<p>Mentioned many of the responses for the "Above Average Response" above or other effective actions.</p> <p>Overall response effectiveness was adequate though not a great as possible.</p>	
<p>Below Average</p>	<p>Fails to lead. Did not provide direction to those needing it.</p>	

<p>Response, Limited Qualifications</p> <p>(1-2 pts.)</p>	<p>Showed favoritism.</p> <p>No indication that others bought into goals, agenda, and policy.</p> <p>Slow to take initiative.</p> <p>Indecisive.</p> <p>Leadership involved coercion.</p> <p>Overall responses were ineffective.</p>	
<p>Notes from Rater</p>		

As a supervisor what have you done (or would you do) to develop your employees' knowledge, skills, abilities, and competencies?

<p>Scale</p> <p>Points</p>	<p>Examples of Responses</p>	<p>Candidate's Score</p>
<p>Above Average Response, Well Qualified</p> <p>(6-7 pts.)</p>	<p>Look at current job performance with respect to standards.</p> <p>Examine standing on job competencies, knowledge, skills, and abilities.</p> <p>Determine where performance deficits are due to factors other than skill weakness such as lack of motivation, inadequate equipment, influence of other team members on individual.</p> <p>Identify what training courses will address deficits in knowledge, skills, and abilities.</p> <p>Develop work assignments to strengthen weaker competencies, knowledge, skills, and abilities.</p> <p>Develop or purchase written materials employees can study</p>	

	<p>where training is not available.</p> <p>Provide coaching to improve performance.</p>	
<p>Average Response, Qualified</p> <p>(3-5 pts.)</p>	<p>Mentioned many of the responses for the "Above Average Response" above or other effective actions.</p> <p>Overall response effectiveness was adequate though not a great as possible.</p>	
<p>Below Average Response, Limited Qualifications</p> <p>(1-2 pts.)</p>	<p>Mentioned few if any of the responses for the "Above Average Response" above or other effective actions.</p> <p>Overall response effectiveness was poor or weak.</p>	
<p>Notes from Rater</p>		

Please discuss the role of employee performance standards and what should be considered when setting them.

Scale Points	Examples of Responses	Candidate's Score
<p>Above Average Response, Well Qualified</p> <p>(6-7 pts.)</p>	<p>Standards should be job related.</p> <p>Employees have input into the development of standards.</p> <p>Standards are achievable.</p> <p>Employees know what is expected of them.</p> <p>Employees know of the consequences of meeting and not meeting standards.</p> <p>Insure ineffective performance has negative consequences and effective performance positive ones.</p> <p>Give employees feedback from time to time to for motivation and to let them know where they stand.</p> <p>Career development issues considered when choosing standards.</p> <p>Journal kept of effective and ineffective performance over the course of the evaluation period.</p>	
<p>Average Response, Qualified</p> <p>(3-5 pts.)</p>	<p>Mentioned many of the responses for the "Above Average Response" above or other effective actions.</p> <p>Overall response effectiveness was adequate though not a great as possible.</p>	
<p>Below Average Response, Limited Qualifications</p>	<p>Mentioned few if any of the responses for the "Above Average Response" above or other effective actions.</p> <p>Overall response effectiveness was poor or weak.</p>	

(1-2 pts.)		
Notes from Rater		

Discuss a situation as a supervisor where you resolved an employee relations issue with one or more employees supervised.

Scale Points	Examples of Responses	Candidate's Score
Above Average Response, Well Qualified  (6-7 pts.)	Gathered information to prepare for meetings with employee(s). Had the facts.  Insured employee(s) involved aired their side of the story.  Had employee(s) focus on issues without blaming others.  Talked to those involved individually first where more than one employee was involved.  Brought together employees for discussions when needed where more than one employee involved.  Took notes on discussions with employee(s).  Showed sensitivity to employee position(s).  Disciplined employee(s) appropriately.  Overall, showed effective resolution of issues.	
Average Response, Qualified  (3-5 pts.)	Mentioned many of the responses for the "Above Average Response" above or other effective actions.  Overall response effectiveness was adequate though not a great as possible.	

<p>Below Average Response, Limited Qualifications</p> <p>(1-2 pts.)</p>	<p>Mentioned few if any of the responses for the "Above Average Response" above or other effective actions.</p> <p>Overall response effectiveness was poor or weak.</p>	
<p>Notes from Rater</p>		

## Problem Solving and Decision Making

Problem solving and decision making go hand in hand. Problem solving involves a number of thought processes directed at achieving a goal with no obvious solution method for reaching it. Decision making focuses on evaluating alternatives, and making choices or reaching conclusions.

Discuss a project or assignment where rules, guidelines, and standards were not clear. What did you do to insure the work was completed satisfactorily?

Scale Points	Examples of Responses	Candidate's Score
Above Average Response  (6-7 pts.)	<p>Asked questions to obtain clarification.</p> <p>Dug deep for information. Did research.</p> <p>Involved others to help in gaining clarification.</p> <p>Obtained clarification.</p> <p>Situation made clarification unlikely but project was completed as well as might be expected under the circumstances</p> <p>Project was completed effectively.</p>	
Average Response  (3-5 pts.)	<p>Mentioned many of the responses for the "Above Average Response" above or other effective actions.</p> <p>Overall response effectiveness was adequate though not a great as possible</p>	
Below Average Response  (1-2 pts.)	<p>Poor or weak efforts at clarification.</p> <p>Project/assignment handled ineffectively.</p> <p>Mentioned few if any of the responses for the "Above Average Response" above or other effective actions.</p> <p>Overall response effectiveness was poor or weak.</p>	



Notes from Rater	
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Discuss a challenging work problem and how you solved it.

Scale Points	Examples of Responses	Candidate's Score
Above Average Response  (6-7 pts.)	<ul style="list-style-type: none"> <li>• Problem was more than moderately complex taking into account many things, people, data, concepts, or causes.</li> <li>• Problem left unsolved would have had or continued to have had more than a moderate level of negative consequences.</li> <li>• Problem was one requiring more than a moderate amount of time to solve.</li> <li>• Applicant was recognized by others for how problem was handled.</li> <li>• Solution was particularly effective.</li> </ul>	
Average Response  (3-5 pts.)	<ul style="list-style-type: none"> <li>• Solution was adequate.</li> <li>• Problem involved a moderate level of difficulty, complexity, negative consequences if left unsolved, and time to solve.</li> <li>• Individual not recognized by others for how the problem was handled.</li> </ul>	
Below Average	<ul style="list-style-type: none"> <li>• Solution was inadequate.</li> <li>• Problem involved little difficulty, complexity, negative</li> </ul>	

<p>Response</p> <p>(1-2 pts.)</p>	<p>consequences if left unsolved, or time to solve.</p> <ul style="list-style-type: none"> <li>• Problem was limited to one person.</li> </ul>	
<p>Notes from Rater</p>		

Discuss a time where you had a great amount of responsibility for the completion of a project.

<p>Scale</p> <p>Points</p>	<p>Examples of Responses</p>	<p>Candidate's Score</p>
<p>Above Average Response</p> <p>(6-7 pts.)</p>	<ul style="list-style-type: none"> <li>• Project was handled very effectively.</li> <li>• Had leadership role.</li> <li>• Had more than a moderate amount of discretion in how the project was completed.</li> <li>• Accountability for project was high. Control of project was significant and accountability of others involved was secondary.</li> <li>• Impact of completed project was high.</li> <li>• Project relevant to at least the level of a work group.</li> <li>• May have had some control of project budget.</li> </ul>	
<p>Average Response</p> <p>(3-5 pts.)</p>	<ul style="list-style-type: none"> <li>• Project was handled adequately.</li> <li>• Had minor or no leadership role.</li> <li>• Moderate accountability with others involved participating equally in control.</li> <li>• Completed project had a moderate impact.</li> <li>• Project may not have affected a whole work group.</li> <li>• No control of a budget.</li> </ul>	

<p>Below Average Response</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Project was handled ineffectively.</li> <li>• Explicit instructions provided for project tasks.</li> <li>• Had no leadership role or performed it poorly.</li> <li>• Completed project had little impact.</li> <li>• Project affected one or two others only.</li> </ul>	
<p>Notes from Rater</p>		

Discuss a work situation that got out of control. How did you handle it?

<p>Scale</p> <p>Points</p>	<p>Examples of Responses</p>	<p>Candidate's Score</p>
<p>Above Average Response</p> <p>(6-7 pts.)</p>	<ul style="list-style-type: none"> <li>• Encouraged problem solving and avoided blaming others for the situation.</li> <li>• Attempted to calm others.</li> <li>• Perceived and defined problem area quickly</li> <li>• Compared and contrasted information to arrive effective</li> </ul>	

	<p>solution.</p> <ul style="list-style-type: none"> <li>• Was inquisitive in searching for solutions to problems</li> <li>• Viewed situation from different perspectives.</li> <li>• Went above and beyond expectations.</li> <li>• Showed leadership skills.</li> <li>• Contributions to situation played a key role in gaining control of the situation</li> </ul>	
<p>Average Response</p> <p>(3-5 pts.)</p>	<ul style="list-style-type: none"> <li>• Showed many of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was adequate though not a great as possible</li> </ul>	
<p>Below Average Response</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Contributions had little or no effect on the situation.</li> <li>• Situation remained out of control.</li> <li>• Responses muddied the situation.</li> <li>• Little or no flexibility in approaching situation.</li> <li>• Showed few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was poor or weak.</li> </ul>	
<p>Notes from Rater</p>		

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## Interpersonal Skill

Interpersonal skill involves interacting with others and effectively using situationally appropriate, inter-related, and goal directed social behaviors to bring about desired results.

Discuss how you handled a work situation that involved conflict with an internal or external customer.

Scale Points	Examples of Responses	Candidate's Score
<p>Above Average Response</p> <p>(6-7 pts.)</p>	<ul style="list-style-type: none"> <li>• Encouraged problem solving and avoided blaming others for the situation.</li> <li>• Treated others with sensitivity.</li> <li>• Created a climate for open communication.</li> <li>• Demonstrated sensitivity to working supportively and positively with employees.</li> <li>• Attempted to calm others.</li> <li>• Allowed other to provide own side of the story.</li> <li>• Avoided creating stress and pressure in the situation.</li> <li>• Showed leadership skills.</li> <li>• Applicant indicated appeal to supervisor of applicant decision was acceptable.</li> <li>• Contributions to situation played a key role in reducing conflict.</li> </ul>	
<p>Average Response</p> <p>(3-5 pts.)</p>	<ul style="list-style-type: none"> <li>• Showed many of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was adequate though not a great as possible</li> </ul>	
<p>Below Average Response</p>	<ul style="list-style-type: none"> <li>• Responses muddled the situation.</li> <li>• Conflict was not handled well.</li> <li>• Little or no flexibility in approaching situation.</li> </ul>	

(1-2 pts.)	<ul style="list-style-type: none"> <li>• Showed few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was poor or weak.</li> </ul>	
Notes from Rater		

Tell us about the most difficult or frustrating individual you've worked with and how you managed to work with that person.

Scale Points	Examples of Responses	Candidate's Score
Above Average Response  (6-7 pts.)	<ul style="list-style-type: none"> <li>• Treated co-worker in a fair, consistent, and impartial manner.</li> <li>• Demonstrated understanding of emotions, motives, and behaviors.</li> <li>• Showed genuine interest in co-worker and desire to assist that person.</li> <li>• Created a climate for open communication.</li> <li>• Dealt with co-worker without arousing antagonism.</li> <li>• Is supportive and positive with co-worker.</li> <li>• Did not react to each problematic action shown by the co-worker.</li> <li>• Defused anger.</li> </ul>	

	<ul style="list-style-type: none"> <li>• Managed conflict effectively.</li> <li>• Did not take concerns to supervisor prematurely.</li> </ul>	
<p>Average Response</p> <p>(3-5 pts.)</p>	<ul style="list-style-type: none"> <li>• Showed many of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was adequate though not a great as possible</li> </ul>	
<p>Below Average Response</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Responses worsened the situation.</li> <li>• Little or no flexibility in approaching situation.</li> <li>• Showed few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was poor or weak.</li> </ul>	
Notes from Rater		



What features distinguish an effective work team from an ineffective work group?

Scale Points	Examples of Responses	Candidate's Score
<p>Above Average Response</p> <p>(6-7 pts.)</p>	<ul style="list-style-type: none"> <li>• Sharing information that may affect other members.</li> <li>• Pitching in when needed to assist other members on their tasks typically not a part of one's job. Help others.</li> <li>• Making extra effort to do own assignments in a timely manner when the results of those assignments may be needed by others in their work.</li> <li>• Contributing to high team morale. Does not consume a lot of time complaining about trivial matters. Focuses on the positive side rather than what's wrong.</li> <li>• Celebrating co-worker accomplishments.</li> <li>• Taking care to correct issues or conflict that might affect the team as a whole before any harm is done.</li> <li>• Team members likely to know what to expect from one another.</li> </ul>	
<p>Average Response</p> <p>(3-5 pts.)</p>	<ul style="list-style-type: none"> <li>• Showed many of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was adequate though not a great as possible</li> </ul>	
<p>Below Average Response</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Showed few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was poor or weak.</li> </ul>	
<p>Notes from Rater</p>		

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What are some interpersonal considerations that might receive greater emphasis when working with clients in counseling and social work situations than with co-workers and customers?

Scale Points	Examples of Responses	Candidate's Score
Above Average Response  (6-7 pts.)	<ul style="list-style-type: none"> <li>• Showing empathy.</li> <li>• Showing authenticity and genuineness</li> <li>• Overcoming defensiveness and resistance to change</li> <li>• Supporting attempts to change ineffective behavior.</li> <li>• Greater time spent listening and reflecting back what you believe the client is communicating.</li> <li>• Helping client verbalize thoughts.</li> <li>• Increasing attention given to discrepancies between client behavior and stated values and goals.</li> <li>• Increasing care given to showing confrontational behavior to the client.</li> </ul>	
Average Response  (3-5 pts.)	<ul style="list-style-type: none"> <li>• Showed many of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was adequate though not a great as possible</li> </ul>	
Below Average	<ul style="list-style-type: none"> <li>• "Wouldn't treat clients much differently."</li> <li>• "Clients seem more needy than other people."</li> </ul>	

Response  (1-2 pts.)	<ul style="list-style-type: none"><li>• Showed few if any of the responses for the "Above Average Response" above or other effective actions.</li><li>• Overall response effectiveness was poor or weak.</li></ul>	
Notes from Rater		

## Conscientiousness

Conscientiousness involves a general trustworthiness, being thorough, and showing a strong adherence to a work ethic of productivity and commitment to organizational values.

Discuss a project or assignment you performed particularly well describing what you did to insure a high quality outcome.

Scale Points	Examples of Responses	Candidate's Score
Above Average Response  (6-7 pts.)	<ul style="list-style-type: none"> <li>• Set and met goals.</li> <li>• Planned ahead.</li> <li>• Took responsibility.</li> <li>• Careful in the work.</li> <li>• Showed extra effort.</li> <li>• Persisted in spite of obstacles.</li> <li>• Well-organized in approach to assignment/project.</li> <li>• Dependable and reliable when working with others.</li> <li>• Checked and re-checked the work.</li> </ul>	
Average Response  (3-5 pts.)	<ul style="list-style-type: none"> <li>• Showed many of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was adequate though not a great as possible</li> </ul>	
Below Average Response  (1-2 pts.)	<ul style="list-style-type: none"> <li>• Poor approach to assignment or project.</li> <li>• Little or no planning shown.</li> <li>• Careless in the work.</li> <li>• Poorly organized.</li> <li>• Showed few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was poor or weak.</li> </ul>	

Notes from Rater	
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Discuss ways you have shown commitment to your job or the values and goals of your organization.

Scale Points	Examples of Responses	Candidate's Score
Above Average Response  (6-7 pts.)	<ul style="list-style-type: none"> <li>• Worked or volunteered to put in extra hours.</li> <li>• Make an extra effort to follow the policies, procedures, rules, and regulations of the organization.</li> <li>• Helped others needing assistance.</li> <li>• Set positive example for others.</li> <li>• Aligns own activities and priorities to meet organizational needs.</li> <li>• Understood need for cooperation to achieve larger organizational objectives.</li> <li>• Reported or addressed wrongdoing by others.</li> <li>• Avoided wasting resources.</li> <li>• Persisted in the face of obstacles.</li> <li>• Kept current in the job. Applicant volunteered for training in an area needing improvement.</li> </ul>	
Average	<ul style="list-style-type: none"> <li>• Showed many of the responses for the "Above Average</li> </ul>	

<p>Response</p> <p>(3-5 pts.)</p>	<p>Response" above or other effective actions.</p> <ul style="list-style-type: none"> <li>• Overall response effectiveness was adequate though not a great as possible</li> </ul>	
<p>Below Average Response</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Did not mention helping others.</li> <li>• Little or no indication of going out of the way to follow rules, regulations, procedures, and polices.</li> <li>• Showed few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was poor or weak.</li> </ul>	
<p>Notes from Rater</p>		

Discuss a work situation that required you show a great amount of self-discipline.

Scale Points	Examples of Responses	Candidate's Score
Above Average Response  (6-7 pts.)	<ul style="list-style-type: none"> <li>• Not easily provoked.</li> <li>• Stays calm. Controls emotions.</li> <li>• Handles stress effectively.</li> <li>• Is not impulsive.</li> <li>• Resists temptation to inappropriate involvements.</li> <li>• Responds constructively to the source of the problem.</li> </ul>	
Average Response  (3-5 pts.)	<ul style="list-style-type: none"> <li>• Showed many of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was adequate though not a great as possible</li> </ul>	
Below Average Response  (1-2 pts.)	<ul style="list-style-type: none"> <li>• Withdraws from situation.</li> <li>• Handles stress ineffectively.</li> <li>• Makes inappropriate comments to others.</li> <li>• Loses temper.</li> <li>• Showed few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was poor or weak.</li> </ul>	
Notes from Rater		

Discuss a time when you questioned the integrity or ethics of a co-worker or supervisor and what you did to address the behavior that created your concern.

Scale Points	Examples of Responses	Candidate's Score
<p>Above Average Response</p> <p>(6-7 pts.)</p>	<ul style="list-style-type: none"> <li>• Documented what was observed.</li> <li>• Sought advice from a trusted source.</li> <li>• Reported problem to a higher authority.</li> <li>• Handled the situation effectively.</li> </ul>	
<p>Average Response</p> <p>(3-5 pts.)</p>	<ul style="list-style-type: none"> <li>• Situation was straightforward and simple to resolve.</li> <li>• Showed many of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was adequate though not a great as possible</li> </ul>	
<p>Below Average Response</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Takes no action.</li> <li>• Showed few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was poor or weak.</li> </ul>	
<p>Notes from Rater</p>		



## Adaptability and Flexibility

Adaptability and flexibility focus on adapting to and working effectively with a variety of situations, individuals, and groups. These competencies help increase the level of understanding, appreciation, and responsiveness to different and opposing perspectives on an issue.

Discuss an exchange you had at work with a customer, co-worker or supervisor who questioned your views on an issue that you were committed to maintaining.

Scale Points	Examples of Responses	Candidate's Score
<p>Above Average Response</p> <p>(6-7 pts.)</p>	<ul style="list-style-type: none"> <li>• Open minded and able to separate personal feelings from the issues at hand.</li> <li>• Established rapport with others. Established common ground.</li> <li>• Clarified issue.</li> <li>• Receptive to others' points of view.</li> <li>• Acknowledged own mistakes or misperceptions.</li> <li>• Flexibly applies any relevant rules and procedures.</li> <li>• Offered new tactics or strategies if needed.</li> </ul>	
<p>Average Response</p> <p>(3-5 pts.)</p>	<ul style="list-style-type: none"> <li>• Showed many of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was adequate though not as great as possible</li> </ul>	
<p>Below Average Response</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Counterproductively sticks to own opinion or approach.</li> <li>• Showed few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was poor or weak.</li> </ul>	
<p>Notes from Rater</p>		

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Discuss a situation where you had to handle changes to your job or within the unit or organization where you worked.

Scale Points	Examples of Responses	Candidate's Score
Above Average Response  (6-7 pts.)	<ul style="list-style-type: none"> <li>• Modified behavior or attitude to adapt to changes.</li> <li>• Handled uncertainty and unexpected events effectively.</li> <li>• Acquired new, more effective behaviors as context and roles changed.</li> <li>• Had leadership role in bringing about changes.</li> <li>• Displayed stress tolerance.</li> <li>• Took initiative to develop new procedures that fit the changes.</li> </ul>	
Average Response  (3-5 pts.)	<ul style="list-style-type: none"> <li>• Showed many of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was adequate though not a great as possible</li> </ul>	

<p>Below Average Response</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Resistant to accepting changes.</li> <li>• Showed few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was poor or weak.</li> </ul>	
<p>Notes from Rater</p>		

Describe what you did in response to a rush project assigned to you in spite of having other important priorities at the time.

<p>Scale Points</p>	<p>Examples of Responses</p>	<p>Candidate's Score</p>
<p>Above Average Response</p> <p>(6-7 pts.)</p>	<ul style="list-style-type: none"> <li>• If necessary, made those connected with any projects to be delayed to handle rush job aware of delays.</li> <li>• Took time to organize the work of the rush project.</li> <li>• Handled rush and other projects simultaneously.</li> <li>• Handled rush project without asking for more time.</li> <li>• Put in or volunteered to put in extra hours. Made extra effort</li> </ul>	

	<p>to handle rush project.</p> <ul style="list-style-type: none"> <li>• Delegated effectively if applicable. Handled any difficulties involved in assigning employees supervised to rush project.</li> <li>• Overall, handled rush project effectively.</li> </ul>	
<p>Average Response</p> <p>(3-5 pts.)</p>	<ul style="list-style-type: none"> <li>• Showed many of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was adequate though not a great as possible</li> </ul>	
<p>Below Average Response</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Did not complete rush project.</li> <li>• Did not make those associated with other projects aware of the rush assignment.</li> <li>• Showed few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was poor or weak.</li> </ul>	
<p>Notes from Rater</p>		

Discuss a situation which required you show a great amount of flexibility with a customer, co-worker, or supervisor.

Scale Points	Examples of Responses	Candidate's Score
<p>Above Average Response</p> <p>(6-7 pts.)</p>	<ul style="list-style-type: none"> <li>• Identified and provided alternatives.</li> <li>• Changes behavior or attitudinal responses to fit the situation to obtain desired goal.</li> <li>• Open minded and able to separate personal feelings from the issues at hand. Views situation objectively.</li> <li>• Receptive to others' points of view.</li> <li>• Tolerant of ambiguity.</li> </ul>	
<p>Average Response</p> <p>(3-5 pts.)</p>	<ul style="list-style-type: none"> <li>• Showed many of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was adequate though not a great as possible</li> </ul>	
<p>Below Average Response</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Showed few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was poor or weak.</li> </ul>	
<p>Notes from Rater</p>		

## Resistance to Stress

Resistance to stress involves withstanding and effectively handling the effects of demanding situations that greatly tax personal resources.

Discuss how you handled stressful project where you were concerned you'd not be able to complete the work effectively in the time available.

Scale Points	Examples of Responses	Candidate's Score
Above Average Response  (6-7 pts.)	<ul style="list-style-type: none"> <li>• Organized the work. Planned ahead. Prioritized.</li> <li>• Reduced ambiguity and uncertainty. Knew what had to be done. Knew work outcomes expected.</li> <li>• Set achievable work goals and timeframes.</li> <li>• Recognized stress and took action to cope with it.</li> <li>• Maintained high energy level.</li> <li>• Did not internalize or generalize stress.</li> <li>• Exercised self control and acted in a firm and precise manner.</li> <li>• Stuck to solutions and persevered under adverse and stressful conditions.</li> <li>• Took leadership role.</li> </ul>	
Average Response  (3-5 pts.)	<ul style="list-style-type: none"> <li>• Showed many of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was adequate though not a great as possible</li> </ul>	
Below Average Response  (1-2 pts.)	<ul style="list-style-type: none"> <li>• Showed few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was poor or weak.</li> </ul>	

Notes from Rater	
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Discuss what you have done in your jobs to keep the level of stress from becoming too great.

Scale Points	Examples of Responses	Candidate's Score
<p>Above Average Response</p> <p>(6-7 pts.)</p>	<ul style="list-style-type: none"> <li>• Organized the work. Planned ahead. Prioritized.</li> <li>• Set achievable work goals and timeframes.</li> <li>• Reduced ambiguity and uncertainty. Knew what had to be done. Knew what work outcomes were expected.</li> <li>• Viewed difficult assignments as challenges rather than threats.</li> <li>• Avoided overwork and fatigue that could lower work quality.</li> <li>• Avoided becoming unduly upset and worried over mistakes and unexpected events.</li> <li>• Kept supervisor advised of work progress to avoid any surprise of deadlines not being met.</li> <li>• Avoided inflating the potential negative consequences of performance that does not meet supervisor expectations.</li> <li>• Used relaxation techniques.</li> </ul>	
<p>Average Response</p> <p>(3-5 pts.)</p>	<ul style="list-style-type: none"> <li>• Showed many of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was adequate though not a great as possible</li> </ul>	

<p>Below Average Response</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Showed few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was poor or weak.</li> </ul>	
<p>Notes from Rater</p>		

Discuss the most stressful situation you have faced at work and how you handled it.

<p>Scale</p> <p>Points</p>	<p>Examples of Responses</p>	<p>Candidate's Score</p>
<p>Above Average Response</p> <p>(6-7 pts.)</p>	<ul style="list-style-type: none"> <li>• Recognized stress and took action to cope with it.</li> <li>• Organized the work. Planned ahead. Prioritized.</li> <li>• Set achievable work goals and timeframes.</li> <li>• Reduced ambiguity and uncertainty. Knew what had to be done. Knew what work outcomes were expected.</li> <li>• Kept supervisor advised of work progress to avoid any surprise of deadlines not being met.</li> <li>• Maintained high energy level.</li> <li>• Remained focused, composed, and optimistic.</li> <li>• Projected credibility and poise.</li> <li>• Did not internalize or generalize stress.</li> <li>• Exercised self control and acted in a firm and precise manner.</li> <li>• Stuck to solutions and persevered under adverse and</li> </ul>	



	stressful conditions.	
Average Response  (3-5 pts.)	<ul style="list-style-type: none"> <li>• Showed many of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was adequate though not a great as possible</li> </ul>	
Below Average Response  (1-2 pts.)	<ul style="list-style-type: none"> <li>• Showed few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was poor or weak.</li> </ul>	
Notes from Rater		

Discuss how you reduced anger aimed at you by a customer, co-worker, or supervisor.

Scale Points	Examples of Responses	Candidate's Score
Above Average Response  (6-7 pts.)	<ul style="list-style-type: none"> <li>• Focused the person's attention away from the feelings of anger by asking what the person's concern was.</li> <li>• Treated the angry person as an equal. Did not intimidate.</li> <li>• Receptive to angry person's views.</li> <li>• Applicant accepted responsibility for mistakes or poor performance if warranted. Did not dismiss angry person's accusations as unfounded if they were accurate.</li> <li>• If angry person's concerns were appropriate indicated action would be taken to resolve issue that led to anger.</li> </ul>	

	<ul style="list-style-type: none"> <li>• Applicant showed effective self-control. Remained friendly and calm.</li> <li>• Willing to give the angry person the benefit of the doubt. Allowed the angry person to save face if necessary.</li> </ul>	
<p>Average Response</p> <p>(3-5 pts.)</p>	<ul style="list-style-type: none"> <li>• Showed many of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was adequate though not a great as possible</li> </ul>	
<p>Below Average Response</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Showed few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall response effectiveness was poor or weak.</li> </ul>	
Notes from Rater		

## Management Control

Management control involves influencing employees to make decisions and take actions consistent with organizational objectives.

Discuss procedures you've used to insure that the responsibilities of a work unit are carried out effectively.

Scale Points	Examples of Responses	Candidate's Score
<p>Above Average Response, Well Qualified</p> <p>(6-7 pts.)</p>	<ul style="list-style-type: none"> <li>• Hold employees accountable for their work.</li> <li>• Insure employees know what needs to be done. Set goals. Monitor performance.</li> <li>• Have standard operating procedures, rules, and policies.</li> <li>• Develop job descriptions.</li> <li>• Institute a performance appraisal process.</li> <li>• Develop disciplinary processes.</li> <li>• Hold regular staff meetings.</li> <li>• Require regular reports of work progress.</li> <li>• Use incentives. Recognize effective performance.</li> </ul>	
<p>Average Response, Qualified</p> <p>(3-5 pts.)</p>	<ul style="list-style-type: none"> <li>• Let's employees know what's expected of them with no indication of how they will be held accountable.</li> <li>• Reacts to problems effectively though does not avoid problems by anticipating them.</li> <li>• May have mentioned employee reports and staff meetings without indicating they are regular occurrences.</li> <li>• Mentioned some of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall, response effectiveness was adequate though not a great as possible.</li> </ul>	
<p>Below Average</p>	<ul style="list-style-type: none"> <li>• Not clear that employees know what's expected of them.</li> <li>• Few if any written rules, procedures, and policies.</li> </ul>	

<p>Response, Limited Qualifications</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• No formal performance appraisal process mentioned.</li> <li>• No indication of how to handle employees who does not complete their work as assigned.</li> <li>• Little or no indication of how to keep up with employee performance.</li> <li>• Mentioned few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall, responses were ineffective.</li> </ul>	
<p>Notes from Rater</p>		

Discuss procedures used to insure your staff keeps you informed of their work.

<p>Scale</p> <p>Points</p>	<p>Examples of Responses</p>	<p>Candidate's Score</p>
<p>Above Average Response, Well Qualified</p> <p>(6-7 pts.)</p>	<ul style="list-style-type: none"> <li>• Regular staff meetings.</li> <li>• Regular reports.</li> <li>• Informal conversations.</li> <li>• Set dates when staff must get back about work progress.</li> <li>• Outline important circumstances where employees should let you know about their work (e.g., when they fall behind, when they can't answer a question or are stuck on a problem).</li> <li>• Develop consequences should work suffer as the result of not coming to you for information.</li> </ul>	
<p>Average</p>	<ul style="list-style-type: none"> <li>• Mentioned getting information from employees but did</li> </ul>	

<p>Response, Qualified</p> <p>(3-5 pts.)</p>	<p>not institute regular meetings and reports.</p> <ul style="list-style-type: none"> <li>• Mentioned many of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall, response effectiveness was adequate though not a great as possible.</li> </ul>	
<p>Below Average Response, Limited Qualifications</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Little or no indication of regular communication with employees about their work progress.</li> <li>• No consequences developed when poor performance results from failing to come to applicant for advice.</li> <li>• Mentioned few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall, responses were ineffective.</li> </ul>	
<p>Notes from Rater</p>		

Discuss the process you use to grant greater discretion to employees in how they perform their work.

Scale Points	Examples of Responses	Candidate's Score
<p>Above Average Response, Well Qualified</p> <p>(6-7 pts.)</p>	<ul style="list-style-type: none"> <li>• Insure employee values and goals are consistent with those of the work unit.</li> <li>• Insure employees have the knowledge, skills, abilities, and competencies to perform the work independently.</li> <li>• Allow more discretion as employees prove to be effective performers.</li> <li>• Take some risk by allowing independent performance by employees for longer periods of time.</li> <li>• Employees who consistently follow rules, policies, and procedures are more readily trusted to perform on their own.</li> <li>• Discuss assignments with employees to insure they are confident that the work can be performed independently.</li> </ul>	
<p>Average Response, Qualified</p> <p>(3-5 pts.)</p>	<ul style="list-style-type: none"> <li>• Grants increasing discretion only after employees ask for it.</li> <li>• Mentioned some of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall, response effectiveness was adequate though not a great as possible.</li> </ul>	
<p>Below Average Response, Limited Qualifications</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Does not check to determine if employees have the competencies to perform independently.</li> <li>• No plan to allow employees more discretion.</li> <li>• Mentioned few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall responses were ineffective.</li> </ul>	

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Discuss what you learned when your delegation of a work project or assignment led to poor performance.

Scale Points	Examples of Responses	Candidate's Score
<p>Above Average Response, Well Qualified</p> <p>(6-7 pts.)</p>	<ul style="list-style-type: none"> <li>• Employees should have the knowledge, skills, abilities, and competencies to perform the delegated work.</li> <li>• Provide sufficient explanation of what is to be done or what is needed.</li> <li>• Provide an indication of when the work is to be completed.</li> <li>• Do not let the work continue when it appears it cannot be performed effectively by the employee.</li> <li>• Recognize employee performing the delegated work may need some guidance or advice from time to time.</li> <li>• Provide sufficient authority to the employee to perform the work effectively.</li> <li>• Inform others that the particular work has been delegated.</li> <li>• Follow-up on delegated assignments.</li> </ul>	
<p>Average Response, Qualified</p>	<ul style="list-style-type: none"> <li>• May have had just a general notion of the level of skill possessed by the employee receiving the assignment.</li> <li>• Expected the employee to "run" with the assignment with little or no guidance.</li> <li>• Mentioned some of the responses for the "Above</li> </ul>	

(3-5 pts.)	<p>Average Response" above or other effective actions.</p> <ul style="list-style-type: none"> <li>• Overall, response effectiveness was adequate though not a great as possible.</li> </ul>	
<p>Below Average Response, Limited Qualifications</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Little or no indication that competencies of employees would be known prior to delegation.</li> <li>• Does not recognize the importance of clarifying what is to be done.</li> <li>• Assigns tasks but sufficient authority to do the work.</li> <li>• Does not let others know that person delegated the work will be performing it.</li> <li>• Mentioned few if any of the responses for the "Above Average Response" above or other effective actions.</li> <li>• Overall, responses were ineffective.</li> </ul>	
<p>Notes from Rater</p>		



## Planning and organization

Describe a time when you were asked to prioritize a number of organizational initiatives and then implement some or all of them. Describe the prioritization and implementation processes you used, the resources you used, and the final outcomes.

Scale Points	Examples of Responses	Candidate's Score
<p>Above Average Response</p> <p>(6-7 pts.)</p>	<ul style="list-style-type: none"> <li>• Gave clear examples of reasonable and defensible priorities</li> <li>• Distinguishes short term from long term priorities, and is able to devote appropriate resources to both</li> <li>• Strategizes ways to obtain buy-in from most important stakeholders and those with access to resources</li> <li>• Implements ideas smoothly and effectively</li> <li>• Evaluates how well the implementation phase worked</li> <li>• Uses evaluation to improve (or maintain) effectiveness the next time</li> <li>•</li> </ul>	
<p>Average Response</p> <p>(3-5 pts.)</p>	<ul style="list-style-type: none"> <li>• Sets clear priorities</li> <li>• Knows what resources are needed and where to get them</li> <li>• Implements ideas as planned</li> <li>•</li> </ul>	
<p>Below Average Response</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Not clear who was actually responsible for prioritizing or implementing the organizational initiatives</li> <li>• No real prioritization plan; just carried out orders from above</li> <li>• No monitoring of implementation results</li> <li>•</li> </ul>	
<p>Notes from Rater</p>		

Describe a time when you were asked to develop a new program or project for your organization. Be specific when you describe the nature of the program or project, and the discretion you had to "do it your way". What steps did you take to ensure a successful start to your task?

Scale Points	Examples of Responses	Candidate's Score
<p>Above Average Response</p> <p>(6-7 pts.)</p>	<ul style="list-style-type: none"> <li>• Is able to see "big picture" and to think strategically</li> <li>• Also thinks holistically about how action will improve overall organizational efficiency</li> <li>• Has sense of structure, process and continuity</li> <li>• Is able to project logical consequences of actions</li> <li>• Candidate gave example that was clearly a project or program of significance to the organization</li> <li>• Had considerable discretion to develop own ideas, although it is still reasonable to have program/project approval from above</li> <li>•</li> </ul>	
<p>Average Response</p> <p>(3-5 pts.)</p>	<ul style="list-style-type: none"> <li>• Candidate's example demonstrated clear but "linear" thinking; project was well-conceived, but not truly a holistic approach</li> <li>• Able to set standards and guidelines</li> <li>• Program/project had strong oversight from above</li> <li>•</li> </ul>	
<p>Below Average Response</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Basically just implemented our orders from above</li> <li>• Took everything "one step at a time"; did <u>not</u> plan several steps into the future</li> <li>• Does not consider any long-term effects when planning; thinks short-term only</li> <li>•</li> </ul>	
<p>Notes from Rater</p>		

Describe a situation in which you had to overcome concerns of executive leadership in order to move forward with a project. What was the nature of the project, and what concerns did you have to address? Fully describe the steps you took to address those concerns.

Scale Points	Examples of Responses	Candidate's Score
<p>Above Average Response</p> <p>(6-7 pts.)</p>	<ul style="list-style-type: none"> <li>• Tried to anticipate executives' potential concerns before they were voiced in order to have ready the arguments in favor of the project</li> <li>• Developed return-on-investment (ROI) data to bolster arguments in favor of project</li> <li>• Listened carefully to concerns and developed realistic plans to overcome them</li> <li>• Developed multiple "fall back positions" so that potential compromises could be reached</li> <li>• Example(s) given by candidate were of significance to the organization; the project was of major significance and the concerns were not easy ones to overcome</li> </ul>	
<p>Average Response</p> <p>(3-5 pts.)</p>	<ul style="list-style-type: none"> <li>• Responded directly to executives' concerns about the project</li> <li>• Fully described the resources that would be needed to carry out the project successfully</li> <li>• It was not clear from the candidate's example(s) how important the project was, or how difficult the objection were to overcome</li> </ul>	
<p>Below Average Response</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Candidate had to ready reply to executives' concerns; made to effort to anticipate their concerns in advance</li> <li>• Did not really address concerns, but rather found a way to "work around" their concerns</li> <li>• Project was of minor importance and/or the concerns of executive leadership was easy to address</li> </ul>	
<p>Notes from</p>		

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Tell us about a time when a project required you to pull together a large amount of organizational resources. Describe the project and the resources that were required to do it successfully. Also describe the steps you took to secure the necessary resources.

Scale Points	Examples of Responses	Candidate's Score
<p style="text-align: center;">Above Average Response</p> <p style="text-align: center;">(6-7 pts.)</p>	<ul style="list-style-type: none"> <li>• Consulted with others within the organization to get opinions about the resources that would be required</li> <li>• Made effort to economize, where feasible, on resource costs</li> <li>• Was creative about obtaining resources (e.g., from unusual sources)</li> <li>• Kept supervisor informed of what was being planned</li> <li>• Estimated the cost of resources and the amount of time they would be needed</li> <li>• Developed support from the resource "owners" and convinced them of the necessity of the project and resources</li> <li>• After project was completed, gave all stakeholders a full accounting of the project's successes and/or failures</li> </ul>	
<p style="text-align: center;">Average Response</p> <p style="text-align: center;">(3-5 pts.)</p>	<ul style="list-style-type: none"> <li>• Provided a brief description of the resources needed and determined where they could be obtained</li> <li>• Gathered resources from customary places (i.e., normal budgeting options)</li> <li>• Resource gathering was a group effort; no indication that candidate was the organizer of the resource-gathering effort.</li> </ul>	

<p>Below Average Response</p> <p>(1-2 pts.)</p>	<ul style="list-style-type: none"> <li>• Did not consider resource costs</li> <li>• Resource requirements were minimal or resource availability was already in place at the outset of the project</li> <li>• Was not successful in getting needed resources</li> </ul>	
<p>Notes from Rater</p>		

## Reference Checking – Sample Questions

How long have you known (candidate) and in what context?

For how long and in what context have you known (candidate) professionally?

What was (candidate's) position and responsibilities?

Describe (candidate's) strengths.

Describe (candidate's) management style.

Please describe his/her management and leadership style.

Did (candidate) meet or exceed your expectations?

On a scale of 1-5 (5 being high), how would you rate the candidate's productivity?

Would you consider him/her to be reliable and dependable? Does he/she do what he/she says they will? Does he/she follow through?

In this position, there will be significant and ongoing changes in the scope of work. Do you think this will frustrate him/her? Why? Why not?

What advice would you give to the next supervisor to maximize their contribution?

What does (candidate) really care about? What motivates (candidate):

How would you rate this person's reliability on a scale of 1-5 (5 being high)?

He/she comes across as (example: bright, outgoing and personable). Is what you see what you get?

Does this person work efficiently independently? A self-starter?

In your opinion, if there were an area of growth for (candidate), what would it be? If possible, please give an example.

In your view, what areas of the job does this candidate need to grow in?

How does (candidate) work under pressure?

In your opinion, has he/she been – or could she be – successful in assisting an organization to change their culture? Why? Why not?

Describe (candidate's) oral and written communication skills.

On a scale of 1-10 (1 low, 10 high), how would you rate his/her oral and written communications skills? Why? (Have you seen written work? Have you heard the candidate speak?)

Does the candidate demonstrate good customer relations skills?

Does this person work effectively in a team setting?

Please describe (candidate's) ability to build effective interpersonal work relationships with others on the job.

How does he/she deal with people – especially those who are at a lower level than he/she?

If you had the ability to work with (candidate) again, would you choose to do so?

What would his/her critics say about him/her?

Is there anything that I haven't asked you that may be important for the hiring authority to know concerning this candidate's ability to succeed in this position?

Who else knows this candidate well? Whom else might I speak with who could tell me about (candidate's) work and personality?

## **ARTICLE 4**

### **HIRING AND APPOINTMENTS**

#### **4.3 Internal Movement – Permanent Employees**

Prior to certifying candidates in accordance with Subsection 4.1, an Appointing Authority may grant an administrative transfer, voluntary demotion or elevation within an agency as long as the permanent employee has the skills and abilities required to perform the duties of the position. Employees desiring a transfer, voluntary demotion or elevation will initiate a request in writing, and appointing authorities will consider these individuals for an opening. Candidates interviewed will be notified of the hiring decision. This Subsection does not apply to those positions that have a required bid system established in accordance with Article 3.

#### **4.5 Types of Appointment**

A.

1. The Employer may make nonpermanent appointments to fill in for the absence of a permanent employee, during a workload peak, while recruitment is being conducted, or to reduce the possible effects of a layoff. Nonpermanent appointments will not exceed twelve (12) months except when filling in for the absence of a permanent employee. A nonpermanent appointee must have the skills and abilities required for the position.  
NonPermanent
2. A permanent employee who accepts a nonpermanent appointment within his or her agency will have the right to return to his or her position in the agency or to a position in the permanent classification he or she left at the completion of the nonpermanent appointment; provided, that the employee has not left the original nonpermanent appointment, unless the original Appointing Authority agrees otherwise. An employee with permanent status may accept a nonpermanent appointment to another agency. At least fourteen (14) calendar days prior to accepting the appointment, the employee must notify his or her current Appointing Authority of the intent to accept a nonpermanent appointment. Upon notification of the employee's intent, the employee's permanent agency will notify the employee, in writing, of any return rights to the agency and the duration of those return rights. At a minimum, the agency must provide the employee



access to the agency's internal layoff list.

3. The Employer may convert a non-permanent appointment into a permanent appointment and the employee will serve a probationary or trial service period. The Employer must follow Article 3, Bid System, or appoint an internal layoff candidate, if one exists, before converting an employee from a non-permanent appointment to a permanent appointment.

4. Time spent in the non-permanent appointment may count towards the probationary or trial service period for the permanent position within the same job classification.

5. The Employer may end a non-permanent appointment at any time by giving one (1) working day's notice to the employee.

#### B. On-Call Employment

The Employer may fill a position with an on-call appointment where the work is intermittent in nature, is sporadic and it does not fit a particular pattern. The Employer may end on-call employment at any time by giving notice to the employee.

#### C. In-Training Employment

1. The Employer may designate specific positions, groups of positions, or all positions in a job classification or series as intraining. The Employer will determine and document the training program, including a description and length of the program. The in-training plan must include:

- a. The title of the goal class of the in-training plan.
- b. The duties and responsibilities of the goal class.
- c. The job classes that will be used to reach the goal class.
- d. The skills and abilities that must be acquired by the employee while in-training to the goal class.

The training plan may include any of the following components:

- a. On-the job training;
- b. Classroom or field instruction;
- c. Courses conducted by an educational institution, vocational school, or professional training organization; or
- d. Written, oral and/or practical examinations(s).

Unless other staffing methods have been exhausted, positions with primary responsibility for supervision will not be designated as intraining positions.

2. A candidate who is initially hired into an intraining position must successfully complete the job requirements of the appointment. The Employer may separate from state service any employee who has completed the probationary period for an intraining appointment but does not successfully complete the subsequent trial service period(s) required by the intraining program.

Employees who are not successful may be separated at any time with one (1) working day's notice from the Employer. Within seven (7) days of the effective date of the separation, the employee may request a review of the separation by the Director or Secretary of the agency or designee.

3. An employee with permanent status who accepts an intraining appointment will serve a trial service period(s), depending on the requirements of the intraining program. The trial service period and intraining program will run concurrently. The Employer may revert an employee who does not successfully complete the trial service period(s) at any time with one (1) working day's notice. The employee's reversion right will be to the job classification that the employee held permanent status in prior to his or her intraining appointment, in accordance with Subsections 4.6 B.3 and 4.6 B.4 of this Article.

4. A trial service period may be required for each level of the intraining appointment, or the entire intraining appointment may be designated as the trial service period. The trial service period and intraining program will run concurrently. The Employer will determine the length of the trial service period(s) to be served by an employee in an intraining appointment, however the cumulative total of the trial service periods for the entire intraining appointment will not exceed thirtysix (36) months. The appointment letter will inform the employee of how the trial service period(s) will be applied during the intraining appointment.

5. If a trial service period is required for each level of the intraining appointment, the employee will attain permanent status in each

classification upon successful completion of the concurrent training program and trial service period at each level.

6. If the entire in-training program—meaning all levels within the intraining appointment—is designated as a trial service period, the employee will attain permanent status in the goal classification upon successful completion of the training requirements and concurrent trial service period for the entire in-training program.

#### D. Project Employment

1. The Employer may appoint employees into project positions for which employment is contingent upon state, federal, local, grant, or other special funding of specific and of time-limited duration. The Employer will notify the employees, in writing, of the expected ending date of the project employment.

2. Employees who have entered into project employment without previously attaining permanent status will serve a probationary period. Employees will gain permanent project status upon successful completion of their probationary period.

Employees with permanent project status will serve a trial service period when they:

- a. Promote to another job classification within the project; or
- b. Transfer or voluntarily demote within the project to another job classification in which they have not attained permanent status.

3. The Employer may consider project employees with permanent project status for transfer, voluntary demotion, or promotion to non-project positions. Employees will serve a trial service period upon transfer, voluntary demotion, or promotion to a non-project position in a job classification that the employees have not previously attained permanent status in.

4. When the Employer converts a project appointment into a permanent appointment, the employee will serve a probationary or trial service period.

5. The layoff and recall rights of project employees will be in accordance with the provisions in Article 34, Layoff and Recall.

#### E. Seasonal Career/Cyclic Employment

1. The Employer may make seasonal career appointments that are cyclical in nature, recur at the same agency at approximately the

same time each year, and are anticipated to last for a minimum of five (5) months but are less than twelve (12) months in duration during any consecutive twelve (12) month period.

2. Upon completion of a six (6) or twelve (12) month probationary period (in accordance with Subsection 4.5 A below) completed in consecutive seasons at the same agency, employees in seasonal career employment will assume the rights of employees with permanent status.

3. The layoff and recall rights of seasonal career employees will be in accordance with the provisions in Article 34, Layoff and Recall.

F. The designation of a position as non-permanent, on-call, in-training or project, or the termination of a non-permanent, on-call, in-training or project appointment is not subject to the grievance procedure in Article 29.

## Interview Panel Briefing Information

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The information below is meant to be used to brief an interview panel. You can add items specific to your agency policies and processes to meet your needs. Panel Briefings are effective ways to ensure everyone understands the legal obligations and that each candidate is considered fairly and consistently.

### Format

Each interviewee is scheduled to spend up to 60 minutes with the panel. Interviews begin with a brief presentation of the job duties and office. The candidates are prepared to spend the remaining time responding to your questions and may also have some questions for you. There are 15 minute breaks built in between candidates so that you can finish notes, raise any concerns, and of course, take a break for yourself if needed!

### Confidentiality

Candidate confidentiality is protected by Washington State statute; please consider all candidate information as highly confidential. The agency may have a confidentiality statement for the interview panel members to sign and retain with the recruitment documentation for the position.

### RCW 42.17.310 subsections (b), (t) and (u)

*(1) The following are exempt from public inspection and copying:*

- (b) Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy...*
- (t) All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant.*
- (u) The residential addresses and residential telephone numbers of employees or volunteers of a public agency which are held by the agency in personnel records, employment or volunteer rosters, or mailing lists of employees or volunteers."*

### Background and Reference Checks

Some agencies conduct extensive background and reference checks on the final candidates depending on the level or duties of the position. The Hiring Authority will have the benefit of reviewing those reports when making the final hiring decision. The information from a background and/or reference check should not be shared with the panel to prevent bias toward a candidate.

## Comments and Observations

For your convenience, note pages have been included in your packets. Be sure to write your name and the candidate's name at the top of the first page. Please limit your comments/observations to the skills, knowledge or attributes relevant to the candidate's ability to perform in the position. At the conclusion of the interview process an agency representative will collect your packets.

## It's a Two-Way Street

Remember: Although you are interviewing these candidates, keep in mind that they are also interviewing you. Be prepared to answer questions pertaining to the position, unit, and agency.

## Structured Interviewing

To ensure that candidates are being evaluated consistently, the interview panel should apply the same evaluation criteria to each interviewee.

It's a fact of the interview process: You cannot make a decision to hire a candidate without asking a lot of questions. But if your questions are not worded properly, or if you ask applicants potentially sensitive questions, you could open yourself up to legal trouble.

The Equal Employment Opportunity Commission (EEOC) and most courts assume that every pre-employment question is asked for a purpose, and any answer will then be used to influence hiring decisions. Thus, the simple act of asking about an applicant's age or national origin could be used as evidence of discrimination, unless you have a legitimate job-related reason for asking.

If an interviewer asks questions that are not clearly job-related, or that tend to reveal an applicant's membership in a protected class, they are risking a potential discrimination claim. Therefore, be sure that all questions are related to an applicant's ability to perform the job and suitability for the position.

## Topics to Avoid

- Race and ethnic origin
- National origin
- Disability
- Gender - Do not ask about a person's maiden name or gender; marital status; spouse; preference for "Miss," "Mrs.," or "Ms."; pregnancy; family plans; or childcare arrangements. You can ask if an applicant has ever been known by another name, in order to facilitate accurate background checks.
- Age
- Religion - Do not inquire about religious holidays observed. You may ask about the ability to work on weekends or holidays, if such availability is job-related. However, you may have to

accommodate applicants whose religious observance conflicts with work schedules, if it is not an unreasonable burden to do so.

- Union membership
- Military status
- Arrest or criminal record - Please note this information will be made available to the hiring authority.
- Financial status
- Legal off-duty activities
- Equal employment opportunity information - Do not ask about prior equal opportunity claims, sexual orientation, or nonprofessional memberships, since these inquiries may indicate the applicant's protected class.

Even a question that appears to be neutral can reveal an applicant's protected class or be considered to screen out certain individuals improperly. For example, asking about the dates of graduation may be used to prove age bias, and questions about arrests or credit history are generally thought to have a disparate impact on protected groups.

The following is a list of questions with a short analysis to determine whether it is an unacceptable or acceptable question and why. **However, the Department of Personnel recommends that none of the questions be used unless it pertains directly to the job duties.**

How many children do you have?

This question is inappropriate for two reasons.

1. Questions regarding marital status, number of children and childcare arrangements are not appropriate because they may be seen as being based upon the applicant's gender.

Under Title VII of the Civil Rights Act, it is unlawful to deny a female applicant employment because she has children or is planning to have a child.

2. This question is an inappropriate way of asking about an otherwise appropriate subject, availability to work.

Questions asking availability to work should be job-related, for example:

- What hours can you work?
- What shift(s) can you work?
- Can you work on weekends and/or holidays?
- Are there specific times that you cannot work?

- Do you have responsibilities other than work that will interfere with specific job requirements such as traveling?

### What country are your parents from?

You may not ask where an applicant was born or where their parents were born. You may ask if the applicant is eligible to work in the United States.

Under Title VII pre-employment inquiries concerning national origin are not considered violations of the law. However, inquiries that either directly or indirectly disclose such information, unless otherwise explained, may constitute evidence of discrimination prohibited by Title VII.

Washington State employment practice laws prohibit inquiries on employment applications concerning the applicant's national origin. In some states, it may also be considered illegal to seek related data, such as the birth, place of birth or citizenship of parents, which could indirectly reveal national origin.

### What is your native language?

When an English language skill is not a requirement of the work to be performed, and an employer uses an English language proficiency test or requires English language proficiency, an adverse effect upon a particular minority group may result, creating a violation of Title VII.

It is inappropriate to inquire how an applicant acquired the ability to read, write or speak a foreign language. However, if the job requires additional languages, an employer may inquire into languages the applicant speaks and writes fluently.

### What is your height and weight?

The EEOC and the courts have ruled minimum height and weight requirements to be illegal if they screen out a disproportionate number of minority group individuals or women, and the employer cannot show that these standards are essential to the safe performance of a job. See *Davis v. County of Los Angeles*, 655 F.2d 1334 (9th Cir. 1977), vacated and remanded as moot on other grounds, 440 U.S. 625 (1979); *Dothard v. Rawlinson*, 433 U.S. 321 (1977).

### Have you ever been arrested?

Questions relating to an applicant's arrest record are unacceptable. However, questions of an applicant's conviction record may be asked if job-related.

The EEOC and many states prohibit the use of arrest records for employment decisions because they are inherently biased against applicants in minority groups in other protected classes.



The EEOC has issued a Revised Policy Statement covering the use of conviction by employers in making employment decisions:

- The employer must establish a business necessity for use of an applicant's conviction record in its employment decision. In establishing business necessity, the employer must consider three factors to justify use of a conviction record: (1) nature and gravity of the offense for which convicted; (2) amount of time that has elapsed since the applicant's conviction and/or completion of sentence; and (3) the nature of the job in question as it relates to the nature of the offense committed.
- The EEOC's Revised Policy Statement eliminated the existing requirement that employers consider the applicant's prior employment history, along with rehabilitation efforts, if any. The Revised Policy Statement requires that the employer consider job-relatedness of the conviction, plus the lapse of time between the conviction and the current job selection process.

Do you own your own home?

An interviewer should not ask the following questions:

- If the applicant owns or rents a home or car
- If wages have been previously garnished
- If the applicant has ever declared bankruptcy, unless financial considerations exist for the job in question.

Any employer who relies on consumer credit reports in its employment process must comply with the Fair Credit Reporting Act of 1970 and the Consumer Credit Reporting Reform Act of 1996.

Did you serve in the military? What type of discharge did you receive?

You may not ask what type of discharge the applicant received from military service. You may ask whether or not the applicant has served in the military, period of service, rank at time of discharge, and type of training and work experience received while in the service.

How old are you?

The Age Discrimination in Employment Act (ADEA) prohibits discrimination on the basis of age with respect to individuals over the age of 40. Requests that an applicant state his age may discourage older applicants, and otherwise indicate discrimination based on age.

Employment application forms which request information such as age will be closely reviewed to assure that the request is for allowable purpose and not for purposes set by the ADEA.

Under the EEOC's Age Discrimination Interpretive Rules, requests for date of birth on the employment application are allowable, provided that an appropriate disclaimer is shown.

Any recruiting effort that is age-biased, such as seeking "recent graduates" or any question during the interview process that deters employment because of age is unlawful.

**What church do you go to? What religion are you?**

There are no job-related considerations that would justify asking about religious beliefs unless your organization is a religious institution, in which case you may give preference to individuals of your own religion.

Inquiries as to the applicant's religion are not an appropriate method of determining availability to work. Employers have an obligation to accommodate the religious beliefs of employees and applicants.

Questions relating to availability for work on Friday evenings, Saturdays or holidays should not be asked unless an employer can show that the questions have not had an effect on its employees or applicants who would need an accommodation for their religious practices. Refer to EEOC Guidelines on Discrimination Because of Religion, 29 CFR 1605.

**Are you a United States citizen?**

This question is not appropriate as a pre-employment inquiry. The EEOC Guidelines on Discrimination Because Of National Origin indicate that consideration of an applicant's citizenship may constitute evidence of discrimination on the basis of national origin.

The law protects all individuals, both citizens and non-citizens domiciled or residing in the United States against discrimination on the basis of race, color, religion, sex or national origin.

A person who is a lawfully immigrated alien, legally eligible to work, may not be discriminated against on the basis of his/her citizenship, except in the interest of national security, as determined under a United States statute or a presidential executive order regarding the particular position or premises in question.

**Do you have any disabilities?**

The Americans with Disabilities Act (ADA) prohibits employers from asking disability-related questions to employment applicants. A "disability-related question" is any question that is likely to draw out information about a disability. Under the ADA, an employer cannot lawfully ask an applicant whether they have a particular disability nor ask questions that are closely related to a disability.

Relating to disability, an employer may not ask applicants:

- Whether the applicant will need reasonable accommodations for the job.
- How many sick days he took with a previous employer; this question directly relates to possible disabilities.
- Worker's compensation history, a question of this nature is viewed as relating directly to the severity of the applicant's impairments.
- His current or prior lawful drug use.
- Current medications

An employer may ask an applicant whether he can perform the essential functions of the job for which he is applying, with or without reasonable accommodation. An employer may ask an applicant to describe how they would perform any and all job functions, as long as all applicants in the job category are asked to do the same thing.

When an employer reasonably believes that an applicant will not be able to perform a job function because of a known disability, the employer may ask the applicant to describe or demonstrate how they would perform the function.

If the applicant has an obvious disability or voluntarily discloses a hidden disability to the employer, the employer may ask the applicant whether they need a reasonable accommodation and what type.

For example, an applicant for a receptionist position voluntarily discloses that they have diabetes and will need to take breaks to take medication. The employer may ask the applicant questions about the reasonable accommodations they will need, such as how often they need to take breaks and how long the breaks must be.

An employer should inform all applicants of the essential functions of the position and of the employer's attendance requirements. The employer may then ask whether the applicant will be able to perform these functions and meet the attendance requirements.

An employer may also ask about an applicant's attendance record with a prior employer. This question is not considered to be disability-related, because there may be many reasons unrelated to disability why a person may not have met the attendance requirements of a previous job.

### When was the last time you used illegal drugs?

An employer may ask applicants about current and prior illegal use of drugs. An individual who is currently using illegal drugs is not protected under the ADA.

For example, an employer may ask the following of an applicant: "Do you currently use illegal drugs? Have you ever used illegal drugs? What illegal drugs have you used in the last six months?"

These questions are not likely to tell the employer anything about whether the applicant is addicted to drugs. On the other hand, questions that ask how frequently the applicant has used illegal drugs are

likely to give information about whether the applicant was a past drug addict. An employer may not ask questions that refer to past drug addiction.

### Do you drink alcoholic beverages?

An employer may ask an applicant questions about their drinking habits, unless a particular question is likely to provide information about alcoholism, which is a disability under the ADA.

An employer may ask an applicant whether they drink alcohol, or whether they have been convicted for driving under the influence of alcohol. These questions do not reveal whether someone has alcoholism.

On the other hand, questions about how much alcohol an applicant drinks or whether they have participated in an alcohol rehabilitation program are not permitted. Questions of this nature are likely to provide information about whether the applicant has alcoholism.

### Have you ever undergone psychiatric evaluation?

This is not an appropriate question. The EEOC enforcement guidance on psychiatric disabilities limits the questions asked about any psychiatric disability.

Under the ADA, the term, "psychiatric disability," includes mental impairments, such as mental or psychological disorder including emotional or mental illness. It includes major depression, bipolar disorder and anxiety disorders such as panic disorder, obsessive-compulsive disorder and post-traumatic stress disorder.

A mental impairment also includes schizophrenia and personality disorders. As with physical disabilities, an employer is not permitted to ask applicants questions that are likely to provide information about a psychiatric disability.

A limited exception comes into play when the employer reasonably believes that an applicant has a psychiatric disability for which the applicant will require accommodation.

Generally speaking, an employer can only reasonably believe that an applicant will need accommodation if the applicant discloses his psychiatric disability to the employer during the hiring process or if the applicant tells the employer during the hiring process that he will need such accommodation.

### Are you dating anyone right now?

While this question may not be evidence of discrimination, interviewers should avoid questions of a personal nature. Personal questions are generally irrelevant to the hiring process, and may give rise to claims for invasion of privacy or sexual harassment.

There should be some direct correlation between the information requested and the applicant's ability to perform the functions of the job. If there is no legitimate business purpose for a question, don't ask it.

When did you graduate from high school?

This type of question can be considered an indirect inquiry as to an applicant's age and may create an implication of age discrimination.

While such a question does not violate the Age Discrimination in Employment Act, a more appropriate approach is to simply ask the interviewee if they have a high school diploma or equivalent.

Further, an employer must consider whether a high school education is necessary for the duties and functions of the position for which applicants are being interviewed. The United States Supreme Court has found an employer's requirement of a high school education discriminatory where statistics showed that such a requirement operated to disqualify blacks at a substantially higher rate than whites and there was not evidence that the requirement was significantly related to successful job performance.

The standard applies to all groups protected under Title VII and to all questions related to educational achievement, if no job-related requirement or business necessity exists.

While an employer may generally inquire as to the applicant's educational background, there must be some degree of relationship between the level of education required for the position and the job duties of the position.

Do you have any family members who work here now or who have worked here in the past?

Information about friends or relatives working for an employer is generally not relevant to an applicant's ability to perform the job.

Requesting such information may be unlawful if it creates a preference for relatives of current employees in the selection process and reduces or eliminates employment opportunities for members of protected groups.

As a general rule, however, unless an adverse effect on women or minorities can be shown, nepotism is not illegal.

What clubs or organizations do you belong to?

As phrased above, this question is unacceptable because it could be seen as seeking information that is not job-related and could relate to gender, national origin, religion or other status protected under Title VII.

It would be more appropriate to ask: "What professional or trade groups do you belong to that you consider relevant to your ability to perform this job?" This question would provide similar information, but only to the extent that it is relevant to the job in question.

### What is your maiden name?

This question could be seen as an inappropriate inquiry under Title VII because it indirectly asks a female applicant to disclose information regarding her marital status.

Questions about marital status are frequently used to discriminate against women and to deny opportunities for female applicants. If you need to contact a former employer, you may ask applicants if they have ever been known by another name.

### What is your race?

Title VII prohibits discrimination based on race and color. Again, pre-employment inquiries concerning protected status are not considered violations of the law.

However, this inquiry directly asks an applicant to disclose information regarding a protected characteristic, and, unless otherwise explained, may constitute evidence of discrimination prohibited by Title VII.

An employer may legitimately obtain information needed to create and implement an affirmative action plan, or to meet other government recordkeeping requirements, or for the employer's own efforts to recruit minorities and/or women.

The information should be kept separate from other employee records to ensure that it is not used to discriminate in making personnel decisions. One means of collecting such data that has been approved by the courts is the use of a "tear-off sheet," which is an anonymous sheet that is separated from the application and used only for purposes unrelated to the selection decision. This can be in the form of an application supplement or questionnaire.

### Common Interviewer Errors

The following are sub-conscious ways that bias can creep into the interview process. Being aware of these throughout the process will help keep yourself and your fellow panel members from inconsistent scoring.

- **Similarity:** Seeing qualities possessed by the interviewer in the candidate, possibly leading to overlooking other characteristics
- **First Impression:** Judging or drawing conclusions on a candidate by the first impression the interviewer has of the candidate
- **Halo:** Allowing one characteristic to influence the overall rating of the candidate

- **Leniency/Severity:** Exhibiting extreme leniency or harshness in evaluating candidates
- **Restriction of range:** Unwilling to use the extreme ends of the scale, which results in all candidates being rated in the middle range
- **Stereotyping:** Judging based on broad generalizations instead of specific information about the candidate



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<b>Job #</b> 2010-00460	<b>Hits</b> 301	<b>Submitted</b> 48 Active 48 Total	<b>Advertised</b> 07/21/10 - 07/28/10 5:00 PM
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**Job Title:** Social Worker 3 or Social Worker 2 In-Training (CFWS) 00460

**Closing Date/Time:** Wed. 07/28/10 5:00 PM Pacific Time

**Salary:** \$3,293.00 - \$4,542.00 Monthly

**Job Type:** Full Time - Permanent

**Location:** Whatcom County - Bellingham, Washington

**Department:** Dept. of Social and Health Services

[Print Job Bulletin](#)

Description	Benefits	Supplemental Questions
<p>Washington State Department of Social and Health Services</p> <p><b><u>Our Vision is:</u></b> Safe, healthy individuals, families and communities</p> <p><b><u>Our Mission is:</u></b> The Department of Social and Health Services will improve the safety and health of individuals, families and communities by providing leadership and establishing and participating in partnerships.</p> <p><b><u>Our Values are:</u></b> Excellence in Service Respect Collaboration and Partnership Diversity Accountability</p> <p><b>Children's Administration</b> is currently recruiting for a dynamic, motivated and culturally competent Social Worker with the <b>Child and Family Welfare Services Program</b>.</p> <p>This position is at the Social Worker 3 level, but management may consider filling this position with an incumbent at the Social Worker 2 level to be promoted to the Social Worker 3 level upon successful completion of an on-the-job training plan. This is often referred to as an In-training position.</p> <p><b>Duties:</b></p>		



Applying the Solution Based Casework Model, this position performs an advanced level of specialized, culturally competent case management in the Child and Family Welfare Services field.

This Social Worker position carries a caseload providing advanced level permanency planning and protection of children through intensive social work services to children and families. These services develop and implement individual service plans designed to minimize risk to the health and safety of children and strengthen or reunite families. Positions at this level work with little supervision and exercise independent judgment. This includes the responsibility to devise and manage his or her personal workload.

At the Social Worker 2 level, these duties are performed in training and under close supervision.

This position has been designated as emergent under the DSHS Comprehensive Emergency Management Plan. Based on this status, in a declared emergency, the incumbent may be required to report for duty on short notice, report outside of regular work hours or on scheduled days off, and/or report to a duty station other than the official duty station.

**Qualifications:**

**REQUIRED EDUCATION, EXPERIENCE, SKILLS AND ABILITIES:**

A Bachelor's degree or higher in social services, human services, behavioral sciences, or an allied field, and eighteen months as a Social Worker 1 since July 1, 1988;

OR

A Master's degree in social services, human services, behavioral sciences, or an allied field, and one year as a Social Worker 1 or equivalent paid social service experience;

OR

A Bachelor's degree in social services, human services, behavioral sciences, or an allied field, and two years of paid social service experience performing functions equivalent to a Social Worker 1.

NOTE: A two year Master's degree in one of the above fields that included a practicum will be substituted for one year of paid social service experience.

NOTE: Equivalent social service experience would include the previous classes of Caseworker 2, Juvenile Rehabilitation Supervisor 1 or Juvenile Rehabilitation Counselor 2 or higher.

FOR PROMOTION ONLY: A Bachelor's degree and two years of experience as a Caseworker 2 or 3, Social Worker 1A or B, Juvenile Rehabilitation Supervisor 1 or 2, or Juvenile Rehabilitation Counselor 2 in state service.

NOTE: Employees must successfully complete the formal training course sponsored by their division within one year of their appointment.

**Supplemental Information:**

**PLEASE READ THE FOLLOWING INSTRUCTIONS COMPLETELY:**

In order to be considered for this position, please complete the entire online application. An attached resume will NOT replace a completed profile. The information provided in your profile must support your selected answers in the supplemental questions. Responses not supported in your profile may disqualify you from consideration for employment in this position. All information will be verified and documentation may be required.

Email your college transcripts to [SWRecruit@dshs.wa.gov](mailto:SWRecruit@dshs.wa.gov) or fax to (425) 339-3822 by the closing date. Unofficial transcripts are acceptable however they must be clearly legible, must reflect your name, the name of the university or college and the date the degree was received. All applicable education must be accredited and recognized by the Council for Higher Education (CHEA) and/or the United States Department of Education (USDE).

NOTE TO APPLICANT:

Successful completion of a background check is required for employees and applicants considered for selected positions within DSHS. Employees/applicants will be required to sign a release authorizing the background check. Failure to do so shall disqualify the applicant from employment in these positions. Information obtained from background checks will not necessarily preclude employment.

Positions requiring bilingual skills, American Sign Language, or Braille are paid basic salary plus 5%. For bilingual positions, candidates will be tested and must pass the examination for language proficiency. Please contact DSHS Language Interpreter Services at (360) 664-6111 if you wish to become certified.

The State of Washington is an equal opportunity employer. Persons with a disability who need assistance in the application or testing process, or those needing this announcement in an alternative format, may call (360) 664-1960 or toll free (877) 664-1960 or Telecommunications Device for the Deaf (360) 664-6211. For questions about this recruitment contact Teresa Alseth at (425) 339-1754.

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Referred Candidates

Requisition # **2010-00460** Position Type **Full Time - Permanent**  
 Requisition Title **SOCIAL WORKER 3** Vacancies **1**  
 Working Title **Social Worker 3 or Social Worker 2 In-Training (CFWS) 00460** HR Analyst **Alzeth, Teresa**  
 Department **Dept. of Social and Health Services** HR Analyst Phone **(425) 339-1754**  
 Exam Plan # **2010-00460** HR Originator **Alzeth, Teresa**  
 Exam Plan Title **Social Worker 3 or Social Worker 2 In-Training (CFWS) 00460** HR Originator Phone **425-339-1754**  
 Job **2010-00460 Social Worker 3 or Social Worker 2 In-Training (CFWS) 00460**  
 Positions **VT02**  
 Comments:

Referred

Name	Master Profile	Phone	Date Referred	Elig Exp Date	Elig List Type	Notices
<a href="#">Devan</a>	<a href="#">View</a>	P: (503) 501-6921	08/10/10		Normal	N/A
<a href="#">JoAnne</a>	<a href="#">View</a>	P: (916) 616-2365	08/10/10		Normal	N/A
<a href="#">Jessica</a>	<a href="#">View</a>	P: 425-772-1158	08/10/10		Normal	N/A
<a href="#">Larry</a>	<a href="#">View</a>	P: (253) 224-3025 A: (253) 262-2833	08/10/10		Normal	N/A
<a href="#">Larry</a>	<a href="#">View</a>	P: (253) 474-9160 A: (253) 891-9471	08/10/10		Normal	N/A
<a href="#">Leslie</a>	<a href="#">View</a>	P: (360) 510-0502	08/10/10		Normal	N/A
<a href="#">Randel</a>	<a href="#">View</a>	P: (360) 858-7700 A: (360) 319-3463	08/10/10		Normal	N/A
<a href="#">Kent</a>	<a href="#">View</a>	P: (360) 933-4245 A: (360) 441-4690	08/10/10		Normal	N/A
<a href="#">David</a>	<a href="#">View</a>	P: (360) 931-3937 A: (360) 397-9708	08/10/10		Normal	N/A
<a href="#">Dahl</a>	<a href="#">View</a>	P: (520) 709-5733	08/10/10		Normal	N/A
<a href="#">Misti</a>	<a href="#">View</a>	P: (253) 538-5346 A: (253) 820-3452	08/10/10		Normal	N/A
<a href="#">Lorraine</a>	<a href="#">View</a>	A: (509) 590-8558	08/10/10		Normal	N/A
<a href="#">Sonya</a>	<a href="#">View</a>	P: (425) 583-0573 A: (425) 252-1574	08/10/10		Normal	N/A
<a href="#">Vanessa</a>	<a href="#">View</a>		08/10/10		Normal	N/A
<a href="#">Brian</a>	<a href="#">View</a>	P: (360) 304-9356	08/10/10		Normal	N/A
<a href="#">Lisa</a>	<a href="#">View</a>	P: (509) 764-1670	08/10/10		Normal	N/A
<a href="#">Godfrey</a>	<a href="#">View</a>	P: (206) 326-0968 A: (206) 326-0968	08/10/10		Normal	N/A
<a href="#">Margaret</a>	<a href="#">View</a>	P: (970) 316-1940	08/10/10		Normal	N/A
<a href="#">Tracie</a>	<a href="#">View</a>	P: (253) 273-7525 A: (253) 298-2674	08/10/10		Normal	N/A
<a href="#">Benjamin</a>	<a href="#">View</a>	P: (503) 915-4780 A: (503) 434-7460	08/10/10		Normal	N/A

== Select ==

20 records found.

Interview Scheduled

Name	Master Profile	Phone	Date Referred	Elig Exp Date	Elig List Type	Notices	Interview
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== Select ==

No records found.

Offer Pending

Name	Master Profile	Phone	Date Referred	Elig Exp Date	Elig List Type	Notices	Offer
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== Select ==

No records found.

Hired

Name	Master Profile	Phone	Date Referred	Elig Exp Date	Print PA	Elig List Type	Notices	Hire
== Select ==								No records found.

Rejected

Name	Master Profile	Phone	Date Referred	Elig Exp Date	Elig List Type	Notices	Rejection	
== Select ==								No records found.

Rejection Pending

Name	Master Profile	Phone	Date Referred	Elig Exp Date	Elig List Type	Notices	Rejection	
== Select ==								No records found.

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**Job Specific Supplemental Questions**

1.	<b>(300 351P J50 R) Which of the following best describes a combination of your education and experience in the social services field?</b>
	I have a Master's degree in social services, human services, behavioral science or a related field, and one year of experience as a Social Worker 1 with the Department of Social and Health Services in the State of Washington, or equivalent paid experience.
2.	<b>(300 351P J50 D8) Which of the following best describes your knowledge and application of child welfare law, as a regularly assigned job responsibility?</b>
	I have at least one year of experience performing these tasks as a regular part of my duties.
3.	<b>(300 351P J50 D5) Which of the following best describes your paid, professional experience coordinating social service delivery with other agencies and/or systems to include providing information and referrals for professional evaluation or services?</b>
	I have at least one year of experience performing these tasks as a regular part of my duties.
4.	<b>(300 351P J50 D1) Which of the following best describes your paid, professional experience conducting investigations and/or formal reviews to assess complaints regarding violations of standards, regulations or laws OR conducting program reviews to assess compliance with regulations, standards or laws ? These investigations and/or reviews must have been documented in a report.</b>
	I have at least one year of experience performing these tasks as a regular part of my duties.
5.	<b>(300 351P J50 D2) Which of the following best describes your paid, professional experience developing and/or modifying social service treatment or individual client service plans?</b>
	I have between six and eleven months of experience performing these tasks as a regular part of my duties.
6.	<b>(300 351P J50 D3) Which of the following best describes your paid professional experience assessing risk to the health and safety of children by conducting comprehensive assessments of the family used to develop case plans? Assessments must include a combination of the following: mental health screening, domestic violence screening, criminal history, substance abuse history, prior Child Protective Services history, medical history and social circumstances.</b>
	I have over 12 months of this experience.
7.	<b>(300 351P J50 D4) Which of the following best describes your paid professional experience assessing risk to the health and safety of children by conducting interviews with collateral sources (i.e. teachers, medical staff, neighbors, caregivers, relatives, etc) to uncover signs or risks of child abuse, neglect or exploitation?</b>
	I have over 12 months of this experience.
8.	<b>(300 351P J50 D6) Which of the following best describes your paid professional experience identifying elements in an environment which pose a risk to the health, safety and well-being of children?</b>
	I have 6 to 12 months of this experience.
9.	<b>(300 351P J50 D7) Which of the following best describes your paid professional experience researching and identifying suitable relative or foster home placement options for children?</b>
	I have 6 to 12 months of this experience.

Category and Module	Competency	Learning Objectives
Hiring, Screening, Interviewing	Ability to access and apply DSHS personnel policies	Can collaborate with HRD to understand and apply hiring procedures and processes
Performance and Development Plans	Ability to access and apply DSHS personnel policies	Can collaborate with HRD to apply the Performance and Development Plan process
	Ability to complete Performance and Development Plans that accurately assess the strengths and weaknesses of their staff	Can understand and articulate the Performance and Development Plan process

# Performance & Development Plan

Rhea Seaber-Reynolds  
Human Resource Manager  
&  
Stefani Coverson  
Human Resource Manager

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## Objectives

- Provide you with an understanding of the PDP process
- Provide you information on how to set performance expectations
  - Key Results
  - Key Skills and Abilities
- Provide you with an understanding of when to complete a PDP

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## Performance Development Plan (PDP)

Where does the PDP process start?

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## Answer

With the Position Description Form



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## PDP ~ Getting Started

- Position Description Form (PDF)
  - A list of job responsibilities and duties
- Supervisory Desk Files
- Staff meeting or notes
- Unit expectations



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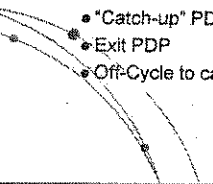
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## Purpose of Performance Appraisal

- Annual Review
- Trial Service Review
- Probationary Review
- Other
  - "Catch-up" PDP
  - Exit PDP
  - Off-Cycle to capture positive/negative performance



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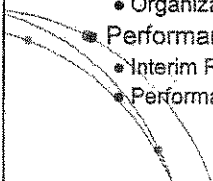
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## PDP Process

- Performance Planning
  - Performance Expectations
  - Training and Development Needs/Oppty's
  - Organizational Support
- Performance Assessment
  - Interim Reviews (Optional)
  - Performance Feedback



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## Review Key Elements Article 5

- Article 5.1 (C)
- Article 5.2 (D)



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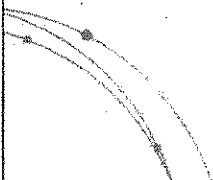
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## When Documenting Employee Work History

**Keep in mind ~ only  
document what is appropriate**



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### DO THIS

- Describe observable behavior
- Capture positive performance & performance deficiencies
- Capture excessive unscheduled leave and attendance concerns
- Note counseling
- Reference "appropriate action" if applicable

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### NOT THAT

- Include any medical and sick leave information
- Include poor performance issues that have not already been discussed
- Cover a period that has already been evaluated
- Reference level of discipline

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### Step 1 Preliminary Discussion

- Review the PDP form and instructions
- Update the PDF if needed
- Complete the data section at top of form
- Identify linkage of employee's position to the organization
- Determine timing and process of Parts 1-3
- Be aware of the horn/halo effect
- Talk with your manager

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## Step 2 Draft PDP

- Prepare Phase 1 – Performance Expectations
  - Key Results/Key skills and abilities
- Prepare Phase 2 – Performance Feedback
  - Capture what happened during the review period.
  - Remember that nothing should come as a surprise in an evaluation.

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## Step 3 Meet with Employee

- Feedback session: Supervisor and employee discuss performance.
- Employee input is valuable and part of the process but remember this your assessment of their performance.
  - See page 4 of DSHS User's guide

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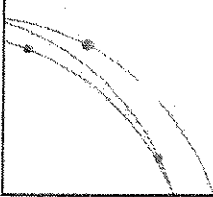
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## Exercise



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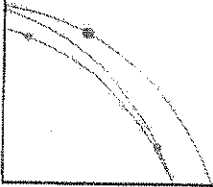
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Questions

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## **ARTICLE 5**

### **PERFORMANCE EVALUATION**

#### **5.1 Objective**

A. The Employer will evaluate employee work performance. The performance evaluation process will include performance goals and expectations that reflect the organization's objectives.

B. The performance evaluation process gives supervisors an opportunity to discuss performance goals and expectations with their employees, assess and review their performance with regard to those goals and expectations, and provide support to employees in their professional development, so that skills and abilities can be aligned with agency requirements.

C. To recognize employee accomplishments and address performance issues in a timely manner, discussions between the employee and the supervisor will occur throughout the evaluation period. Performance problems will be brought to the attention of the employee to give the employee the opportunity to receive any needed additional training and to correct the problem before it is mentioned in an evaluation. Such discussions will be documented in the supervisor's file.

#### **5.2 Evaluation Process**

A. Employee work performance will be evaluated prior to the completion of his or her probationary and trial service periods and at least annually thereafter. Within the Department of Social and Health Services (Aging and Disability Services Administration and Health and Recovery Services Administration only) and the Department of Veterans Affairs, where shift charges are used, an immediate supervisor, prior to preparing the employee's evaluation will solicit input from the employee's current shift charge. This input will be considered by the supervisor for inclusion in the evaluation. Immediate supervisors will meet with employees to discuss performance goals and expectations. Employees will receive copies of their performance goals and expectations as well as notification of any modifications made during the review period.

B. The supervisor will discuss the evaluation with the employee. The employee will have the opportunity to provide feedback on the evaluation. The discussion may include such topics as:

1. Reviewing the employee's performance;
2. Identifying ways the employee may improve his or her performance;
3. Updating the employee's position description, if necessary;

4. Identifying performance goals and expectations for the next appraisal period; and

5. Identifying employee training and development needs.

C. The performance evaluation process will include, but not be limited to, a written performance evaluation on forms used by the Employer, the employee's signature acknowledging receipt of the forms, and any comments by the employee. The evaluation, including employee comments, will be considered by the reviewer. Once completed and signed by the reviewer, a copy will be provided to the employee (with reviewer comments, if any), who may provide responsive comments to be attached to the evaluation. The original performance evaluation forms, including the employee's comments, will be maintained in the employee's personnel file.

D. The evaluation process is subject to the grievance procedure. The specific content of performance evaluations are not subject to the grievance procedure.

## Competency Examples with Performance Statements

The examples below of competencies may be used in various staff management functions like:

- Planning performance expectations.
- Determining training and development needs.
- Establishing recruitment and selection criteria.

The competencies are grouped together under categories. Each competency includes a title, a general definition, and several measurable or observable performance statements.

This list is useful as a reference, but is not all-inclusive. The performance statements listed are to be used to generate thought about how the competency is displayed when performed well on the job. The competency descriptions are intended to be tailored to individual positions.

Position-specific competencies are best determined through a job analysis process. Supervisors should talk with their HR office to receive specific direction around competency identification.

<b>Competency Group – Communication</b>		
<b>Competency Title</b>	<b>Description</b>	<b>Performance statements</b>
Listening	Understands and learns from what others say.	<u>Examples</u>
Reading Comprehension	Grasps the meaning of information written in English, and applies it to work situations.	<u>Examples</u>
Speaking	Conveys ideas and facts orally using language the audience will best understand.	<u>Examples</u>
Writing	Conveys ideas and facts in writing using language the reader will best understand.	<u>Examples</u>
<b>Competency Group - Cognition</b>		
<b>Competency Title</b>	<b>Description</b>	<b>Performance statements</b>
Analysis/Reasoning	Examines data to grasp issues, draw conclusions, and solve problems.	<u>Examples</u>
Creative & Innovative Thinking	Develops fresh ideas that provide solutions to all types of workplace challenges.	<u>Examples</u>
Decision Making & Judgment	Makes timely, informed decisions that take into account the facts, goals, constraints, and risks.	<u>Examples</u>
Mathematical Reasoning	Uses mathematical techniques to calculate data or solve practical problems.	<u>Examples</u>
Problem Solving	Resolves difficult or complicated challenges.	<u>Examples</u>

Performance Management Competency Examples with Performance Statements

Researching Information	Identifies, collects, and organizes data for analysis and decision-making.	<u>Examples</u>
<b>Competency Group – Personal Effectiveness</b>		
Competency Title	Description	Performance statements
Accountability & Dependability	Takes personal responsibility for the quality and timeliness of work, and achieves results with little oversight.	<u>Examples</u>
Adaptability & Flexibility	Adapts to changing business needs, conditions, and work responsibilities.	<u>Examples</u>
Attention to Detail	Diligently attends to details and pursues quality in accomplishing tasks.	<u>Examples</u>
Customer Focus	Builds and maintains customer satisfaction with the products and services offered by the organization.	<u>Examples</u>
Development & Continual Learning	Displays an ongoing commitment to learning and self-improvement.	<u>Examples</u>
Ethics & Integrity	Earns others' trust and respect through consistent honesty and professionalism in all interactions.	<u>Examples</u>
Results Focus & Initiative	Focuses on results and desired outcomes and how best to achieve them. Gets the job done.	<u>Examples</u>
Safety Focus	Adheres to all workplace and trade safety laws, regulations, standards, and practices.	<u>Examples</u>
Self Management	Manages own time, priorities, and resources to achieve goals.	<u>Examples</u>
Stress Tolerance	Maintains composure in highly stressful or adverse situations.	<u>Examples</u>
Tact	Diplomatically handles challenging or tense interpersonal situations.	<u>Examples</u>
<b>Competency Group – Interaction with Others</b>		
Competency Title	Description	Performance statements
Influencing Others	Influences others to be excited and committed to furthering the organization's objectives.	<u>Examples</u>
Relationship Building	Builds constructive working relationships characterized by a high level of acceptance, cooperation, and mutual respect.	<u>Examples</u>
Teamwork	Promotes cooperation and commitment within a team to achieve goals and deliverables.	<u>Examples</u>



Performance Management Competency Examples with Performance Statements

Valuing Diversity	Helps create a work environment that embraces and appreciates diversity.	<u>Examples</u>
<b>Competency Group – Occupational</b>		
Competency Title	Description	Performance statements
Advocating Causes	Influences others to act in support of ideas, programs, or causes.	<u>Examples</u>
Enforcing Laws, Rules, & Regulations	Enforces governmental laws, rules, and regulations, and initiates enforcement actions in a way that the public perceives as fair, objective, and reasonable.	<u>Examples</u>
Facilitating Groups	Enables cooperative and productive group interactions.	<u>Examples</u>
Gaining Voluntary Compliance	Convinces others to follow recommendations and advice to bring them into compliance with regulations, standards, or policies	<u>Examples</u>
Interviewing Others	Asks questions in ways that enhance the clarity, quality, and reliability of information.	<u>Examples</u>
Managing Projects or Programs	Structures and directs others' work on projects or programs.	<u>Examples</u>
Mediating Disputes	Helps others resolve complex or sensitive disagreements and conflicts.	<u>Examples</u>
Negotiating Agreements	Reaches deals or compromises.	<u>Examples</u>
Operating Equipment	Uses tools, machines, and vehicles to transport goods or people, or to create work products.	<u>Examples</u>
Providing Consultation	Partners with clients to identify and resolve complex or sensitive issues.	<u>Examples</u>
Training & Presenting Information	Formally delivers information to groups.	<u>Examples</u>
<b>Competency Group – Management Qualities</b>		
Competency Title	Description	Performance statements
Business Alignment	Aligns the direction, products, services, and performance of a business line with the rest of the organization.	<u>Examples</u>
Coaching & Mentoring	Enables co-workers to grow and succeed through feedback, instruction, and encouragement.	<u>Examples</u>
Leadership	Promotes organizational mission and goals, and shows	<u>Examples</u>

	the way to achieve them.	
Fiscal Accountability	Follows fiscal guidelines, regulations, principles, and standards when committing fiscal resources or processing financial transactions.	<u>Examples</u>
Organizational & Political Savvy	Uses knowledge of the organizational and political climate to solve problems and accomplish goals.	<u>Examples</u>
Planning & Organizing	Coordinates ideas and resources to achieve goals.	<u>Examples</u>
Staff Management	Manages staff in ways that improve their ability to succeed on the job.	<u>Examples</u>
Strategic Vision	Sees the big, long-range picture.	<u>Examples</u>

## **Accountability & Dependability**

### **Definition**

Takes personal responsibility for the quality and timeliness of work, and achieves results with little oversight.

### **Performance Statement Examples**

- Shows up to work on time, and follows instructions, policies, and procedures. Meets productivity standards, deadlines, and work schedules.
- Stays focused on tasks in spite of distractions and interruptions.
- Makes the best use of available time and resources.
- Balances quality of work with meeting deadlines.
- Does not make excuses for errors or problems; acknowledges and corrects mistakes.
- Does not diffuse blame for not meeting expectations; faces up to problems with people quickly and directly.

## **Adaptability & Flexibility**

### **Definition**

Adapts to changing business needs, conditions, and work responsibilities.

### **Performance Statement Examples**

- Responds positively to change, embracing and using new practices or values to accomplish goals and solve problems.
- Adapts approach, goals, and methods to achieve solutions and results in dynamic situations.
- Copes well and helps others deal with the ongoing demands of change; sees and shows others the benefits of change.
- Recovers quickly from setbacks, and finds alternative ways to reach goals or targets.
- Manages change in a way that reduces the concern experienced by others. Clarifies priorities when leading change.

## **Advocating Causes**

### **Definition**

Influences others to act in support of ideas, programs, or causes.

### **Performance Statement Examples**

- Actively promotes and solicits support for a program or cause. Builds credibility as a representative by demonstrating personal commitment and sharing information.
- Using knowledge of audience views and interests, chooses and employs diverse methods, tools, and resources to educate and build enthusiasm in potential partners and supporters.
- Ensures others grasp the purpose and benefits of the program or cause. Tailors messages to specific audiences to develop interest and endorsement.
- Displays passion for the cause, and sparks that same passion in others.

## **Analysis/Reasoning**

### **Definition**

Examines data to grasp issues, draw conclusions, and solve problems.

### **Performance Statement Examples**

- Identifies key facts in a range of data. Notices when data appear wrong or incomplete, or need verification. Distinguishes information that is not pertinent to a decision or solution.
- Breaks down complex information into component parts. Sorts and groups data, and applies causal relationships. Sees underlying principles, patterns, or themes in an array of related information.
- Applies logic and complex layers of rules to analyze and categorize complicated information. Sees relationships between information in varied forms and from varied sources.
- Goes beyond analyzing factual information to develop a conceptual understanding of the meaning of a range of information. Integrates diverse themes and lines of reasoning to create new insights or levels of understanding for the issue at hand. Thinks in terms of generalized models rather than concrete details.

## **Attention to Detail**

### **Definition**

Diligently attends to details and pursues quality in accomplishing tasks.

### **Performance Statement Examples**

- Performs tasks with care; is thorough. Makes few if any errors.
- Checks work to ensure accuracy and completeness.
- Compares observations or finished work to what is expected to find inconsistencies.
- Remains aware and takes care of details that are easy to overlook or dismiss as insignificant.

## **Business Alignment**

### **Definition**

Aligns the direction, products, services, and performance of a business line with the rest of the organization.

### **Performance Statement Examples**

- Seeks to understand other programs in the department, including their services, deliverables, and measures.
- Integrates executive direction into every decision and consultation.
- Advocates for and positively represents other programs and services when working with customers and stakeholders.

## **Coaching & Mentoring**

### **Definition**

Enables co-workers to grow and succeed through feedback, instruction, and encouragement.

### **Performance Statement Examples**

- Coaches others regardless of performance level. Shares specialized approaches and skills that will increase capabilities.
- Helps others identify key goals and use their talents to achieve those goals. Sees others' potential and strengths, and works to build on them.
- Takes time to observe behaviors that contribute to or detract from others' success. Highlights performance strengths and weaknesses by giving factual, specific, non-judgmental feedback.
- Builds relationships with teammates so that coaching efforts are received in a positive, developmental manner. Takes steps to learn the work interests and career goals of teammates.
- Actively supports others stretching beyond their comfort levels and trying new techniques that may enhance success. Coaches for incremental, one-step-at-a-time improvements, offering praise and recognition as each step forward is made.
- Encourages repeating and building upon areas of strength, and dissects areas that may be improved. Suggests methods and gives examples that provide a roadmap to improved performance.
- Models success behaviors, a high performance work ethic, and constant self-improvement.

## **Creative & Innovative Thinking**

### **Definition**

Develops fresh ideas that provide solutions to all types of workplace challenges.

### **Performance Statement Examples**

- Sees old problems in new ways and has novel approaches to solving those problems.
- Contributes original and resourceful ideas in brainstorming sessions.

## Performance Management Competency Examples with Performance Statements

- Connects seemingly unrelated ideas, events, and circumstances to find global solutions to individual problems.
- Sees opportunities for creative problem solving while staying within the parameters of good practice. Generates unique but workable and useful solutions to difficult problems.
- Thinks in terms of desired outcomes, not just reactive, quick solutions. Finds ways to turn the ideal into reality. Experiments with new ideas, methodologies, and procedures.
- Visualizes potential problems and solutions without needing tangible, "real-life" examples. Can discuss and project the aspects and impacts of issues and decisions.

## **Customer Focus**

### **Definition**

Builds and maintains customer satisfaction with the products and services offered by the organization.

### **Performance Statement Examples**

- Can describe customers' business and expectations. Shows interest in, anticipates, and responds timely to customer needs.
- Focuses on the customer's business results, rather than own. Goes beyond basic service expectations to help customers implement complete solutions.
- Delivers products and services when and where the customer needs them. Explores options when unable to deliver a requested product or service, and pursues solutions until the customer is satisfied.
- Provides to customers status reports and progress updates. Seeks customer feedback and ensures needs have been fully met.
- Seeks ways to improve service delivery. Assesses the organization and its services from the customer's point of view. Emphasizes a team approach to providing great customer service.
- Recognizes adverse customer reactions and develops better alternatives.

## **Decision Making & Judgment**

### **Definition**

Makes timely, informed decisions that take into account the facts, goals, constraints, and risks.

### **Performance Statement Examples**

- Gathers data and others' input when making decisions. Considers lessons learned from experience, differing needs, and the impact of the decision on others.
- Balances analysis, wisdom, experience, and perspective when making decisions.
- Finds solutions that are acceptable to diverse groups with conflicting interests and needs.
- Weighs the pros and cons of each option before making a decision and moving forward.
- Can explain the rationale for a decision.
- Makes necessary decisions even when information is limited or unclear.
- Learns from the consequences of decisions.

## **Development & Continual Learning**

### **Definition**

Displays an ongoing commitment to learning and self-improvement.

### **Performance Statement Examples**

- Applies own talents to work assignments, and hones the competencies needed in current job.
- Looks for better ways to perform routine aspects of job.
- Asks for and uses feedback to improve performance. Seeks and acquires new competencies, work methods, ideas, and information that will improve own efficiency and effectiveness on the job.
- Finds and maximizes opportunities for growth and development from multiple sources.
- Sees failure as an opportunity to learn from past results, and continues to learn and grow.

## **Enforcing Laws, Rules, & Regulations**

### **Definition**

Enforces governmental laws, rules, and regulations, and initiates enforcement actions in a way that the public perceives as fair, objective, and reasonable.

### **Performance Statement Examples**

- Clearly explains laws, rules, and regulations, as well as what constitutes a violation.
- Objectively applies "the letter of the law" during all interactions, yet clearly understands "the spirit of the law" when deciding if enforcement action is needed. Exhausts other options, such as seeking voluntary compliance, before resorting to enforcement action.
- Recognizes situations that warrant assertive action and moves forward without hesitation.
- Balances enforcing all laws, rules, and regulations against the need to respond to the worst (or most harmful) violations first.
- Remains calm during the course of enforcement activities to lessen the chance of hostility.

## **Ethics & Integrity**

### **Definition**

Earns others' trust and respect through consistent honesty and professionalism in all interactions.

### **Performance Statement Examples**

- Respects and maintains confidentiality.
- Tells the truth and is honest in all dealings.
- Keeps promises and commitments made to others. Does the right thing, even when it is difficult. Does not yield to pressure to show bias or manipulate others.
- Avoids situations and actions considered inappropriate or which present a conflict of interest.
- Adheres to a set of core values that are represented in decisions and actions.
- Does not misrepresent self or use position or authority for personal gain.

## **Facilitating Groups**

### **Definition**

Enables cooperative and productive group interactions.

### **Performance Statement Examples**

- Prepares for group meetings by identifying the key issues, goals, and stakeholder expectations. Identifies resources that are most likely to help the group with its task. Clarifies the agenda and objectives, and allocates time for topics.
- Leads the group in its initial stages, outlining issues, communicating direction and desired outcomes, and helping participants understand their tasks, roles, and contributions to the process.
- Engages all members in the discussion. Builds on the ideas of contributors, while ensuring other members are not overwhelmed or discouraged from giving input.
- Sees when the group is off-track and redirects the conversation toward productive channels.
- Guides the discussion of complex or divisive issues to help members develop insights and remain engaged with the task. Judges when issues cannot be resolved in the group, and re-focuses the dialogue on the essential goals.
- Allows ownership of the process by group members. Highlights group successes, and builds a sense of shared accomplishment. Reinforces success by becoming an advocate for the group's decisions.

## **Fiscal Accountability**

### **Definition**

Follows fiscal guidelines, regulations, principles, and standards when committing fiscal resources or processing financial transactions.

### **Performance Statement Examples**

- Handles currency carefully and attentively. Verifies the authenticity of money, recognizes when it is suspect, and takes action to confirm its value before completing any transactions.
- Safeguards fiscal resources, and adheres to all internal control procedures designed to prevent and detect theft or misuse of funds. Remains alert to security breaches and reports problems. Seeks ways to improve internal controls.
- Keeps current on fiscal procedures, principles, standards, rates, etc. Ensures all financial data is properly calculated and reported.
- Responsibly allocates and accounts for the use of fiscal resources, weighing alternatives and their benefits. Monitors budget usage and ensures critical costs are covered. Seeks ways to reduce costs.

## **Gaining Voluntary Compliance**

### **Definition**

Convinces others to follow recommendations and advice to bring them into compliance with regulations, standards, or policies.

### **Performance Statement Examples**

- Clearly communicates the reasons for seeking compliance. Explains the regulation, standard, or policy within the context of the customer's situation. Sees when the client fails to grasp key provisions of the law.
- Listens to the customer's point of view to ensure recommendations truly meet their needs within the provisions of the law.
- Anticipates and responds constructively to customer resistance. Avoids confrontational approaches and keeps the communication positive. Points out the obvious and hidden benefits of voluntary compliance.
- Explains to the customer the consequences of failure to comply with regulations, standards, or policies. Ensures the customer understands the next steps in the enforcement process.

## **Influencing Others**

### **Definition**

Gets others excited about and committed to furthering the organization's objectives.

### **Performance Statement Examples**

- Inspires and persuades others to voluntarily follow direction, pursue and achieve goals, and adopt new positions or opinions.
- Promotes the creation of shared mission, vision, and values, and uses those principles to guide actions.
- Displays a positive attitude about the work to be done, co-workers, customers, management, and employer policies.
- Addresses issues in an open, constructive, professional manner, and persuades others to approach issues in the same manner.
- Leads by example and sets standards for professional behavior. Helps those in need of assistance, regardless of rank.
- Shows dedication in completing the work that must be done.

## **Interviewing Others**

### **Definition**

Asks questions in ways that enhance the clarity, quality, and reliability of information.

### **Performance Statement Examples**

- Plans the interview process in advance, identifying the key information to collect.
- Puts the interviewee at ease, and ensures he or she understands the process and its purpose. Develops trust to obtain honest responses.



## Performance Management Competency Examples with Performance Statements

- Asks direct, focused, and logically ordered questions that comply with all legal or policy requirements. Tactfully broaches sensitive subjects.
- Spots when initial answers are insufficient. Asks clarifying questions that get to the heart of issues or that supply needed information. Sees when to doubt or verify information.
- After the interview, reviews, clarifies, and documents notes and impressions while the information is still fresh in memory. Notes key points that are most relevant to the issue.

## **Leadership**

### **Definition**

Promotes organizational mission and goals, and shows the way to achieve them.

### **Performance Statement Examples**

- Creates a positive work environment where all staff are motivated to do their best.
- Conveys confidence in a group's ability to prevail over challenges to reach its goals.
- Links mission, vision, values, goals, and strategies to everyday work.
- Sees the potential in others and takes opportunities to apply and develop that potential.
- Takes calculated risks to improve performance, try a fresh approach, or reach a challenging goal.
- Sets clear, meaningful, challenging, and attainable group goals and expectations that are aligned with those of the organization.
- Suggests and asks for others' ideas to improve quality, efficiency, and effectiveness.

## **Listening**

### **Definition**

Understands and learns from what others say.

### **Performance Statement Examples**

- Gives the speaker undivided attention and appears interested in the message (e.g., maintains eye contact, nods).
- Attends to verbal and non-verbal cues that create a deeper understanding of the message.
- Allows others to speak without unnecessarily interrupting them.
- Asks clarifying questions that elicit clearer or more detailed information.
- Confirms understanding by paraphrasing or summarizing what others have said.

## **Managing Projects or Programs**

### **Definition**

Structures and directs others' work on projects or programs.

### **Performance Statement Examples**

- Ensures the project's or program's goals, purpose, and criteria for success are clear defined. Clarifies the related roles and responsibilities, deliverables, milestones, limits for independent decision-making, and needs and desires of the primary customers.
- Ensures needed resources and skill sets among staff are available. Averts scope creep.
- Develops reasonable performance standards and ways of evaluating outcome quality.
- Integrates the ideas and needs of others in developing feasible strategies to achieve goals. Obtains stakeholder acceptance of and support for those strategies.
- Evaluates progress and success against performance standards. Appraises and resolves deficiencies and challenges. Ensures deadlines are met and keeps stakeholders informed of project/program status.

## **Mathematical Reasoning**

### **Definition**

Uses mathematical techniques to calculate data or solve practical problems.

### **Performance Statement Examples**

- Performs basic arithmetic (i.e., addition, subtraction, multiplication, and division) and uses basic numerical concepts (e.g., whole numbers, percentages) to complete job tasks. Makes reasonable estimates of arithmetic results without a calculator.
- Measures distance, area, volume, and weight using standard tools and mathematical formulas.
- Applies basic algebra and statistical techniques and formulas (e.g., measures of central tendency, standard deviation) to calculate data.
- Understands and can select and use advanced statistical and quantitative techniques and principles (e.g., random sampling, multiple regression, factor analysis, analysis of variances, and discriminate analysis) to achieve desired data or solutions.
- Creates ways to measure and analyze concepts or goals.

## **Mediating Disputes**

### **Definition**

Helps others resolve complex or sensitive disagreements and conflicts.

### **Performance Statement Examples**

- Maintains an objective, neutral stance. Shows respect for the needs and perspectives of all sides in the dispute.
- Clarifies the issues, interests, and objectives of each party. Helps parties see things from each others' perspectives.

## Performance Management Competency Examples with Performance Statements

- Recognizes when parties have become more willing to compromise. Helps others find common ground and viable solutions that meet their needs.
- Sees when parties are so entrenched that the mediation process is not progressing. Seeks additional resources or moves to a different strategy for resolving the issues.

## **Negotiating Agreements**

### **Definition**

Reaches deals or compromises.

### **Performance Statement Examples**

- Presents interests in ways that foster the understanding and resolution of problems. Seeks to understand others' interests.
- Gains other parties' trust by being honest, respectful, and sensitive to their needs. Knows when to be gentle and when to be assertive, and acts accordingly. Avoids ultimatums.
- Questions and counters others' proposals without damaging relationships. Explains ideas or positions that gain acceptance or agreement. Works from facts and a strong knowledge base.
- Remains open to many approaches to address needs or resolve issues. Seeks suggestions from other parties.
- Seeks common interests and win/win solutions or mutually agreeable trade-offs.

## **Operating Equipment**

### **Definition**

Uses tools, machines, and vehicles to transport goods or people, or to create work products.

### **Performance Statement Examples**

- Learns the functions, purposes, and limitations of new equipment, and practices using it.
- Accurately sets up and calibrates tools and machines.
- Routinely inspects equipment, and adheres to the proper maintenance schedule.
- Follows safety and other regulations when handling and operating equipment.
- Uses equipment for its intended purpose only, protecting it from damage and misuse.
- Responds quickly to malfunctions, seeking assistance as needed and ensuring equipment is fully operational prior to using it again.

## **Organizational & Political Savvy**

### **Definition**

Uses knowledge of the organization and political climate to solve problems and accomplish goals.

### **Performance Statement Examples**

- Understands how the roles, products, and services of own work unit relate to and impact those of other work units. Sees the interrelationships between parts of the organization.

## Performance Management Competency Examples with Performance Statements

- Applies to issues a knowledge of the mission, values, resources, culture, systems, and business strategies to find solutions that best serve the organization and its customers. Knows the reasoning behind key policies, practices, and procedures, and seeks exceptions when needed to achieve goals.
- Capitalizes on both formal channels and informal networks to achieve goals. Forms alliances with key players to get things done.
- Understands internal and external politics and their impacts on the organization. Aligns resources and maneuvers politics to solve problems or reach goals.

## Planning & Organizing

### Definition

Coordinates ideas and resources to achieve goals.

### Performance Statement Examples

- Identifies the sequence of tasks and the resources needed to achieve a goal, and prioritizes key action steps. Anticipates the impacts and risks of decisions and actions.
- Seeks and uses others' input about critical actions, timelines, sequencing, scope, methodology, expected outcomes, and priorities. Sees potential challenges and opportunities, and adjusts plans based on input.
- Creates realistic schedules for projects and follows them. Evaluates progress against schedule and goal.
- Monitors and evaluates social, fiscal, and political trends that affect the plan. Prepares strategies to deal with problems or drastic changes.
- Evaluates proposed actions and timelines against organizational mission and values. Integrates the current plan with other plans as needed to achieve the overall mission.

## Problem Solving

### Definition

Resolves difficult or complicated challenges.

### Performance Statement Examples

- Frames problems before trying to solve them. Breaks down problems and identifies all of their facets, including hidden or tricky aspects.
- Shows insight into the root-causes of problems. Generates a range of solutions and courses of action with benefits, costs, and risks associated with each.
- Probes all fruitful sources for answers, and thinks 'outside the box' to find options. Uses the good ideas of others to help develop solutions. Seeks advice from those who've solved similar problems.
- Tests proposed solutions against the reality of likely effects before going forward; looks beyond the obvious and does not stop at the first answers.
- Evaluates the chosen course of action after it has been implemented to determine its worth and impacts.

## **Providing Consultation**

### **Definition**

Partners with clients to identify and resolve complex or sensitive issues.

### **Performance Statement Examples**

- Eagerly engages clients in identifying issues, options, and desired outcomes. Develops a clear picture of the needs and best options from the client's perspective.
- Identifies resources and potential solutions that are practical and effective. Knows and explains where, when, and how to implement those options.
- Helps clients navigate complex or sensitive issues, keeping the client's best interests in mind and advising on best practices.
- Remains committed to helping the client long after initial solutions have been applied. Follows up to make sure desired outcomes are realized.
- Acquires a keen perspective on the client's business and operational needs. Uses that broadening view to help resolve more complex and difficult issues, and to anticipate new client needs.
- Acts proactively, recognizing important trends that will affect clients. Communicates those trends so clients can better prepare to meet new challenges. Develops new services and service models in line with those needs.

## **Reading Comprehension**

### **Definition**

Grasps the meaning of information written in English, and applies it to work situations.

### **Performance Statement Examples**

- Learns from written passages by discerning the main idea or key facts. Locates or infers from their context the meaning of unknown or technical words.
- Understands basic correspondence, instructions, rules, policies, graphs, and/or charts.
- Draws logical conclusions from text, and 'reads between the lines' to find underlying meaning. Detects bias, separates fact from opinion, and discerns the author's purpose and tone.
- Can interpret complex, technical, professional, or legal information and publications.

## **Relationship Building**

### **Definition**

Builds constructive working relationships characterized by a high level of acceptance, cooperation, and mutual respect.

### **Performance Statement Examples**

- Maintains an open, approachable manner, and treats others fairly and respectfully. Preserves others' self-confidence and dignity, and shows regard for their opinions.

## Performance Management Competency Examples with Performance Statements

- Seeks and considers ideas from those who are reluctant to express their points of view. Anticipates and recognizes the concerns of others, even if those concerns are not openly expressed.
- Builds rapport by listening to, discussing and negotiating with, and rewarding, encouraging, and motivating others.
- Seeks to resolve confrontations and disagreements constructively. Focuses on the situation, issues, or behaviors, rather than the people.
- Celebrates workplace success and achievement. Supports the good ideas of others.
- Promotes the contributions and accomplishments of customers or clients to others.
- Demonstrates a balance between building rapport and getting the work done.

## Researching Information

### Definition

Identifies, collects, and organizes data for analysis and decision-making.

### Performance Statement Examples

- Knows where and how to access the right data for the assignment. Pursues leads for additional sources of information.
- Screens out irrelevant and vague information, keeping the high-quality data. Questions the limits, quality, and accuracy of data; digs for details and confirms suspect data.
- Clearly documents sources, and organizes the information according to the research needs.
- Knows when more information is needed and when enough has been collected to reach a conclusion.
- Finds the trends and relationships in the emerging fact pattern, and identifies new or related lines of research that lead to more successful or complete conclusions.

## Results Focus & Initiative

### Definition

Focuses on results and desired outcomes and how best to achieve them. Gets the job done.

### Performance Statement Examples

- Sets high goals and works doggedly to achieve them. Pushes self and others to reach milestones.
- Looks for opportunities to help move a project along; volunteers to help others with projects or assignments.
- Sees when analysis and discussion have served their purpose and moves to action.
- Responds to setbacks with renewed and increased efforts; is persistent in the face of difficulty.
- Willingly puts in extra time and effort in crisis situations; goes the "extra mile" to ensure the goal is met.

## **Safety Focus**

### **Definition**

Adheres to all workplace and trade safety laws, regulations, standards, and practices.

### **Performance Statement Examples**

- Performs work in a safe manner at all times. Avoids shortcuts that increase health and safety risks to self or others. Maintains emergency supplies and/or personal protective gear.
- Organizes the personal workspace to minimize the likelihood of an accident or other unsafe situation.
- Checks for and reports potential hazards or breaches of security plans while in the workplace or in the field.
- Responds positively to safety-oriented feedback.
- Encourages and supports others to be safe while at work.

## **Self Management**

### **Definition**

Manages own time, priorities, and resources to achieve goals.

### **Performance Statement Examples**

- Prioritizes tasks by importance and deadline. Discerns what is crucial from what is just urgent. Adjusts priorities as situations change.
- Focuses time and effort on key tasks. Groups related tasks to be more efficient. Easily transitions between tasks and picks up where left off when interrupted.
- Makes reasonable estimates of resource needs to achieve goals or complete projects. Uses sound methods to plan and track work, appointments, and commitments. Evaluates progress on tasks and adjusts work style as needed.
- Completes high volumes of work, keeping a rapid pace without sacrificing accuracy.
- Meets and exceeds deadlines through efficient

## **Speaking**

### **Description**

Conveys ideas and facts orally using language the audience will best understand.

### **Performance Statement Examples**

- Uses correct vocabulary and grammar. Avoids slang and offensive language.
- Presents information clearly, concisely, and logically. Focuses on key points.
- Gives the listener time to process information and ask questions.
- Reads others' body language, and adjusts tone and style accordingly.
- Uses plain talk to explain complex or technical concepts. Varies content, style, and form to suit the subject, the purpose, and the needs of diverse audiences.
- Captures and holds others' attention. Uses language, inflection, pauses, and body language for increased impact.

## **Staff Management**

### **Definition**

Manages staff in ways that improve their ability to succeed on the job.

### **Performance Statement Examples**

- Aligns the right work with the right people; delegates tasks according to people's strengths and interests.
- Ensures staff have the skills and resources to get things done. Provides staff with coaching, training, and opportunities for growth to improve their skills.
- Gives staff ongoing, constructive feedback on their performance and progress in light of expectations and goals. Holds timely discussions and performance reviews.
- Lets staff know what is expected of them and holds them accountable. Differentiates between high and low performance. Rewards and recognizes hard work and results. Addresses performance issues promptly and corrects poor performance.
- Works to create a strong team. Treats all staff fairly and consistently. Shares accountability when delegating. Involves staff in setting their performance goals.
- Balances guiding the others' actions with granting authority for decision-making within set limits. Provides direction when needed without micro-managing.

## **Strategic Vision**

### **Definition**

Sees the big, long-range picture.

### **Performance Statement Examples**

- Sees where current trends will lead, and how they may influence the organization's direction. Foresees opportunities that will come and go.
- Forms and articulates a clear picture of the future the organization should strive for. Explains why that future is important and how current decisions make or break the chance to reach it.
- Using a global perspective, reliably forecasts future needs and devises plans to meet those needs.
- Analyzes options and decisions based on long-term pay-offs or outcomes.
- Translates the vision for a program or organization into clear strategies.

## **Stress Tolerance**

### **Definition**

Maintains composure in highly stressful or adverse situations.

### **Performance Statement Examples**

- Handles high workloads, competing demands, vague assignments, interruptions, and distractions with poise and ease.
- Remains steady or thrives under pressure, using it to fuel productivity and efficiency.



## Performance Management Competency Examples with Performance Statements

- Stays calm and maintains focus in turbulent, threatening, or emergency situations. Makes rational decisions and continues to perform effectively.
- Provides direction in crisis situations. Defuses potentially violent people or situations, calming others and removing them from harm.

### **Tact**

#### **Definition**

Diplomatically handles challenging or tense interpersonal situations.

#### **Performance Statement Examples**

- Strives to understand the data, the people, and their views before making decisions and taking action.
- Works through difficult or awkward interpersonal situations in a positive manner. Broaches sensitive issues ways that allows rational and open discussion.
- Focuses on issues and interests instead of people or positions, even when personally attacked.
- Delivers tough messages with sensitivity to minimize the negative impact on others; critiques constructively.
- Thoughtfully intervenes in conflicts to improve communication, diffuse tension, and resolve problems. Seeks to find common ground and preserve relationships.

### **Teamwork**

#### **Definition**

Promotes cooperation and commitment within a team to achieve goals and deliverables.

#### **Performance Statement Examples**

- Knows and supports teammates' work and deliverables. Helps teammates who need or ask for support or assistance.
- Acknowledges and celebrates the achievements of teammates. Praises the team and its achievement to others.
- Encourages team unity through sharing information or expertise, working together to solve problems, and putting team success first.
- Helps remove barriers to team productivity and success.
- Ensures joint ownership of goal setting, commitments, and accomplishments. Involves everyone on the team.

### **Training & Presenting Information**

#### **Definition**

Formally delivers information to groups.

#### **Performance Statement Examples**

## Performance Management Competency Examples with Performance Statements

- 'Sets the stage' for optimal learning. Comes prepared, and gauges the audience's level of knowledge. Tailors the teaching style to the audience.
- Combines exercises, group discussions, lecture, and other methods to meet diverse learning styles. Uses props, slides, and other presentation aids well.
- Interacts with the audience, reading body language, gathering feedback, and holding their attention. Sees when listeners fail to grasp critical concepts and take steps to ensure comprehension. Uses individuals' strengths to help them learn.
- Gives adequate attention to individuals without neglecting the group as a whole.
- Develops accurate standards or activities to measure the audience's learning.
- Seeks ways to enhance the learning experience. Ensures that content is current, and that activities are engaging and effective.

## Valuing Diversity

### Definition

Helps create a work environment that embraces and appreciates diversity.

### Performance Statement Examples

- Sees the value of cultural, ethnic, gender, and other individual differences in people. Creates an environment of learning about, valuing, encouraging, and supporting differences.
- Seeks different points of view and leverages diverse perspectives in group processes and decision-making. Checks own views against the views of others.
- Supports fair treatment and equal opportunity for all. Listens to and objectively considers the ideas/input of others. Respects the talents and contributions of all individuals.
- Strives to eliminate barriers to diversity; ensures that new barriers to diversity are not built.

## Writing

### Definition

Conveys ideas and facts in writing using language the reader will best understand.

### Performance Statement Examples

- Uses correct vocabulary, spelling, grammar, and punctuation.
- Composes clear, direct, concise, complete messages.
- Chooses the most effective and meaningful form to express ideas and information. Uses bullet points, tables, or other tools to organize and present detailed or complex information.
- Adapts the content, tone, style, and form to suit the needs of the reader, the subject, and the purpose of the communication. Uses plain talk to explain complex or technical concepts.
- Organizes information so that facts or ideas build upon one another to lead the reader to a specific conclusion.
- Uses formal writing styles or advanced literary techniques and formats suited to the job.

Exercise #1 – Check your knowledge of Performance Development Plans (PDP)

1. Can the employee request Union Representation for the PDP meeting?

Yes \_\_\_\_\_ or No \_\_\_\_\_

2. Can an employee grieve the content of a PDP?

3. You document in the PDP a problem regarding late ISSP's but you have not maintained documents in the Supervisor's desk file, are you in compliance with the WFSE Contract?

Why or why not?

4. What are the 5 elements a supervisor will do as part of the PDP Data and Preliminary discussion?

- a.
- b.
- c.
- d.
- e.

5. What are the four types of evaluations you can conduct?

- a.
- b.
- c.
- d.

6. How often should information be purged from the supervisor's desk file and under what circumstances can documentation be kept longer?

7. Can you document disciplinary action in the PDP?

If so, what can you say?

8. When should a probationary evaluation be completed by?
  
9. If an evaluation has not been completed for an employee since 2007, what type of evaluation should be completed and what time frames should be covered?
  
10. What distinguishes Phase 1 from Phase 2 on the PDP form?

## **Article 31 Personnel Files**

### **31.5 Supervisory Files**

Supervisory files will be purged of the previous year's job performance information following completion of the annual performance evaluation, unless circumstances warrant otherwise. The confidentiality and security of supervisory files will be maintained to the extent allowed or required by law.

### **31.6 Removal of Documents**

A. Adverse material or information related to alleged misconduct that is determined to be false and all such information in situations where the employee has been fully exonerated of wrongdoing will be removed from the employee's personnel file. The Employer may retain this information in a legal defense file and it will only be used or released when required by a regulatory agency (acting in their regulatory capacity), in the defense of an appeal or legal action, or as otherwise required by law.

B. Written reprimands will be removed from an employee's personnel file after three (3) years if:

1. Circumstances do not warrant a longer retention period; and
2. There has been no subsequent discipline; and
3. The employee submits a written request for its removal.

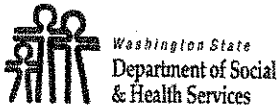
C. Records of disciplinary actions involving reductions-in-pay, suspensions or demotions, and written reprimands not removed after three (3) years will be removed after six (6) years if:

1. Circumstances do not warrant a longer retention period; and
2. There has been no subsequent discipline; and
3. The employee submits a written request for its removal.

D. Performance evaluations will be removed from an employee's personnel file after six (6) years if:

1. Circumstances do not warrant a longer retention period; and/or
2. There have been no documented performance deficiencies in a subsequent performance evaluation; and
3. The employee submits a written request for its removal.

E. Nothing in this Section will prevent the Employer from agreeing to an earlier removal date, unless to do so would violate RCW 41.06.450.



## PERFORMANCE AND DEVELOPMENT PLAN (PDP) Phase 1: Planning

PURPOSE OF APPRAISAL <input type="checkbox"/> Annual Review <input type="checkbox"/> Trial Service Review <input type="checkbox"/> Probationary Review <input type="checkbox"/> Other:	EMPLOYEE'S NAME: (LAST, FIRST, MI)	AGENCY
	POSITION TITLE	ORGANIZATIONAL UNIT
	IDENTIFICATION NUMBER	EVALUATOR'S NAME
PERFORMANCE PERIOD From                      to	POSITION DESCRIPTION UPDATED <input type="checkbox"/> Yes <input type="checkbox"/> No	DATE OF PREVIEW SESSION

**Position Linkage with Organizational Mission and Strategic Plan:**

What is the organization's mission and how do the duties and responsibilities of this position link or contribute to the achievement of the mission, goals, and objectives of the organization? Provide brief summary.

### Part 1: Performance Expectations

Based on the position's major responsibilities, outline the key results and Skills and Abilities expected of the employee during this performance period. Limit the list to those that are key.

**Key Results Expected**

What are the most important objectives, outcomes, and/or special assignments to accomplish in order to be successful during this time period?

**Key Skills and Abilities Expected**

What are the most important skills and abilities that the employee should demonstrate in order to be successful?

### Part 2: Training and Development Needs/Opportunities

What training and development needs and opportunities should the employee focus on during this performance period?

### Part 3: Organizational Support

Part 3 is optional and to be completed only by the employee, at the beginning of the performance period.

What suggestions do you have as to how your supervisor, co-workers, and/or agency management can better support you in your present job and future career goals?

### Acknowledgment of Performance Plan

The signatures below indicate that the supervisor and employee have discussed the performance expectations, and training and development needs outlined at the beginning of the performance period.

EVALUATOR'S SIGNATURE	DATE	EMPLOYEE'S SIGNATURE	DATE
-----------------------	------	----------------------	------

## PERFORMANCE AND DEVELOPMENT PLAN (PDP)

### Phase 2: Assessment

PURPOSE OF APPRAISAL <input type="checkbox"/> Annual Review <input type="checkbox"/> Trial Service Review <input type="checkbox"/> Probationary Review <input type="checkbox"/> Other:	EMPLOYEE'S NAME: (LAST, FIRST, MI)	AGENCY
	POSITION TITLE	ORGANIZATIONAL UNIT
	IDENTIFICATION NUMBER	EVALUATOR'S NAME
PERFORMANCE PERIOD From _____ to _____	POSITION DESCRIPTION UPDATED <input type="checkbox"/> Yes <input type="checkbox"/> No	DATE OF PREVIEW SESSION

#### Part 4: Interim Reviews (Optional)

Part 4 is an optional section that may be used during the course of the performance period to adjust performance expectations if circumstances change, and/or to document interim feedback sessions.

#### Part 5: Performance Feedback

Provide a narrative assessment of the employee's performance in relation to the Key Results and Skills and Abilities Expected that were outlined in Part 1. The assessment must be based on performance observed or verified.

##### Key Results Assessment

To what degree did the employee accomplish the expected results and how well were they done?

##### Key Skills and Abilities Assessment

How well (or how frequently) did the employee demonstrate the behaviors, skills, and knowledge expected?

Other Relevant Information: (optional)

#### Comments and Signatures

This report is based on my best judgment.

EVALUATOR'S SIGNATURE

DATE

This report has been discussed with me.

EMPLOYEE'S SIGNATURE

DATE

Comments:

I have reviewed this report and, in my judgment, the process has been properly followed. In addition, the following comments are offered concerning the employee's performance.

REVIEWER'S SIGNATURE

DATE

Comments:

**NOTE:** Once the performance evaluation is completed and signed by all parties, it is the Evaluator's responsibility to provide a copy to the employee and to ensure that the original is placed in the employee's personnel file.

<b>Category and Module</b>	<b>Competency</b>	<b>Learning Objectives</b>
Taking Corrective and Disciplinary Action	Awareness of personal patterns that may create barriers for administering effective corrective and disciplinary action.	Can identify behavioral patterns of supervision that lead to successful negotiation of corrective and disciplinary actions.
	Awareness of office and unit dynamics that may contribute to disciplinary issues.	Can understand the conceptual place of courage and humility in supervision.



I hate this part of the job...

Taking Corrective and Disciplinary Action

What was I supposed to do?!?!



Life and personnel issues is about...

*Finesse*

*Finesse*

- ◆ Opposite of coarseness or crudeness
- ◆ Light touch...not heavy-handedness
- ◆ It's spirituality, subtlety, and intelligence, that leads to a deeper understanding
- ◆ It's perceptiveness combined with a great deal of sensitivity to feelings
- ◆ It's not a flourish, or an add-on but rather something fundamental about who we are

*Elements of Cooking*  
*Michael Ruhlman*

*Finesse* is about...

- Context
- Humility
- Courage
- Doing the right thing at the right time

Context

Context is the key to understanding everything

## What's the context of your office?

- ❖ We "game" performance measures
- ❖ We give up thinking we can do better
- ❖ Managers are seen as powerless with no solutions
- ❖ Use shortcuts forget they are compromises
- ❖ Conflict as units prevent cases from coming in or "dump" cases on others

Dee Wilson  
Presentation to the Legislature  
January 18, 2008

## What's the context of your office?

- ❖ Transfers from tough units/programs to less demanding units
- ❖ Social workers leave the work
- ❖ Multiple vacancies put unit into crisis
- ❖ Increase in sick leave
- ❖ Few care about quality

Dee Wilson  
Presentation to the Legislature  
January 18, 2008

## Humility

**"The truth will set you free! ...but first,  
it will piss you off"**

Gloria Steinem

## Humility

- ❖ Aware of your feelings and behaviors
- ❖ Honor others Feelings / Context / Dignity
- ❖ Reality of the situation

## Humility is accepting the message sent by your actions...

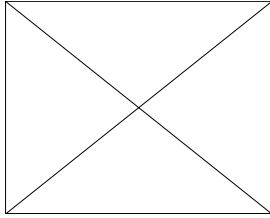
- ◆ **Cheap?** Always bring that \$1 bottle of soda pop / rarely pay your share
- ◆ **Don't Care?** Forget special days / meetings / conversations / names
- ◆ **You have rules I don't!** Set rules you don't follow? (Come late to work - Leave early)
- ◆ **Complain and Gossip?** Vent frustrations with staff

## Humility

Survey says!...  
Supervisors **fail** when they:

- ❖ Show anger easily
- ❖ Can't handle stress
- ❖ Awkward with your own emotions & emotions of others
- ❖ Lack the ability to understand / sympathize
- ❖ Unaware and/or don't care if your emotions affect others

**Emotional Intelligence & Evidence based practice!**



## **So what?**

**How does this help with personnel issues?**

- Understand the problem**
- Manage the fallout with others**
- Take care of yourself**

**Let's talk...**

## **Restaurants**



### All great restaurants are alike...

- ◆ Create a dining experience
- ◆ Fresh Ingredients
- ◆ Great Chef
- ◆ Great Service
- ◆ Respects the Customer

### All great Chef's are alike...

- ◆ Know great food
- ◆ Details matter
- ◆ Takes charge
- ◆ Handles stress
- ◆ Thick skin



## KITCHEN NIGHTMARE

You are the...

- ◆ Owner
- ◆ Chef
- ◆ Servers
- ◆ Customers



## KITCHEN NIGHTMARE

# Caution!

From the outside it may seem funny...  
but from the inside there is nothing  
funny about it



## KITCHEN NIGHTMARE

#### Context:

- ❖ Everyone knows the truth
  - ❖ Food is lousy
  - ❖ Chef can't do the job
  - ❖ Owner does not know what she's doing
- ❖ System of cooking – Microwave old food
- ❖ Attitude of Owner
  - ❖ Chef is the Owner's favorite
  - ❖ Rescues / Shames / Treats Chef as a child
  - ❖ Value System - "Family"
- ❖ Owners style of feedback – Hit and Run
- ❖ Anxiety of the Owner over HR issues more important than:
  - ❖ Customers / Her Debt / Other Staff having a job

## Owner

- ❖ Debt \$2 Million – No customers
- ❖ You have already let go of 33 staff
- ❖ You know the food is poor
- ❖ What's holding you back?

## Chef

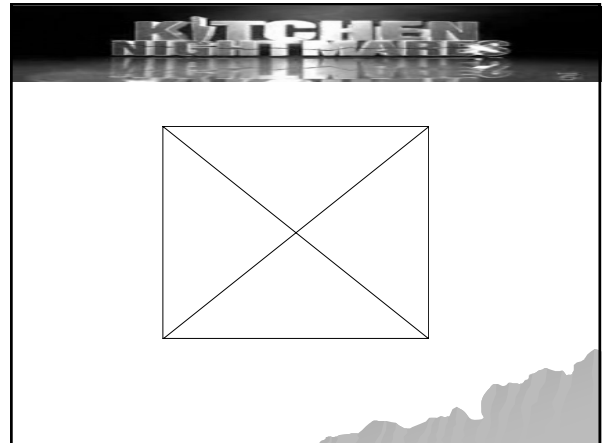
- ❖ You did not create the cooking system
- ❖ You hear the complaints – how does that feel?
- ❖ Do you like how the Owner treats you?
- ❖ As the job changes can you do the job?

## Servers

- ❖ What's it feel like when customers complain?
- ❖ What do you think about the Chef?
- ❖ What do you think about how the Owner treats the Chef?
- ❖ Why can't you be honest with the Owner about the Chef?
- ❖ Are your customers leaving a tip?

## Customers

- ❖ Do you care if the Restaurant closes?
- ❖ How does it feel to complain about the food?
- ❖ Are you coming back?



## What could the Owner do?

- ❖ What changes can you make to address HR decisions in the future?
- ❖ If the TV cameras were not there would you have replaced the chef?

## So...

What are you going to do?

## Find your Courage

Life shrinks or expands in proportion  
to one's courage

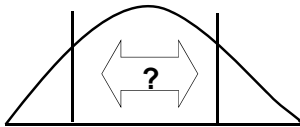
Anais Nin

## Courage to be...

- ❖ Honest with yourself
- ❖ Honest with others
- ❖ Misunderstood

## Honest with ourselves

We may not be as good or  
as bad as we think . . .



## Honest with ourselves

"There are many people who think they want to be matadors, only to find themselves in the ring with two thousand pounds of bull bearing down on them, and then discover that what they really wanted was to wear tight pants and hear the crowd roar."

*Terry Pearce  
Leadership coaching ...A Contact Sport*



## Honest with others...

The Jerk (attacks / insults / belittles - offers nothing)

The Slacker (does little or nothing to help)

The Depressive Pessimist (Life sucks... give up)

**30% - 40% drop in  
group performance**

## Now what?

**The proper use of power and  
authority is to bring peace**

### Leadership through Compassion

"I've learned to at least attempt compassion with everyone that I deal with. And if compassion doesn't work to calm the person down, then I have to have compassion for myself and not blame myself when people make the choice to still have anger towards me. I have to treat myself well when I get home so I can still be a good person on the job."

Police officer – Madison , Wisconsin

*"Perhaps I can find new ways to motivate them..."*

*Darth Vader*



### What are we looking at?

- ❖ **What cannot change**
  - **Motivation** (*Attitude & Drive*)
  - **Thought pattern** (*How they think*)
  - **Personal style** (*Who they are*)
- ❖ **What can change**
  - **Skills** (*Within limits*)
  - **Knowledge** (*Content*)

So what are you going to do?

### Disciplinary Action

- ❖ Know your audience
- ❖ Know what do we do and why do we do it?
- ❖ What policy supports this?
- ❖ What does the data say about the person, unit or office?
- ❖ What are the faces behind the numbers?

### Know the Rules . . .

- ❖ This is an evaluation... or performance feedback session... or reprimand... *not a negotiation*
- ❖ A personnel file is a file about the employee; not the employee's file
- ❖ Screaming at your supervisor is not protected under the Bill of Rights

(Administrative Policy 18.64)

## BUT . . .

- ❖ But... what about all the good things I've done?
- ❖ But... I need more training!
- ❖ But... I won't sign the evaluation, performance feedback memo, etc...
- ❖ But... I need more supervision! *(I can't believe how much time this guy takes!)*
- ❖ But... others are not evaluated like this!

## Is there something you need to tell me?

- ❖ Do you need a Reasonable Accommodation?
- ❖ Is there something else going on?

It's hard work...keep going...

"If you are going through hell, keep going"

~Winston Churchill~

Leadership is not safe

Pursue the  
OSM!



## OSM!

"The first time I went down that run, I was going way too fast, and I realized I'd just made the biggest mistake of my life. When I got to the bottom I couldn't wait to get back up and do it again"

Jimmy Shea

Olympic Gold medalist  
Skeleton event  
Salt Lake City Winter Olympics





**Pursuing the OSM is not safe...**

*You are going to make mistakes!*

Some things are just bad luck...

Some things are just not a great idea...





## You are not alone...

*The inventor Thomas Edison was asked why he needed a team of 21 assistants?*

**"If I could solve all the problems by myself, I would"**



<b>Category and Module</b>	<b>Competency</b>	<b>Learning Objectives</b>
Just Cause and Corrective Action	Ability to apply elements of Just Cause in disciplinary action	Is able to collaborate with HRD to understand and apply the Collective Bargaining Agreement, personnel policies and procedures
		Can demonstrate and articulate an understanding of the steps to follow in disciplinary action

# Managing Performance, Discipline and Attendance Through Just Cause

Rhea S. Reynolds, HRM  
Stefani Coverson, HRM



## Objectives

- Focus on applying just cause principles
  - Misconduct
  - Performance
  - Attendance
  
- Techniques and tools for managing progressive discipline



## **Seven Steps of Just Cause**

- Forewarning
- Reasonable, Related Rules
- Thorough Investigation
- Fair Investigation
- Substantial Evidence
- Consistent
- Punishment

3



## **Process of Progressive Discipline**

1. Coaching
2. Performance Feedback
3. Oral Reprimand
4. Written Reprimand
5. Suspension
6. Reduction in Pay
7. Demotion
8. Dismissal

4



## **Examples of Severe Misconduct**

- Client abuse or neglect
- Fighting on the job
- Coming to work intoxicated
- Drinking or using illegal drugs on the job
- Theft of employer property
- Harassment
- Workplace Violence

5



## **Fundamentals**

- Employee Obligations
- Management Obligations
- Employee Protections

6



## **Employee Obligations**

- Attend work regularly.
- Obey reasonable work rules.
- Produce reasonable quality and quantity of work.
- Avoid conduct that reasonably interferes with an employer conducting business effectively.

7



## **Management Obligations**

- Rehabilitate potentially satisfactory employee.
- Deter employee's repeated unsatisfactory conduct and similar conduct of others.
- Protect ability to operate business successfully.

8



## **Employee Protections**

- Due process.
- Progressive discipline.
- Standards are equally applied.

9



## **Performance Management**

- Set and Communicate Job Expectations
  - New job
  - Change in Job
  - Performance reviews

10





## **Communicate Performance Concerns**

- Timely communications with employee about your concerns.

11



## **Assess the Performance Issue**

- Review expectations
- Is training required?
- Did the employee understand?
- How are they going to improve?
- Performance Improvement Plan. (PIP) as appropriate

12



## **Provide Opportunity to Improve Performance**

- Be reasonable and fair.
- Give time-frames.
- Provide time to complete the Performance Improvement Plan (PIP) and evaluate performance.

13



## **Performance Feedback**

- Supervisors have an obligation to provide performance feedback (+/-)
- Coaching and performance feedback
- Notify employee that discipline will be discussed
- Employee representation (Article 36.5)
- Meet with employee
- Performance Feedback Memo

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## **Attendance Management**

- **Management has the right to expect staff to attend work regularly**



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## **Addressing Unplanned/Unscheduled Leave**

- **Use of unscheduled leave**
  - Occasional use is expected.
- **What is excessive?**
  - Problem – should be corrected.
- **Consider FMLA/ Reasonable Accommodation**
- **Take Action**
- **Proceed with Just Cause**

**Document! Document! Document!**

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## Triggers for Supervisors

- Chronic tardiness
- Unauthorized LWOP
- Monday-Friday pattern
- "Earn it and burn it"
- Abuse of breaks, lunches, leave early
- Chronic Crisis

**What is excessive?**

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## Attendance Performance Feedback Memo

- Scope of Problem
  - Establish the pattern of unacceptable attendance
  - Document examples of selected period of time.  
(Month, Quarter, Year)

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## **Attendance Performance Feedback Memo**

- Effects on Performance.
  - Supervisor
  - Other staff
  - Business needs

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## **Attendance Performance Feedback Memo**

- Background
  - Accrued Leave
  - FMLA
  - Reasonable Accommodation

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## **Attendance Performance Feedback Memo**

- Directives
  - Work Schedule
  - Reporting Absences
  - Planned Leave

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## **Attendance Performance Feedback Memo**

- Directives
    - Medical Verification
      - To do or not to do?
      - May encourage better attendance
      - Include an end date
      - Failure to provide – Could be grounds for Discipline
- OR
- Is it really necessary?

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## Communication Log Example

Date:	Summary:	For action:
1/5/04	Written expectations given and explained.	Copy to Supervisory File
4/5/04	Met with George to review audit results as not meeting production expectations. We agreed George will focus on increasing production. No training need identified.	<ol style="list-style-type: none"> <li>1. George will summarize our meeting in an email to me by 4/10/04.</li> <li>2. I will monitor production and audits and meet again with George in 2 weeks.</li> </ol>

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## Discipline

- Oral Reprimand
  - Tell Them "This is an Oral Reprimand"
  - Reiterate expected performance or behavior
  - Directive not repeat undesirable performance or behavior
  - Forewarning
    - Failure to follow supervisory directives and instruction may result in discipline up through and including discharge.

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## Discipline

- Written Reprimand
- As we discussed previously clearly indicate this is a letter of reprimand
  - Give specific details
  - Provide warning
  - Involve HR and Appointing Authority
  - Personally deliver letter
  - First document to go into personnel file.

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## Question

- What must action must be taken prior to issuing a disciplinary action?

Recap: Disciplinary actions include – oral & written reprimands, suspension without pay, reduction in pay, demotion and discharge.

26





## Answer

- An investigation

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## What Is An Investigation?

- Objective, and impartial.
- Thorough and complete.
- Used to gather and determine facts.

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## **What Is An Investigation? (cont.)**

- Identifies participants, timelines or chronology
- Contains the "Five Ws" and an "H":  
Who      What      Where  
When      Why      How

29



## **Investigation Triggers**

- Employee initiated complaints:
  - ✓ Incident Reports
  - ✓ Report submitted to supervisor
  - ✓ DSHS Complaint Form submitted

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## **Additional Investigation Triggers**

- ✓ Contacting HRD Investigations Unit
- ✓ Contacting other HRD staff directly
- ✓ Client complaints
  
- Management initiated
  - ✓ Performance issues
  - ✓ Misconduct issues
  - ✓ Attendance issues

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## **Investigations Conducted by *Supervisors***

**Performance/Misconduct/Attendance**

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## **Types of Investigations by Other Than Supervisor**

- Whistleblower (State Auditor's Office)
- Constituent or client
- Washington State Patrol (WSP)
  - ✓Criminal vs. Administrative
  - ✓Local Law Enforcement involvement

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## **Types of Investigations by Other Than Supervisor (cont.)**

- Civil Rights
- Child or Adult Protective Services
- Ethics Board
- Certifying or Accrediting Body
- Federal Compliance Agency
- DSHS Non-Discrimination Brochure

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## Washington State Patrol Protocols

- Executive Order 96-01
  - ✓ Investigations of criminal misconduct
  - ✓ DSHS Administrative investigations
- WSP and DSHS believe communication is key to successfully resolving cases.

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## Why Investigate?

- Variety of reasons
- DSHS operates in a Just cause environment
- Negative action against an employee must comply with the Just Cause Standard:
  - ✓ Thorough investigations
  - ✓ Fair Investigations
  - ✓ Substantial proof

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## **Consequences of Not Investigating**

- Problems continue or get worse
- Lack facts to evaluate potential lawsuits
- Lack facts to determine performance issues
- Lack of trust by employees
- Loss of public confidence
- Loss of federal funding

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## **Management Investigation Best Practices**

- Advise management chain and receive direction
- Consult with HRD
- Determine appropriate investigation for the incident
- Select and brief the investigator
- Ensure Investigator has time/resources
- Avoid pre-judging outcome
- Communication Plan
- Determine if an alternate assignment is appropriate

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## **Confidentiality and Due Process**

- Treat information as confidentially as allowed within law, or DSHS policies or procedures
- Do not promise confidentiality
- Whistle Blower protections

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## **Essential Players**

- **Investigator:** Represent the appointing authority in gathering facts.
- **Appointing Authority:** Evaluate and act on facts presented by investigator.
- **Human Resource Division (HRD):** Provide advice to appointing authority and investigator.
- **Representative for employee:** Unions or attorneys may represent employees.

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## **Who Should Not Investigate**

- The Appointing Authority
- Someone uncomfortable with the subject
- The accused person
- The complainant
- A potential witness
- Anyone lacking investigation training
- Anyone lacking time to conduct a thorough and complete investigation
- Anyone with a conflict of interest; such as a friend or subordinate to any one of the parties

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## **Role of the Investigator**

**Empowered to represent the Appointing Authority during the investigation**

- Gathers facts
- Maintain objectivity

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## **Employee Rights**

**Employees have the right to:**

- **Be treated with dignity and respect**
- **Representation**
- **Have privacy maintained by investigator and management**
- **Present their side of the story**

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## **Employee Rights During Interviews**

**Garrity:** Investigators must allow employee's to decline answering without fear of retribution where the employee may be charged for criminal conduct.

**Weingarten:** Covered employees have a right to representation. In DSHS non-covered employees may be represented by person of their choice.

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## **Employee Rights During Interviews (cont.)**

- Accepted concepts and principles
  - ✓ Employees are entitled to due process
  - ✓ Employees may be granted specific rights during investigation
  - ✓ Employee has right to pursue defense and provide witnesses

*Acts of retaliation are prohibited*

45



## **Employee Rights During Interviews (cont.)**

“Should I secure an attorney?”

- Never give legal advice
- “If you’re covered by a CBA, contact your union.”
- If you’re not covered by a CBA, you may contact an attorney, or someone of your choice.”

45



## **Basic Investigator Question**

**What do I need to focus on when gathering, documenting, and developing evidence; and, maintaining its integrity?**

47

mtl



**Information Gathered By Investigator**  
**What policies, rules, standards, etc. apply?**

- **Who was present, who was a witness?**
- **What was said and done, and by whom?**
- **Where did it take place?**

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## **Information Gathered By Investigator (cont.)**

- When did it take place?
- Are there additional information sources?
- Is a sketch of the event available?
- Are photographs available?
- Is a measurement of the area necessary?

51



## **Checklist**

**Develop a checklist to aid in planning, conducting, and reporting on investigations**

52



## **Investigative Strategy**

- Policies & rules governing alleged misconduct
- Who to interview
  - First-hand knowledge vs Hearsay
- Key evidence
- Space or area to secure
- Personal computers

53



## **Question Development**

### **Planning**

- Understanding the question to be asked
- Background and research

54



## **Planning (Question Development)**

- Identify issues important to interview
- Determine investigation requirements
- What evidence/information is necessary
- What evidence has been gathered

55



## **Information Gathered By Investigator (cont.)**

- When did it take place?
- Are there additional information sources?
- Is a sketch of the event available?
- Are photographs available?
- Is a measurement of the area necessary?

56



## **Basic Investigation Plan**

- Who will be interviewed
- Where interviews will be conducted
- How will interviews be documented
- When & how will accused be notified
- How will evidence be marked
- How & when will investigation be complete
- Are workplace safety issues involved

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## **Information Gathered By Investigator (cont.)**

- When did it take place?
- Are there additional information sources?
- Is a sketch of the event available?
- Are photographs available?
- Is a measurement of the area necessary?

58



## **Checklist**

**Develop a checklist to aid in  
planning, conducting, and  
reporting on investigations**

59



## **Investigative Strategy**

- **Policies & rules governing alleged misconduct**
- **Who to interview**
  - **First-hand knowledge vs Hearsay**
- **Key evidence**
- **Space or area to secure**
- **Personal computers**

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## **Question Development**

- **Planning**
  - Understanding the question to be asked
  - Background and research

61



## **Planning (Question Development)**

- Identify issues important to interview
- Determine investigation requirements
- What evidence/information is necessary
- What evidence has been gathered

62



## **Effective Question Construction**

- **Questions for the complainant**
- **Questions for the accused**
- **Questions for witnesses or those with knowledge**

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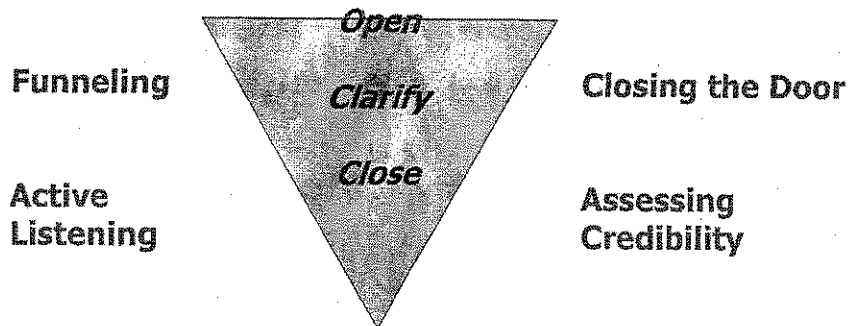


## **Interviewing Sequence**

- **Explain purpose of interview, process, use of information**
- **Do not promise confidentiality (Public Disclosure);**
- **Demonstrate neutrality**
- **Use established questions and:**
  - ✓ **Use follow-up questions**
  - ✓ **Allow time to fully answer questions**
  - ✓ **Follow-up and refocus as appropriate**
- **Ensure you understand statements made by subject – clarify if necessary**

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## Funnel Approach to Interviewing



*Do not disrupt a witness's train of thought!*

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## Interviewing Sequence (cont.)



- Ask subject who else may have information
- Advise there is to be no retaliation
- Thank subject for time and candor
- Immediately document interview results
- Remember – You are in control!

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## **Timing**

**Remember:**

**When you are talking, you are not  
gathering information**

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## **Interviewing Tips**

- **Do not promise confidentiality**
- **Do not coerce a statement**
- **Do not give appearance or impression  
subject is not free to leave**

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## **Additional Tips**

- Questions are:
  - ✓ Short
  - ✓ Simple
  - ✓ Easily understood
  - ✓ Confined to one topic
- Use neutral wording
- Open-ended to elicit narrative answer

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## **Additional Interviewing Tips (cont.)**

- Precise questions
- Clarify information
- Avoid:
  - ✓ run-on questions
  - ✓ leading questions

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## **Additional Interviewing Tips (cont.)**

- Sequence questions
- Reach backwards
- Ask guiding questions
- *Allow silence!*

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## **Remember**

- Questions designed to find:
  - ✓ Who was involved
  - ✓ Where did it occur
  - ✓ What occurred
  - ✓ When did it occur
  - ✓ Why did it occur (*sometimes*)
  - ✓ How did it occur

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## **Interviewing**

### **Conducting the interview**

- Documentation
- Note taking
- Tape recorders
- Written statements
- Analyzing non-verbal communication

73

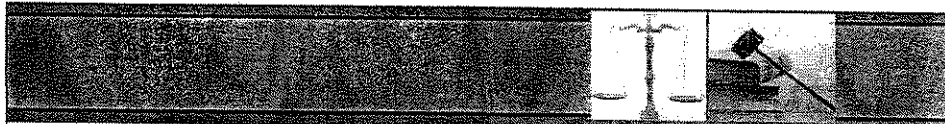


## **Preparing Report**

- Accuracy
- Clarity
- Impartiality
- Timeliness
- Just the facts

**Remember: Public employment is *public!***

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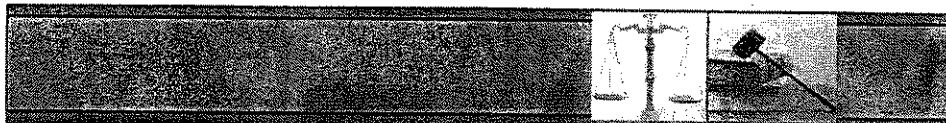
## **Report Writing Style**

### **Purpose:**

- Write clearly and concisely
- Use proper grammar
- Use short, easy to follow sentences
- Use familiar words
- Revise, revise, revise before submitting

**Remember: Avoid judging or "labeling"**

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## **Editing the Report**

Some of the questions to ask about the report are:

- Does it address the issues
- What information does the reader need
- What findings does the reader want
- Are conclusions appropriate
- Is the report complete
- Is supporting documentation identified, included
- Is the report objective

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## **Editing the Report (cont.)**

- Are allegations substantiated
- Is the report complete
- Is supporting documentation identified
- Is the report objective

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## **What NOT To Include In Report**

- Investigator's opinion or recommendation
- Labels such as, "sexual harasser", "theft", "fraud", "bad", or "good"
- A decision by the investigator
- Non-relevant comments
- A legal determination or analysis
- Credibility issues

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## **Key Element**

***Describe* the behavior.**  
**Don't *characterize* the behavior.**

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## **Things to Remember**

- Gather the facts
- Timely investigations are key
- Ensure your report is complete, include:
  - Witness statements
  - Policy, procedures relevant to the event
- Avoid conclusions

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## Next Steps

- Submit report to management chain.
- Appointing Authority (or designee) determines whether to substantiate or unsubstantiate.
  - If unsubstantiated notify employee as soon as possible of outcome.
  - If substantiated management will determine level of disciplinary action to take.

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**Questions?**

**Comments?**

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DATE

TO: Employee

FROM: Supervisor

SUBJECT: Unscheduled/Unplanned Absences and Poor Performance

We met on October 11, 2005 to discuss your continued unscheduled and unplanned absences and the impact this has on your performance. Despite the expectations that you received on June 24, 2005, you have continued to be absent from work without prior approval.

**1. Scope of Problem**

**a. Illustrate the nature and extent of the problem**

- During the past 2 months you were present at work (number of days) out of (number of days)
- During the past two months you have been absent from work without prior approval 6 days
- This constitutes 15% of your work time and far exceeds the leave that you earned for this period
- During the last month you have arrived at work late on 10 occasions
- During the last two months you have been charged with leave without pay on (5) occasions totaling (20) hours  
( May include tardiness or abuse of breaks if they are part of the problem)

**b. Effect on performance**

- As a result of your unplanned leave, your (lead worker) (supervisor) has had frequent contacts with your customers attempting to resolve problems related to their grant or benefits. This contact exceeds the support needed by any other staff in this office.
- Each time you have an unplanned absence other staff are required to do the work assigned to you. This is in addition to their assigned work. The result is reduced service to clients assigned to you and those assigned to the staff who are required to assume your work load.  
( Customer service problems are the most effective areas to include.)

**2. Background**

a. You have exhausted all of your earned leave, both sick and vacation

**b. FMLA**

- Your absences do not qualify for FMLA
- The hours you have worked in the last 12 months do not qualify you for FMLA

- You have exhausted your FMLA entitlement for this year

**c. Reasonable Accommodation**

- I notified you on (date) that you may request Reasonable Accommodation by calling DRAU at (phone #) but you have not done so. (att.)
- On (date) I provided you with a copy of DSHS Administrative Policy 18.26, Reasonable Accommodation. I have received information that you may have a condition that necessitates Reasonable Accommodation. I have requested a meeting with the Disability and Reasonable Accommodation Unit to provide information to you about the process.
- Although you have been provided information regarding the Reasonable Accommodation Process and a meeting has been set up to engage in this process, on (date) you declined to participate in the process.
- At your request DRAU reviewed your medical condition and on (date) determined that your condition does not qualify you for an accommodation. (att.)

**3. Directives: Your unplanned absences continue to be excessive and unacceptable, and impact your ability to perform your job duties. I am directing you to comply with the following:**

**a. Work Schedule**

Your work schedule is Monday through Friday 8:00 a.m. to 5:00 p.m. You are directed to be at work as scheduled or to be on authorized leave.

Excessive absenteeism will not be tolerated and has a negative impact on your customers, co-workers and your ability to perform your job

**b. Reporting your Absences**

You are required to call me personally (do not leave voice-mail messages before 8 a.m.) at (360) 555-2222 by 8:15 a.m. on any occasion when you are unable to report to work at your scheduled starting time of 8:00 a.m. In my absence, you will speak directly to, Office Support Supervisor, at (360) 475-. If she is not readily available, you will need to speak with, Administrative Secretary, at (360) 555-. In any case, you will leave a message concerning why you are unable to report to work and a telephone number where you can be reached.

**c. Planned Leave**

- Any leave taken for other than unanticipated sick leave must have prior approval. Planned leave (which includes annual, sick, LWOP and administrative leave) must be requested a minimum of 3 working days in advance unless I find extenuating circumstances that would warrant approval with less notice.
- You are directed to be at work as scheduled or to be on authorized leave.

- No unplanned leave will be authorized.
- All leave will be planned in advance consistent with the CBA and office procedures.
- No leave without pay will be authorized.  
( Include similar language for tardiness or break abuse.)

**d. Reporting to work after absence or tardiness**

- When you arrive at work after an unplanned absence or tardiness, you must immediately check in with me in my office. If I am unavailable, you will check in with, Office Support Supervisor, in her office. If she is unavailable, you will call, Administrative Secretary. If illness requires that you leave work early, you are directed to submit a leave slip to me prior to leaving the office.
- You are required to submit a leave slip to your supervisor immediately upon your return to the office after any unplanned, unanticipated absence.

Please be warned that failure to comply with department policy, procedures, Master Agreement and any supervisory directives and expectations may result in disciplinary action, up to and including dismissal.

I have attached for your review, information regarding Reasonable Accommodation and the Family and Medical Leave Act.

If you feel that personal problems are affecting your ability to do your job, I encourage you to contact the Employee Assistance Program. Their services are free to state employees and may be reached in Olympia at (360) 753-3260.

If you have any questions regarding this letter or my expectations, please feel free to discuss them with me.

Your signature acknowledges receipt of these directives and expectations.

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Date

Attachments: Administrative Policy 18.26 – Reasonable Accommodation  
Your Rights Under FMLA

C: Regional Administrator

Area Administrator  
HRC  
HRM  
Supervisor File

# **SAMPLE REPORTS**

## ***SAMPLE REPORT ONE***

### **INVESTIGATION REPORT FOR JONI JONES**

#### **Allegation**

It is alleged that on October 19, 2007, Joni Jones left client JA unattended with another client in the living room. It is also alleged that Ms. Jones challenged the presence of Attendant Counselor 2 (AC2), relief shift charge, Ima Overstreet. It is alleged that Ms. Jones became argumentative with Overstreet and yelled at her shift charge.

#### **Evidence**

Interview with Ima Overstreet, AC2  
Written statement from Ima Overstreet, AC2  
Interview with Joni Jones, AC1  
Written statement from Joni Jones, AC1  
Interview with Larry Berry, Attendant Counselor Manager (ACM)  
Interview with Betty Smith, AC1  
Interview with Maxine Green, Attendant Counselor Trainee (ACT)  
Behavior Support Plan for JA  
Training  
Attendant Counselor Job Expectations  
Personnel File

#### **Interviews**

##### **INTERVIEW WITH AND WRITTEN STATEMENT BY IMA OVERSTREET, AC2**

Overstreet stated that she went to the 3426 Burwell side of the duplex on Friday morning, October 19, 2007 to monitor the clients and the staff as part of her assignment from her manager. She stated that she found JA and LR sitting in the day room alone and Jones and another AC, Smith, were in RS's room. Overstreet reported that Jones was responsible for JA and that JA should not have been alone with another client.

Overstreet stated that she did not say anything to Jones but went to the day room and sat with JA. Overstreet reported that Jones came into the day room, sat down in a chair and asked Overstreet "very hostilely" what she was doing there. Overstreet said she responded that she was shift charge and has to move back and forth; at which point, Overstreet said that Jones told her, "Well, you can leave," and started yelling at Overstreet.

Overstreet reported that Jones continued to "make snide, nasty comments" to Overstreet but got up and moved to the desk area as RS had come out of his room and



was in that area. Overstreet reported that Jones continued to yell at Overstreet while she was pulling on RS to get him out of the area. Overstreet reported that Smith told Jones to stop before she got in trouble. Overstreet said at that point she directed Jones to stop. When Jones did not, Overstreet said she told Jones to go on break.

Overstreet stated that earlier in the day, Overstreet relieved Jones for break. She stated that Jones left but came back to Overstreet a few minutes later. Overstreet said that Jones said, "JD is covered with puke so you sent Megan over to clean up the puke so you didn't have to," and left.

#### **INTERVIEW WITH AND WRITTEN STATEMENT BY JONI JONES, AC1**

Jones stated that on the morning of October 19, she was working with RS and was in his room with him when Overstreet came over and stood behind her. Jones said that Overstreet didn't say anything to Jones, then left. Jones said that she left RS's room and followed Overstreet to the TV room. Jones did see JA and LR sitting there. She also saw Overstreet sitting with them writing something.

Jones stated that she asked Overstreet why she was "over here again." Jones reported that Overstreet told her it was because she was in charge. Jones said she told Overstreet "we are good over here," and Overstreet got up, started stomping and saying, "That's it!" Jones reported that she told Overstreet that there wasn't any reason to start "huffing and puffing." Jones stated that Overstreet kept telling Jones to stop. Jones reported that she told Overstreet to leave "before I blow up."

Jones did remember Smith telling her to "just stop, for your sake." When asked if she got mad, Jones responded that she didn't think so. She said she wasn't even upset.

Jones stated that she was responsible for JA and LR that day. In her written statement she stated that she was wrong to have left them alone in the living room. During the interview, Jones stated that JA's plan says that he can't be around vulnerable clients. She stated, "Most anyone would have said that they shouldn't have been left alone."

When asked if RS was present when she and Overstreet were having the altercation, Jones said he was not.

Jones did recall the issue with JD. She stated that she found JD messy with BM and went and told Overstreet that JD was all messy. Jones stated that Overstreet told her she had it taken care of. Jones recalls saying, "Oh, you sent Megan over to clean up JD."

#### **INTERVIEW WITH LARRY BERRY, ACM**

Berry stated that he had not observed Overstreet and Jones working together. He did have a meeting with them on 10/19/07 following the incident. He reported that Jones was not hostile or rude but was getting red, a little loud, and argumentative with Overstreet during that meeting.

### **INTERVIEW WITH BETTY SMITH, AC1**

Smith reported that she was in RS's room with Jones when Overstreet came in. She reported that she stayed in RS's room when Jones left. She stated that she didn't really hear their conversation but they were loud enough that she knew they were "having words" and were loud with each other.

Smith did see Overstreet in the living room with JA and LR but stated that Overstreet left the room and followed Jones to the desk area. Smith stated that Jones was being "disobedient," but both were loud. Smith recalled telling Jones, "It's not worth it. Go on break, go outside."

Smith said that RS was still in his room and not at the desk area when the altercation between Overstreet and Jones occurred.

### **INTERVIEW WITH MAXINE GREEN, ACT**

Green had been working at 3426 Burwell earlier in the shift but was not present when the altercation between Overstreet and Jones occurred. She reported that earlier in the shift, Overstreet had sent her over to the 3424 side of the unit to help JD.

### **Behavior Support Plan for JA**

Behavior Support Plan (BSP) for JA does require protective supervision at all times. The plan states: "Staff are to position themselves in such a way that they can physically intervene between J and other people if J were to become aggressive."

### **Summary of Evidence:**

1. Overstreet was relief shift charge on the morning of October 19, 2007. Her supervisor, ACM Larry Berry, had instructed her to monitor the whole unit, moving back and forth between the sides of the duplex which she did.
2. Overstreet reported that on that day, Jones was hostile, snide and yelled at Overstreet. Jones did not think she yelled or was mad. She stated that she told Overstreet that they did not need her help. Smith stated that Jones was "disobedient." Smith stated that both Overstreet and Jones were loud with each other. She recalls telling Jones to stop, that it wasn't "worth it." Smith also tried to help Jones by telling her to go outside or take a break.
3. Jones has received and acknowledged AC1 Job Expectations which includes standard of working together, taking direction from shift charge.
4. Jones was responsible for JA and LR during that shift.
5. The BSP for JA does require that staff be between him and other clients at all times.
6. Jones admitted that she was wrong to leave JA and LR alone.

7. Both Jones and Smith denied that RS was present when Overstreet and Jones were loud with each other. Overstreet believed that RS was present and Jones was trying to get him out of the desk area at the time. Neither Jones nor Smith recall the situation occurring that way.

**Findings:**

1. Both Overstreet and Smith confirmed that Jones was inappropriate with her relief shift charge, that she was loud and argumentative. Although Jones did not think that she was mad at the time, both witnesses disagreed with Jones and both said they tried to stop her behavior.
2. There were several instances during that morning when Jones made what appeared to be "snide" comments to Overstreet.
3. Jones failed to follow JA's BSP and provide the required supervision when JA was sitting in the room with another client.
4. It does not appear that RS was in the area when Overstreet and Jones were having the altercation.

Submitted by:

John Johns, Residential Services Manager  
Management Representative  
01/25/08

*("Madmen" in 2008)*  
*Sample Report 2*

Case Name: Peggy Olson  
Date Filed: 05/19/08  
Type of Complaint: Abusive behavior

SUMMARY OF COMPLAINT:

Peggy Olson, an Office Assistant 2 at the King Center CSO, alleged her supervisor, Office Manager Joan Holloway treated her in an abusive manner. Specifically she claims Ms. Holloway berated her in front of other staff and, on several occasions, treated her rudely.

Ms. Olson, on May 19, 2008, sent a formal complaint to Bertram Cooper, the Administrator of the DSHS King Center CSO. Mr. Cooper requested an investigation so he can find out if a violation of the DSHS' behavioral code per Administrative Policy 18.64 (attached) occurred. Specifically, addressing the office expectations of being courteous and treating other staff with dignity and respect.

WITNESS/DOCUMENT LIST:

The following staff were interviewed:

- Peggy Olson (May 21, 2008)
- Joan Holloway (May 21, 2008 and May 23, 2008)
- Midge Daniels (May 21, 2008)
- Paul Kinsey (May 21, 2008)
- Harry Crane (May 21, 2008)
- Pete Campbell (May 22, 2008)
- Freddy Rumsen (May 22, 2008)
- Ken Cosgrove (May 22, 2008)
- Harry Crane (May 22, 2008)

The following documents were reviewed:

- Peggy Olson complaint letter of May 19, 2008
- Administrative Policy 18.64
- Sketch of cubicles by Peggy Olson
- Peggy Olson's personnel file
- Joan Holloway's personnel file (incl. Annual Review Checklist and written warning of November 16, 2007)

## SUMMARY OF INVESTIGATION:

### Allegation concerning public berating

Ms. Olson claims, shortly after 11:30 am, on May 19, 2008, Ms. Holloway approached her cubicle and, in a loud and angry voice, told her she was "incompetent" and "should be immediately fired." Ms. Olson said this was witnessed by workers in the immediate cubicles. Ms. Olson said she was shaken and ran to the women's room where a coworker, Midge Daniels, came to her to see if she was ok. When asked, Ms. Olson said she did not know what caused Ms. Holloway's behavior. Ms. Olson said she is a "good worker" gets "glowing reviews" and doesn't know why Ms. Holloway is always picking on her. I had Ms. Olson sketch the location of her cubicle and identify other staff in the vicinity. She provided the names of: Midge Daniels, Paul Kinsey and Harry Crane.

Ms. Holloway recalls going to Ms. Olson's cubicle on May 19<sup>th</sup> but denies using the words "incompetent" and (Ms. Olson) "should be fired." According to Ms. Holloway, she has concerns with Ms. Olson's performance and tardiness. She said she has spoken to Ms. Olson on her tardiness on numerous occasions but to no avail and is now requesting a leave slip even if she's a few minutes late. She said Ms. Olson has made many errors in filing which resulted in nearly losing the documents for several projects. She said Herman "Duck" Phillips, Business Manager, was "absolutely livid" on one occasion.

Ms. Holloway says on May 19, 2008, Ms. Olson came in 10 minutes late. She said when she returned from an all morning meeting at 11:30 am, she called Ms. Olson into her office to discuss her tardiness. According to Ms. Holloway, Ms. Olson became upset, cried and left her office without acknowledging the tardiness or accepting the leave slip that was given to her. She said she followed Ms. Olson out of concern for her well being. When she got to Ms. Olson's cubicle she knocked on the cubicle wall and asked Ms. Olson if she was ok. She said Ms. Olson replied, "I'm better" then abruptly left down the hallway. Ms. Holloway then went back to her office.

I talked to four staff, three who sit in the area.

Midge Daniels, Financial Specialist 3, has clear recollection of the incident in question. She said she sits next to Ms. Olson and recalls Ms. Olson sobbing as she returned to her cubicle on May 19<sup>th</sup>. A moment later, she heard Ms. Holloway, in a loud voice, yell, "You come back here, I'm not done with you." Then she saw Ms. Holloway stand at the entrance to Ms. Olson's cubicle, point her finger at Ms. Olson and say, "You're incompetent and should be fired." She said Ms. Olson brushed past Ms. Holloway and went to the bathroom. She said she went to the bathroom to see if Ms. Olson was ok.

I also talked with Paul Kinsey, Financial Specialist 3, and Harry Crane, Financial Specialist 3, but both had appointments the morning of May 19<sup>th</sup>, that took them outside the office. They said they had heard about the incident but it was related to them by Ms. Daniels. Mr. Crane did say Pete Campbell, Social Worker, told him he heard Ms. Holloway yelling sometime in May.

Mr. Campbell recalls parts of the incident. He said on May 19<sup>th</sup>, just before noon as he was walking towards the men's bath room he remembers Ms. Holloway walking quickly down the hallway past him in the opposite direction. Just after they passed, he recalls Ms. Holloway yelling to someone, something to the effect "to come back, I'm not done." He doesn't know who Ms. Holloway was referring to.

I followed up with Ms. Holloway about the apparent discrepancies between her version of events compared to Ms. Olson, Ms. Daniels and Mr. Campbell. She couldn't explain it other than Ms. Olson is lying to keep her job. She could offer no explanation for Ms. Daniels and Mr. Campbell's observations.

I checked Ms. Holloway's personnel file and found two similar occurrences. On March 15, 2007, she was counseled for yelling at the mail clerks. Then, on November 17, 2007, she was given a written warning (attached) by Mr. Cooper and directed to comply with Administrative Policy 18.64. Her personnel file also contained completed Annual Employee Review Checklists (in which Ms. Holloway acknowledges reading various administrative policies including 18.64). The last Checklist was signed on September 22, 2007.

#### Allegation concerning rude treatment

Ms. Olson said during section meetings Ms. Holloway would snub her and discount her ideas. She said Ms. Holloway would "roll" her eyes and make a "gasping" sound when she would try to introduce improvements in the filing system. When they go around the table to report on their areas of work, Ms. Holloway would often cut her off, sometimes in mid-sentence and ask the next person for their report. She didn't have specific dates for these occurrences but said it happened at almost every meeting.

I talked to all of the staff who attend the section meetings.

Freddy Rumsen, Customer Support Specialist, said he just returned from an extended 9 month leave. He recalls some friction between Ms. Holloway and Ms. Olson but couldn't relate any details.

Ken Cosgrove, Customer Support Specialist, said he remembers meetings where "Ms. Holloway was being Ms. Holloway." He clarified the statement by saying Ms. Holloway is a "power monger" and a "numero uno Type A personality." He said she's always in a rush, cuts people off, and finishes their sentences, often incorrectly. He said it's frustrating and is one reason he's looking for another job.

Harry Crane, Financial Support Specialist 3, recalls Ms. Holloway rolling her eyes and seemingly brushing off Ms. Olson. He said he can understand her actions. According to Mr. Crane, Ms. Olson goes off in long winded personal stories that never seem to have an end. He said he simply tunes Ms. Olson out at the meetings.

Ms. Holloway acknowledged she gets impatient with Ms. Olson. She said Ms. Olson uses the meeting time to complain about her workload and her assorted personal problems.

She said Harry Crane came to her to complain. She doesn't recall rolling her eyes at Ms. Olson but she "could have."

### FINDINGS

While Ms. Holloway denies the allegation she publically berated Ms. Olson, there are witnesses who overheard the comments. Ms. Holloway could not explain the observations of the witnesses. In addition, Ms. Holloway's personnel file contained similar behaviors on two previous occasions for which she was counseled and give a written warning.

Two witnesses confirm Ms. Holloway rolled her eyes and made gasping sounds at Ms. Olson in a unit meeting. Ms. Olson is not the only recipient of this behavior. Ms. Holloway does not specifically deny the behaviors but places it in a context of her frustration with Ms. Olson.

\_\_\_\_\_  
Salvatore Romano, Deputy Administrator

\_\_\_\_\_  
Date

## Sample Performance Feedback Memo

TO:

FROM:

RE: Sample Performance Feedback Memo

### Work Hours and Leave

You are expected to be at your desk and ready to work at your designated start time of 8:00 a.m. or on approved leave-- unless otherwise authorized by the Master Agreement (MA). Failure to comply with this directive may result in your leave being unauthorized. Unauthorized leave may result in disciplinary action.

If you will be late or absent due to **unforeseeable** circumstances, you are hereby directed to call and personally speak with me no later than 8:00 am. If I do not answer the phone then you are to leave a voicemail which includes 1) the reason for your absence, 2) any work products due on the day of your absence, and 3) a telephone number where you can be reached. After leaving your voicemail, you are to immediately call me on my cell phone at: ~~425-XXX-XXXX~~. If you do not reach me on my cell phone, then you are to contact (Enter Name here), Area Administrator at XXX-XXX-XXXX. Please note: it is not acceptable to advise office support staff or any other employee in this office that you will not be in and/or that you will be late. If you find that you need to be late for work or leave early due to **foreseeable** circumstances, I am directing you to notify me of your request and submit your leave slip at least 1 work shift in advance-- based upon your current work schedule. Otherwise, you are required to promptly notify me (or the supervisor covering for me in my absence) and submit a completed leave slip to me (or the covering supervisor) if you need to leave work prior to the end of your scheduled shift unexpectedly.

Pursuant to Article 11.6 D, "Employees will not request or be authorized to take scheduled vacation leave if they do not have sufficient vacation leave credits to cover the absence." Based on the above, I am directing you to be aware of what your leave balances are and submit accurate leave requests accordingly. If you have questions about your leave balances, please contact Linda MacPherson at 206-691-2508.

Further, you are directed to provide a completed Medical Verification form for Non-FMLA related absences immediately upon your return to work as outlined in the ~~attached Medical Verification Memo~~.

Pursuant to Article 6.5 of the MA, you are entitled to an unpaid meal period to be "scheduled as close to the middle of the work shift as possible." Your work schedule allows for a meal period



of ~~30~~60 minutes. I am directing you to take your lunch break each day and not to exceed your scheduled meal period.

Also be advised per the MA you are "allowed rest periods of fifteen (15) minutes for each one half (1/2) shift of four (4) or more hours worked at or near the middle of each one half (1/2) shift of four (4) or more hours (Article 6.7)." I am directing you to take your breaks each day and limit these rest periods to 15 minutes in duration, taking one mid-morning and the other mid-afternoon. You are not to combine these rest periods with your meal period. Moreover, neither your rest nor meal periods are to be used for late arrivals or early departures.

It is my expectation that you utilize Out & About ~~(or the In/Out Board?)~~ to accurately depict your daily work schedule. I am directing you to utilize ~~Out & About or the In/Out Board~~ each day and update it to reflect when you are out of the office. Furthermore, when you are out in the field on state business, I am directing you to reference the client/customer you are visiting in ~~Out & About or the In/Out Board~~. If you are going to conduct state business prior to coming into the office, it is my expectation that you consult with me (prior to the scheduled appointment) to obtain my approval and then document your planned visit or appointment ~~in Out & About or the In/Out Board~~ the day before. Moreover, anytime you are going to conduct state business in the field and do not plan to return to the office prior to the end of your work shift, I am directing you to discuss your schedule with me to obtain prior approval.

**Comment [SRC1]:** Or whatever process you use in your unit for employees to make their whereabouts known. Change highlighted areas as necessary to reflect your unit's process.

Flex-time needs prior approval and, if approved, must be adjusted in the same work week. Additionally, compensatory time and overtime must be approved in advance. Working beyond your regularly scheduled work hours should only occur when there are safety and/or placement issues regarding a child or you are having direct face to face contact with a family which cannot be scheduled during working hours. Overtime or Compensatory time is not given in order to complete paper work unless supervisory approval to do so has been given in advance. Based on the above, I am directing you to obtain prior authorization for all flex-time adjustments, compensatory, and overtime—unless there is an emergent safety/ placement issue regarding a child.

In summary, I expect you to be responsible for managing your time accurately. This includes the time you arrive, your scheduled breaks and lunch period, and your departure time. Your sign in sheet ~~[Out & About or In/Out Board entries]~~ should always reflect accurately the time you begin and end your work shift. Your Time and Attendance Sheets should be accurate, complete, and submitted to me on the first business day after the end of the previous pay-period (i.e. The timesheet for the 1<sup>st</sup> – 15<sup>th</sup> should be submitted on the 16<sup>th</sup> or the next business day if the 16<sup>th</sup> falls on a weekend or holiday).

#### Communications:

I am directing you to adhere to the following expectations in regards to communications.

1. E-Mail: You will read all of your e-mails a minimum of twice daily. When sending emails, you will ensure they are concise and relevant. Additionally, your email and internet usage will comply with Administrative Policy 15.15, which is attached for your review.
2. Phone Calls: Pursuant to Administrative Policy 14.18 (attached for your review), you will return phone calls in a timely manner. Preferably, calls should be returned the same day they were received. If you are unable to do so, return the call within 24 hours. If you will be out of the office and unable to return calls within 24 hours, change your voice mail to reflect this or advise the unit clerk. Personal phone calls during work hours should be kept to a minimum or limited to your lunch and/or breaks—unless it is an emergency.
3. Cell phones: Your cell phone should be used sparingly and only for professional phone calls. It should be sufficiently charged and turned on during business hours. Additionally, it should not be used for personal calls. Barring any safety or confidentiality issues, you are expected to immediately respond to telephone calls or voicemails received.

#### **Work Product:**

I expect you to notify me in advance when you believe you will be unable to complete assignments. You are directed to notify me if, for any reason, you are unable to meet timeframes associated with your work assignments prior to the expiration of these deadlines. Additionally, you will come to me with a plan for resolution of these issues.

Unless there is an emergency or you have prior approval from me (or the supervisor covering in my absence), I am directing you to be on time for all required meetings, visitations, and court hearings.

I expect you to comply with the unit's work expectations in their entirety. We reviewed the expectations on XX/XX/XX. I have attached another copy for your reference.

#### **Interpersonal Relations:**

DSHS strives to create and maintain a work environment in which people are treated with dignity, decency and respect. I am directing you to interact with clients, colleagues, staff, and the public with courtesy, respect, and responsiveness. I am further directing you to comply with DSHS Administrative Policies 18.64. I have attached this policy for your reference.

If you feel that personal problems may be impacting your work I would encourage you to contact the Employee Assistance Program (see attached brochure).

Please let me know if there are any questions you have regarding the above expectations.

You are expected to comply with each of these directives and expectations immediately. Any additional performance failures in these areas may result in disciplinary action up to and including discharge from state service.

Attachments: DSHS Administrative Policy 14.18  
DSHS Administrative Policy 15.15

DSHS Administrative Policy 18.64  
Unit Expectations  
Medical Verification Memo & Form  
EAP Brochure



## Performance Meeting Record

CONFIDENTIAL OPTIONAL  
USE DOCUMENT

**INSTRUCTIONS:** This is an optional use form designed as a tool to document communication between supervisors and employees. It is intended for use in a one-on-one meeting to identify and address performance concerns, or to document oral reprimands or instances of exceptional performance. Discuss the performance issue with the employee and allow the employee an opportunity to give an explanation. Discuss as appropriate. Review the performance expectation, related procedures, and communicate the standard for performance expectations or performance standards met or exceeded.

SECTION I. EMPLOYEE/SUPERVISOR INFORMATION		
WORK UNIT	EMPLOYEE NAME/JOB TITLE	DATE AND TIME OF PERFORMANCE DISCUSSION MEETING
ADMINISTRATION	SUPERVISOR/MANAGER INITIATING ACTION	SUPERVISOR JOB TITLE AND TELEPHONE NUMBER

### SECTION II. REASON FOR PERFORMANCE MANAGEMENT ACTION

**Job expectations discussed:** explanation of the job standards with any supporting references, i.e., position description form, procedures, policies, etc.

**Summary of performance deficiency or performance standard(s) met or exceeded:** include example of performance along with dates and any supporting documents.

**Performance plan:** identify cause of poor performance and training and/or strategies for performance improvement (timelines required) or summarize performance standard met or exceeded.

SECTION III. PERFORMANCE MEETING HISTORY		SECTION IV. PERFORMANCE MEETING NOTES		
TYPE	DATE	YES	NO	ACTION
Feedback session	_____	<input type="checkbox"/>	<input type="checkbox"/>	Employee Requested Union Representation
Oral reprimand	_____			Name: _____
Written reprimand (attach copy)	_____	<input type="checkbox"/>	<input type="checkbox"/>	Employee Assistance Program referral
		<input type="checkbox"/>	<input type="checkbox"/>	Alternative dispute resolution requested
		<input type="checkbox"/>	<input type="checkbox"/>	Follow-up meeting dates, if needed:
				Scheduled: _____

### SECTION V. ACKNOWLEDGEMENT

By my signature below, I acknowledge that a meeting took place between me and the employee on the above referenced date. I also acknowledge this document is being forwarded to the appropriate file/individual as indicated below.

DATE	SUPERVISOR'S PRINTED NAME	SUPERVISORY SIGNATURE

COPIES FORWARDED as deemed appropriate:  Employee  Supervisory File  Appointing Authority  Personnel File

**Article 36.5**

**Right to Representation**

Upon request, employees will have the right to representation at all levels on any matter adversely affecting their conditions of employment. The exercise of this right will not unreasonably delay or postpone a meeting. Except as otherwise specified in this Agreement, representation will not apply to discussions with an employee in the normal course of duty, such as giving instructions, assigning work, informal discussions, delivery of paperwork, staff or work unit meetings, or other routine communications with an employee.

# Seven Tests of Just Cause

## ● Forewarning

Did the employee know or should the employee have known the behavior could result in disciplinary action? In many circumstances, actual communication of rules and possible penalties must be communicated in advance.

## ● Reasonable, Related Rules

Is the rule or order reasonable, safe, and related to operational needs of the Department?

## ● Thorough Investigation

Has a thorough investigation of the facts and circumstances been conducted, to include the employee's explanation and/or evidence, prior to administering discipline?

## ● Fair Investigation

Was the investigation conducted fairly and objectively? Was it conducted even-handedly and without discrimination or pre-determination?

## ● Substantial Evidence

Is there substantial proof for management's case?

## ● Consistent

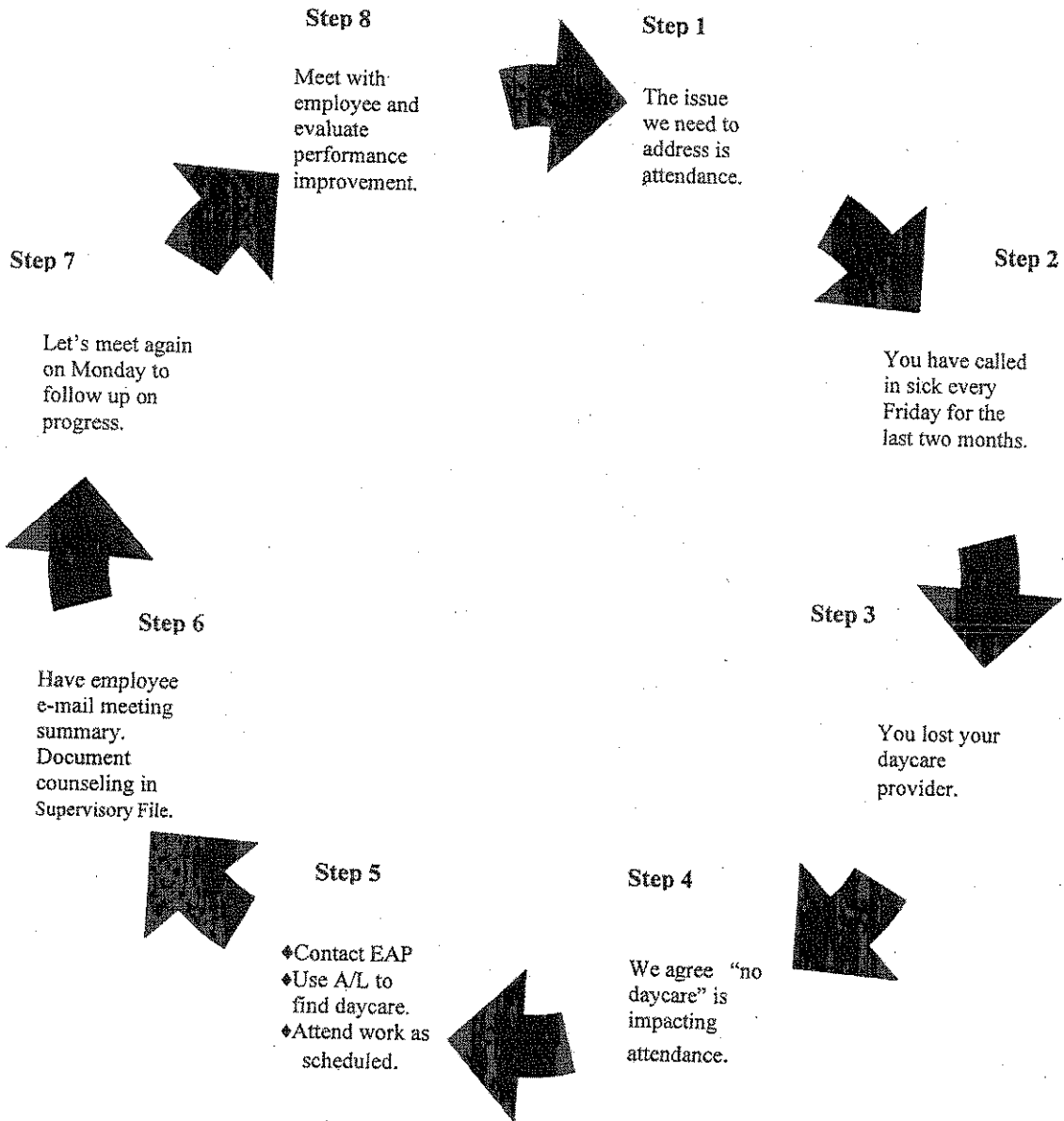
Have the rules, orders, and penalties been consistently applied to this and other employees in the past?

## ● Punishment

Was the discipline related to the seriousness of the offense, to the employee's record, and to the employee's level of responsibility within the Department?

# INTEGRATED COUNSELING MODEL EXERCISE

Return to the scenario of your most challenging employee. Choose an issue to address with Miss Behavior or Mr. Taxing using the Integrated Counseling Model and role play with your assigned partner.





### **STANDARD QUESTIONS FOR THE COMPLAINANT**

- Tell me what happened.
- Who committed the alleged behavior?
- What exactly occurred?
- What was said?
- When did it occur, or is it still happening?
- Where did it occur?
- How often did it, or when does it, occur?
- How did it affect you?
- How did you react?
- How did you respond when it occurred?
- Was anyone else present when it occurred?
- Did you tell anyone about it?
- Did you see anyone immediately after it happened?
- What do you think caused this to happen?
- How could it have been avoided?
- Are you aware of incidents involving others?
- Do you have any notes, physical evidence, or other documentation regarding the incident(s)?
- How would you like to see the situation resolved?
- Is there anything else you want to share?
- Is there something I haven't asked, but should have?

### **STANDARD QUESTIONS FOR THE ACCUSED**

- What is your response to the allegations?
- If the accused claims the allegations are false, ask why the complainant might lie.
- Are there any persons who have relevant information?

- Are there any notes, physical evidence, or other documentation regarding the incident(s)?
- Is there anything else you want to share?
- Is there something I haven't asked, but should have?

#### **STANDARD QUESTIONS FOR WITNESSES OR OTHERS WHO MAY HAVE KNOWLEDGE**

- What happened?
- When did this occur?
- Describe the behavior you observed the accused exhibiting to the complainant and/or to others in the workplace.
- What did the claimant tell you?
- When were you told?
- Do you know of any other relevant information?
- Are there others who might have relevant information?
- Is there anything else you want to share?
- Is there something I haven't asked, but should have?

While these questions will help you begin to think about the structure of your interview, it is also important to prepare questions which have as much relevance to the specific incident as possible. Here's an example:

#### MORE EFFECTIVE

*"Tell me how your employer/supervisor lets you know about permitted computer use?"*

#### LESS EFFECTIVE

*"How are you allowed to use your computer?"* This question limits the response to the subject's computer use knowledge, rather than getting at what the employer's expectation/policy is.



STATE OF WASHINGTON  
DEPARTMENT OF SOCIAL AND HEALTH SERVICES  
Olympia, WA 98504-5000

December 22, 2005

TO: Appointing Authorities, DSHS

FROM: Betty Rappaport, Director  
Human Resources Division

SUBJECT: Discipline Reminders

As you are aware, beginning with the implementation of the master agreements in July of this year, employee appeals to disciplinary actions are now limited to the grievance process. There are issues that have been raised both through questions coming into HRD and appeals handled through the WFSE negotiated grievance resolution panel process. The following guidance is offered for clarification.

Oral and Written Reprimands. Oral Reprimands are the lowest form of discipline and are meant to be rehabilitative and corrective rather than punitive in nature. As such, within DSHS they should be filed in the supervisory file and later incorporated into the PDP if need be. Beginning with written reprimands, all other forms of progressive discipline should be filed in the personnel file in order to establish a permanent record.

Management Burden of Proof. Unlike grievances based upon alleged contract violations, management has the burden of proof for disciplinary grievances. Management meets that burden of proof by illustrating and proving that each of the just cause tests were met. As a reminder, these steps include the following: forewarning, reasonable related rules, thorough investigation, fair investigation, substantial evidence, consistency and punishment.

Progressive Discipline. Progressive discipline is a central tenant of just cause. Progressive discipline is important in proving forewarning, that substantial evidence exists for the actions taken, demonstrating consistency and showing that the punishment is appropriate given all other facts. While some steps are not necessary depending on the specific facts surrounding some forms of misconduct, I recommend that you request an analysis through the assigned human resources staff prior to imposing discipline that is not progressive.

If you have any questions regarding the above information please call Myla Hite, Labor Relations and Operations Manager at 360-725-5884.

cc: Assistant Secretaries  
HRD Staff

## **Top Ten Things Good Supervisors Do In Relation to Coaching, Counseling and Progressive Discipline**

1. They have a desk file for each of their staff which they use to document both positive performance and corrective actions. They are organized and prepared.
2. They control their emotions and avoid interacting with staff when angry, frustrated, impatient, unprepared, etc.
3. They really listen to their staff, striving first to understand before wanting to be understood. They work hard to ensure communication with their staff is clear and responsive.
4. Within reason and as appropriate they deal with issues as they arise, they don't put things off.
5. If something needs correction they tend to do something versus nothing and once they take an action they monitor to see if the action was effective and if not they follow up with progressive actions.
6. They are easy on the person and tough on the issues – it's how they build trust and respect!
7. They spend more time sincerely praising and positively reinforcing staff than they do pointing out faults.
8. They know what their resources are and use them effectively, especially their HRM/C.
9. They are fair, respectful and honest with staff, relating to their staff as individuals – recognizing their unique talents, abilities and areas in need of growth.
10. They approach coaching and counseling as an opportunity to help staff – they help staff grow and become better at their jobs!

<b>Category</b>	<b>Competency</b>	<b>Learning Objectives</b>
The Makeup of Meetings	Ability to identify the purposes and types of meetings	To understand and demonstrate the decision-making styles in meetings
	Ability to identify and define the various key roles of participants in a meeting	To identify, understand and demonstrate the tools for conducting effective meetings
		To understand how to evaluate, share information, and obtain agreements in a meeting

The Makeup of Meetings  
Copyright 1999, Peter Dahlin

# The Makeup of Meetings



Developed & Presented by  
Peter Dahlin, M.S.  
510.507.3056  
[DahlinPM@aol.com](mailto:DahlinPM@aol.com)

For  
State of Washington  
Children's Administration  
Supervisor Academy

*"No person will make a great leader who wants to do it all himself,  
or to get all the credit for doing it."  
--Andrew Carnegie*

## "ME & MEETINGS"

*Instructions: Please respond to the following questions and statements. You will be asked to share some of this information during the training, but the actual papers will not be collected.*

- 1) Approximately how much time do you spend in meetings per week?
- 2) List three reasons for being involved in meetings?
  
3. In what role(s) do you feel most comfortable during meetings?
  
4. List three essential ingredients of an effective meeting.
  
5. Of the following list, rank order (1= most important, 4= least important) the importance for each in being done during a meeting:

\_\_\_\_\_ Defining Direction: *Where are we going? When? How soon? Who's in charge?*

\_\_\_\_\_ Defining Purpose: *Why are we doing this? What is needed and why?  
Brainstorms of philosophy that impacts purpose. Will this be enjoyable?*

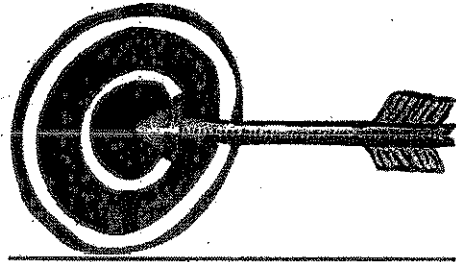
\_\_\_\_\_ Defining the process: *Develop the team and consensus on the direction. Who is involved? Who ISN'T? What will change?*

\_\_\_\_\_ Defining the details: *What exactly is the plan? Who is accountable for what action? When? Exactly how are we going to do this? What are the standards?*

6. Using the scale below, assess your skills as a **leader** by writing an "L" under the corresponding statement or description.

1-----2-----3-----4-----5  
I do not feel comfortable I feel comfortable

7. Using the same scale above, assess your skills as a **participant** by writing a "P" above the corresponding statement or description.



### Learning Objectives

*At the conclusion of this training, participants will:*

1. identify purposes and types of meetings;
2. identify alternatives to sharing information than by holding a meeting;
3. practice various decision-making styles in meetings;
4. learn the steps of a core meeting process;
5. practice using various tools for conducting effective meetings;
6. identify and define the various key roles of participants in a meeting;
7. practice getting agreements within a meeting;
8. practice evaluating a meeting.

*All learning involves loss of control.  
--Erving Goffman*



**"How People Really Deal With Meetings....."**  
(USA Today Survey, NetworkMCI)

Instructions: Using your experience, match the survey results in column A with the topics in column B by drawing a line from one to the other.

***COLUMN A***

***COLUMN B***

95%

do other work during

73%

arrive late or leave early

39%

daydream in them

96%

don't always go to them

91%

catch up on sleep

*"HW= Hard Work*

*HP = Hard Play*

*KWKYMS = Knowing When to keep your mouth shut*

*S = Success"*

*--Jo Newell, Trainer*

## Common Problems with Meetings and Groups

### Multi-headed Animal Syndrome:

everyone goes off in a different direction simultaneously

### Confusion between process and content:

are we talking about HOW to discuss the problem—or WHAT topic to discuss

### Personal Attack:

attacking individuals vs criticizing ideas

### Traffic Problem:

difficulty in leaping into the conversation flow and getting a chance to participate

### Unclear roles & responsibilities:

who is supposed to be doing what?

### Manipulation by group leader:

rubber-stamping meetings & abuse of process power to achieve personal objectives

### Data overload:

having to hold on to too many ideas in your head at one time

### Repetition & wheelspinning:

going over the same old ideas over and over and over

### Win-Lose Decision-Making approaches:

partial solutions, compromises, polarization, and low commitment

## *More problems with meetings.. ..*



- confusion about objectives and expectations*
- unresolved questions of power & authority*
- problem avoidance*
- general negativity & lack of challenge*
- communication problems*

**"Do not wait for leaders; do it alone, person to person."  
--Mother Teresa**

**The Life Cycle of a Meeting:**  
**The Core Meeting Process**

- *The Core Meeting Process is a practical framework for designing more effective meetings*
- *Continuously improving the process in each stage of a meeting will enhance your organization's ability to achieve timely results*
- *Every meeting exists within a context of other meetings and organizational initiatives. Understanding the context is VITAL for making conscious choices throughout the meeting*

- 1. Identification of the Issues**
- 2. Setting up the Meeting**
- 3. Conducting the Meeting**
- 4. Follow Through With Plans from Meeting**
- 5. Seeing the Results**



*"95% of this game is half mental."  
--Yogi Berra*

The Life Cycle of a Meeting:  
The Core Meeting Process

Step 1: Identification of the Issues



**ONE**

What are the issues?

What are the barriers to solutions?

Who are the stakeholders?

Who are the gunfighters?

What is already in writing about this?

Why is this important?

There is no limit to what can be accomplished  
when no one cares who gets the credit.  
--John Wooden

The Life Cycle of a Meeting:  
The Core Meeting Process

Step 2: Setting Up the Meeting



Who should be there?

What will the goal be?

What are likely roles that participants will play?

Where am I on the issue?

Where am I in my relationships with the participants?

Where should the meeting be?

How long should the meeting be?

"We do not see things as they are.  
We see things as we are."  
--Talmud

AGENDA

(title of meeting)

Date \_\_\_\_\_ Location \_\_\_\_\_ Start \_\_\_\_\_ End \_\_\_\_\_

Type of Meeting:  informational  instructional  problem-solving & decision-making

Purpose of this meeting: \_\_\_\_\_

Objectives for this meeting:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

**ROLES:**

Chairperson: \_\_\_\_\_ Facilitator: \_\_\_\_\_ Scribe: \_\_\_\_\_

Timekeeper: \_\_\_\_\_ (Guest) Expert(s): \_\_\_\_\_

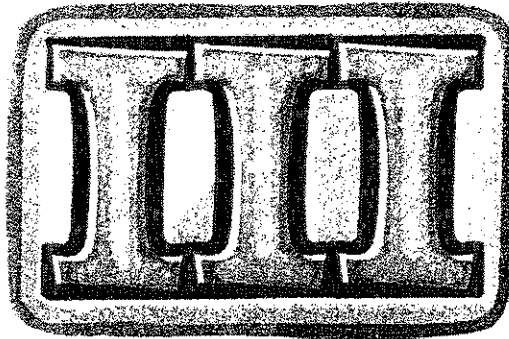
**Decision-Making Method:**

authority rule     expert     average of individuals     other \_\_\_\_\_  
 authority (after discussion)     minority control     majority control     consensus

WHAT?	HOW?	WHO?	TIME?
Agenda, Objectives, Roles, Ground Rules, D/M method (standard start-up)	Present, Clarify, Agree	Facilitator	5 minutes
Identification of Problem	Brainstorm	Entire Group	15 minutes
Prioritization	N/3	Group & Facilitator	5 minutes
Development of Action Plan	Clarify, Agree	Group & Facilitator	15 minutes
Meeting Results	Review & Summarize	Facilitator	5 minutes
Evaluation of Process	Plus/Delta	Facilitator & Group	5 minutes

The Life Cycle of a Meeting:  
The Core Meeting Process

Step 3: Conducting the Meeting



1. Roles of the participants
2. Agenda Review
3. Agreement on type of Meeting
4. Agreement on Decision-Making Method
5. Agreement on Structure & Timeframes
6. Review of Meeting Results
7. Plus/delta
8. Next steps



## Tools for Conducting Meetings

### Brainstorming

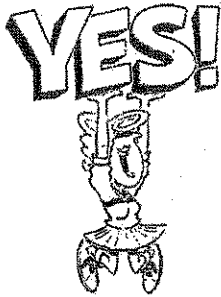
- No judgements
- Free-flowing
- No defending
- No rationales
- Everything goes
- Possibly add-on, if initiator agrees
- Scrunching words

### Clarification

- Illustrating so each person has idea of the concept
- Freedom to combine, if initiator agrees
- No need to try to combine
- Not a time to defend or justify
- Not a time to attack or lobby

### Prioritization

- $N/3$ ,  $n$  = number of participants
- Each participant chooses their top concerns and votes on top  $n/3$
- Facilitator highlights group's scores

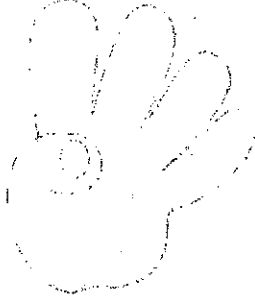


### Agreement

- Facilitator asks each individual to agree on top  $n/3$  to work on
- Disagreeing person(s) asked what could be changed so that they are 80% satisfied

The Life Cycle of a Meeting:  
 The Core Meeting Process

Step 4: Follow Through



**FOUR**

Check Ins for Action Plans

Objective	Who	Start Date	IPR (In-Progress Report)	Stop Date	Additional Resources Needed	Additional Action Plans	Remarks
<i>Concurrent Planning policy</i>	<i>Sue</i>	<i>X/x/99</i>	<i>Policy never completed but was drafted and forwarded to Program Managers for decision on vertical case management structures</i>	<i>N/A</i>	<i>Program managers need to meet with supervisors to determine the potential for sharing cases between adoption &amp; dependency units</i>	<i>Program managers to meet with supervisors to get feedback</i>	<i>Meeting scheduled for x/x/99. Program Managers to get back to Sue by x/x/99. Sue to then present updated IPR.</i>

The only real education is self education.  
 --Buckminster Fuller

Meeting Results

1. Summary of what happened (content)

2. Summary of the meeting process (how)

3. The following agreements were made

4. The following decisions were made

5. The evaluation of this meeting was

+

Δ

- 
- 
- 
- 

6. Next (SMART) actions are

---

Date

Scribe

The Life Cycle of a Meeting:  
The Core Meeting Process

Step 5: Seeing the Results



Outcomes

Celebration

Implementation

Acknowledgement

Termination of any special committees

Finalization of policies and procedures

*"The manager of the future will simply be a learning guide."  
--Peter Drucker*



## *Other hints for successful facilitation*

- *Contract with the team on your roles and responsibilities up-front*
- *Don't take on the team's work (e.g. scribing, recording)*
- *Intervene to satisfy the team's needs—not your own desire to be heard*
- *Give team members time to correct problems themselves before intervening*
- *Once you've said your piece, be quiet*
- *Do more asking than telling*
- *Facilitate the leader so the leader can facilitate the team*
- *Don't repeat feedback the team has already discussed*
- *Be willing to take risks*
- *Be willing to be wrong*

*Adapted from Don Aaron Carr, 1994*


## "The Good, the Bad & the Ugly: Roles in Meetings"

### Essential Roles:

<i>Role</i>	<i>Focus &amp; Purpose</i>	<i>Important Qualities, Skills</i>
Chair or Leader	<ul style="list-style-type: none"> <li>• maintains the authority to call the group together</li> <li>• usually initially owns the purpose of the meeting</li> </ul>	<ul style="list-style-type: none"> <li>• To recognize the distinction of him/herself and the facilitator.</li> <li>• Works closely with the facilitator to develop agenda, and ensure follow-up occurs.</li> </ul>
Facilitator	<ul style="list-style-type: none"> <li>• manages the process</li> <li>• acts as resource</li> <li>• remains neutral</li> <li>• monitors team dynamics &amp; intervenes as needed</li> <li>• coaches the team on process, roles, goals</li> </ul>	<ul style="list-style-type: none"> <li>• listening</li> <li>• questioning (open-ended and stimulating)</li> <li>• sharing (his/her feelings &amp; opinions to create atmosphere for team to do same)</li> <li>• problem-solving</li> <li>• resolving conflict</li> <li>• using a participative style (to encourage all to talk and share)</li> <li>• accepting others</li> <li>• empathizing</li> <li>• leading</li> </ul>
Timekeeper	<ul style="list-style-type: none"> <li>• Alerts group of amount of time left to discuss topics</li> <li>• Gives warning to group and facilitator when time is almost up for a topic to be discussed</li> </ul>	<ul style="list-style-type: none"> <li>• Feels free to interrupt with time warnings</li> <li>• Is not swayed by personal conviction to topic to add time on a topic at his/her discretion</li> <li>• Is comfortable participating, yet also maintaining specific task</li> </ul>
Recorder	<ul style="list-style-type: none"> <li>• Records general topics being discussed</li> <li>• Writes info as quickly and as legibly for all to see on flip chart</li> <li>• uses colors, underlining, circling to emphasize group's focus vs recorder's own preference</li> </ul>	<ul style="list-style-type: none"> <li>• Feels free to ask to slow down</li> <li>• Feels free to ask group if he/she captured topic accurately</li> <li>• Feels comfortable to "step out of role" if s/he has something to add to discussion</li> <li>• refrains from editing</li> </ul>

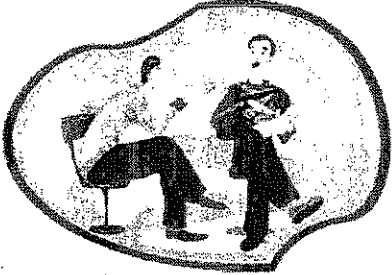
*"A day spent facilitating is as tiring as a day spent chopping wood."  
 David Quinlivan-Hall & Peter Renner, Consultants*

## they come with the territory:


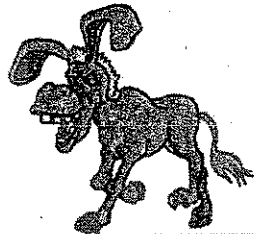
Role	Why it occurs	What to do
Heckler	<p>probably good-natured most of the time, but is distracted by job or personal problems--- or seeks out attention</p> 	<ul style="list-style-type: none"> <li>• Keep your temper under control.</li> <li>• honestly agree with one idea, then move on to something else.</li> <li>• toss a misstatement of fact to the group to turn down</li> <li>• talk privately with the person as a last resort to determine what's bothering him/her</li> <li>• assign him/her the task of recorder</li> </ul>
Rambler	<p>one idea leads to another and takes this person miles away from the original point</p>	<ul style="list-style-type: none"> <li>• when there is a pause for breath, thank him/her, refocus attention, and move on</li> <li>• in a friendly manner, indicate that "we are a little off the main subject"</li> <li>• as a last resort, use your meeting timetable. Glance at your watch and say "Time is limited."</li> <li>• assign him/her a timekeeper role</li> </ul>
Ready Answer	<p>really wants to help, but makes it difficult by keeping others from participating</p>	<ul style="list-style-type: none"> <li>• cut him/her off tactfully by questioning others. Suggest that "we put others to work."</li> <li>• ask this person to summarize. It keeps him/her attentive and capitalizes on his/her enthusiasm</li> </ul>

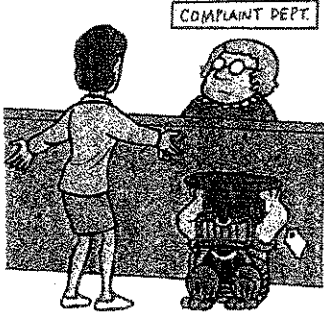
"You must be the change you wish to see in the world."

-- Mahatma Gandhi

<p>Conver- sationalist</p>	<p>side chatter is usually personal in nature but may be related to the topic</p> 	<ul style="list-style-type: none"> <li>• call by name and ask an easy question</li> <li>• call by name, restate the opinion last expressed, and ask his/her opinion of it.</li> <li>• include in the discussion</li> </ul>
<p>Personality problems</p>	<p>two or more individuals clash, dividing your team into factions and endangering the success of the meeting</p>	<ul style="list-style-type: none"> <li>• maximize points of agreement; minimize disagreements. Draw attention to the objective at hand.</li> <li>• pose a direct question to an uninvolved member on the topic.</li> <li>• As a last resort, frankly state that personalities should be left out of the discussion</li> <li>• Assign active tasks (facilitator or recorder) to two clashing individuals</li> </ul>
<p>Wrong Track</p>	<p>Brings up ideas that are obviously incorrect</p>	<ul style="list-style-type: none"> <li>• say "That's one way of looking at it" and tactfully make any corrections.</li> <li>• Say "I see your point, but can we reconcile that with our current situation?"</li> <li>• Handle this tactfully, since you will be contradicting him or her—possibly by talking aside with him/her. Remember, all members of group will hear how you respond to each individual, and you can encourage or discourage further participation.</li> </ul>



<p>Quiet One</p> 	<p>bored...</p> <p>indifferent...</p> <p>timid...</p> <p>superior...</p>	<p>.. gain interest by asking for opinion</p> <p>...question the person next to him/her. Then ask the quiet one to comment on the view expressed.</p> <p>...compliment this person the first time s/he contributes. Be sincere.</p> <p>...indicate respect for this person's experience, then ask for ideas.</p>
<p>Bungler</p>	<p>lacks the ability to put good ideas into proper order; has ideas, but can't convey them and needs help</p>	<ul style="list-style-type: none"> <li>• Don't call attention to the problem. Say "Let me see if we are saying the same thing." Then repeat the idea more clearly.</li> </ul>
<p>Mule</p>	<p>Can't or won't see the other side; supports own viewpoint no matter what</p> 	<ul style="list-style-type: none"> <li>• Ask other members of the group to comment on the ideas. They'll straighten him/her out!</li> <li>• Remind him or her that time is short, and suggest that he or she accept the group consensus presently. Indicate your willingness to talk to him/her later--- and follow-up.</li> </ul>

<p>Talker</p>	<p>Highly motivated...</p> <p>Show-off...</p> <p>Well-informed...</p> <p>Just plain talkative...</p>	<p>...slow this person down with some difficult questions—or assign role (recorder)</p> <p>...say, "That's an interesting point. Now let's see what the rest think."</p> <p>...draw upon his/her knowledge, but relay to the group.</p> <p>...in general, for all overly talkative folks, let the group take care of them as much as possible.</p>
<p>Griper</p>	<p>Has a pet peeve, gripes for the sake of complaining, or has a legitimate complaint.</p> 	<ul style="list-style-type: none"> <li>• point out that the objective at hand is to operate as efficiently as possible under the present circumstances</li> <li>• indicate that you'll discuss his/her personal problems privately, later</li> <li>• have another member of the group respond to his/her complaint</li> </ul>

*"People don't quit playing because they grow old,  
 they grow old because they quit playing."  
 --Oliver Wendall Holmes*

### Decision-Making Models

Teams continuously make decisions; how to conduct business; what to accomplish; etc. The same method is seldom used for all decisions, however, because different circumstances usually call for different decision-making processes. Team members are usually unaware of the exact process that they are using or of their options for using other processes.

If a situation is complex, a better decision will generally be made by an effective team than by a person working alone.

Several factors are involved in a decision-making process by teams:

- time
- quality of decision
- win-win decisions
- win-lose decisions

Different decision-making models include:

1. Authority rule (individual without discussion)
2. Expert (individual)
3. Average of individuals
4. Authority rule after discussion
5. Minority control
6. Majority control
7. Consensus
8. Concordance

#### **Certain decision-making processes are best used when:**

<ul style="list-style-type: none"><li>• time is limited</li><li>• the subject matter relating to the decision is simple and requires little or no coordination</li><li>• decisions are about matters that will not require future committed action by most group members for implementation</li></ul>	<ul style="list-style-type: none"><li>• there is sufficient time to involve greater numbers of group members</li><li>• the subject matter relating to the decision is complex</li><li>• decisions are about matters that will require future committed action by most group members for implementation.</li></ul>
---	---

## Toxic Decision-Making Practices



To foster cooperation and cohesiveness, consensus must exist among team members. Some teams, however, find that consensus requires too much time and is difficult to achieve. These teams may employ the following:

### "Near consensus"

...occurs when silence is encouraged and interpreted as consent or where team members are pressured to agree verbally when they don't really agree. Support generated through near-consensus can disappear at critical times.

### "Majority vote"

...assumes that the minority "will go along willingly" with the bigger group. Voting, however, has the effect of limiting discussion and polarizing the team. It can also result in token support when full support is required.

### "Minority wins"

...made by a powerful minority over the wishes of the majority of the team. Support for such decisions often crumbles during implementation.

### "Handshake"

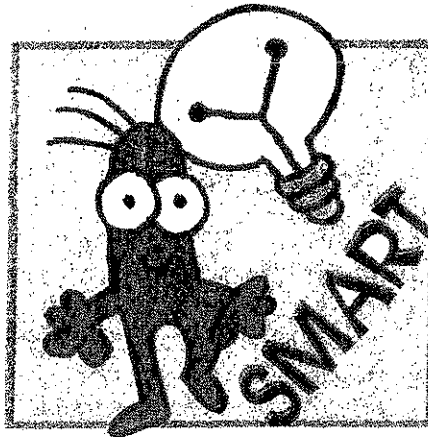
...made on a suggestion from one person to another that elicited instant support and permission to proceed from the other person. This puts the team into action before determining that the team actually backs the decision. Eventually support lags during implementation.

### "Self-authorization"

...occurs when one member of the team makes the decision and proceeds on it, assuming that the team agreed. Even if the team agrees, other members may resent the way the decision was made.

--Adapted from Glassman, E. (1992) Self-directed team building without a consultant.

### SMART ACTION PLANS



<i>Specific</i>	<i>Measurable</i>	<i>Achievable</i>	<i>Realistic</i>	<i>Timely</i>
Specific and concrete behavioral statement or action	Clarification of how the achievement will be measured	Confirmation that this is able to be reached by this person. Access to appropriate resources?	What factors support this in being reached	When will this be completed
<i>Sue will identify policy &amp; procedure in handbook clarifying concurrent planning process by consulting with Handbook Coordinator</i>	<i>Sue will forward copies of the policy to all managers</i>	<i>Yes. (Sue supervises Handbook Coordinator, and meets with him weekly)</i>	<i>Most likely. (Handbook coordinator will be returning from month-long vacation and isn't very organized. He might need extra time to search.)</i>	<i>Within 2 weeks, March X, 1999, so that all managers can review it by the April management team meeting.</i>

## Why NOT go?

"Many upper-level managers spend 60-70%  
of their time in meetings." (---Dressler)

Dx.

- The purpose of the meeting is unclear.
- The meeting participants are unprepared.
- Key people are absent or late.
- Meeting participants don't discuss issues—  
they dominate the conversation, argue or take no  
part at all.
- Decisions made at the meeting are not followed  
up on.

"The better I get, the more I realize how much better I can get."  
--Martina Navratilova, Pro Tennis Player

## Why NOT go?

Rx.

- State in 1 or 2 sentences exactly what you would like the meeting to accomplish
- Decide whether a meeting is the best way to accomplish your goal; if so, distribute an agenda prior to the meeting
- Set ground rules to focus, maintain respect and order during the meeting
- Take responsibility for the outcome of the meeting. (Keep the conversation on track and help resolve conflicts)
- If your meeting isn't working, try other tools (brainstorming, suggestion box, survey)

Suggestions for Meeting ALTERNATIVES



Email

Memos

Surveys

Postings

Voicemail

Announcements

Questionnaires

Person-to-Person talks

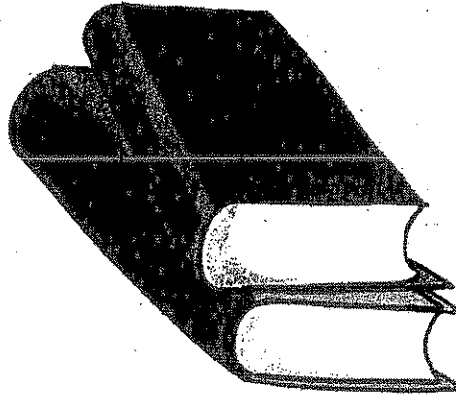
Written Policy & Procedures

"The trouble with the rat race is that  
when you get to the top of the pack,  
you are still a rat."

--Lily Tomlin, Actress



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## Answers to Survey

95%	arrive late or leave early
73%	do other work during
39%	catch up on sleep
96%	don't always go to them
91%	daydream in them

## About the Trainer.....



**Peter Dahlin, MS**, is a private consultant, based out of Northern California, providing organizational development, training, and curriculum development services to a variety of organizations throughout the country. He is passionate about integrating creativity and fun in solving organizational challenges. He has created and taught social worker, supervisor, manager, executive and trainer courses and is a regularly invited presenter to regional and national conferences. Most recently, he has served as the Chair for the West Coast Child Welfare Trainer's Conference for the past three years and continues as the 2008 Chair of the 18<sup>th</sup> Annual Event.

His clients include:

- the States of Washington, New Mexico, Texas, and Florida
- the California Counties of San Francisco, Ventura, Alameda, Tulare, Orange, San Luis Obispo, Merced, Fresno & San Diego
- the University of Washington, UCLA, New Mexico State University, Cal Berkeley & several campuses of the California State University system
- San Francisco Municipal Railway, East Bay Municipal Utilities District, Alameda County Superior Court, Turner Construction, the Port of Oakland & Frontiers Health System
- Casey Family Programs and the National Child Welfare Resource Center on Adoption.

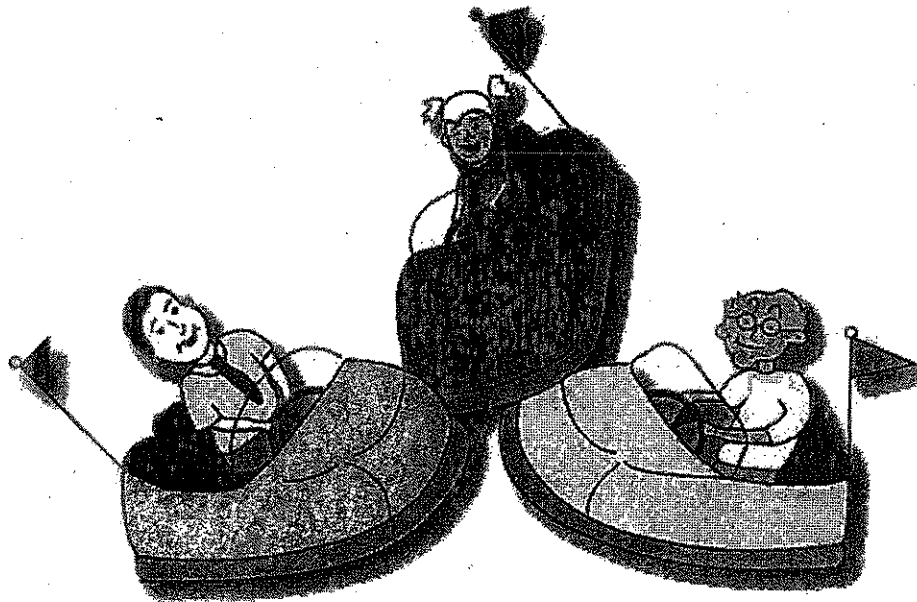
Peter has also helped to develop employee mentoring programs in the State of Washington as well as for the National Child Welfare Resource Center on Adoption. As a consultant with Casey Family Programs, he has developed and presented trainer curricula for cultural diversity and collaboration programs throughout the country in child welfare services.

His style is energetic and engaging and he infuses appropriate issues of cultural diversity and strong "transfer of learning" opportunities throughout all of his programs. He regularly works with a select group of associates who maintain expertise in mental health, child welfare, training, diversity and administration.

Peter is the former Director of a twelve-county regional training Academy providing training, consultation, and organizational development services in the San Francisco Bay Area. He worked for San Francisco County for nearly ten years, in roles as a social worker, supervisor and manager. In his last County position, he managed \$25 million of contracts with community providers. He has nearly 20 years of direct service, supervision, training and management experience in human services. Within his community, he served on the Board of Directors for the Pacific Center for Human Growth for six years, as treasurer and then as President.

He can be reached directly at [DahlinPM@aol.com](mailto:DahlinPM@aol.com) or at 510.507.3056.

<b>Category and Module</b>	<b>Competency</b>	<b>Learning Objectives</b>
Working with a Multi-Generational Workforce	Ability to identify one's own individual generational identity	Can develop and articulate strategies for supervising a multi-generational workforce
	Ability to understand the characteristics, assets, and liabilities in the workplace of each generation	



# Generational Issues: When Baby Boomers, Gen-Xers and Gen-Yers Collide

Developed for State of Washington  
Children's Administration Supervisor Academy

By

Peter Dahlin, MS  
Training Consultant  
510.507.3056  
[DahlinPM@aol.com](mailto:DahlinPM@aol.com)



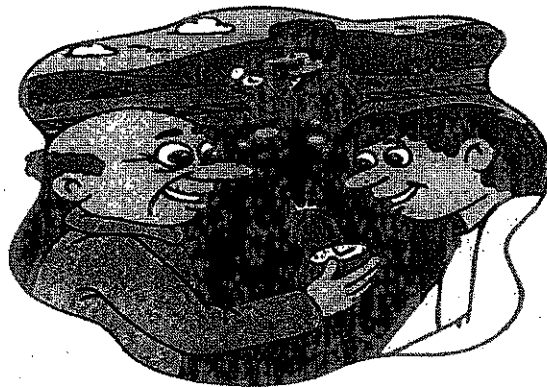
*Learning is not a spectator sport.*  
- D. Blocher

## **ABSTRACT**

For the first time in American history, there are four generations in the workplace at the same time. Each generation was formed by a variety of events in the political, social, economic events of their formative years, regardless of cultural identity, geographic location, or socioeconomic status. In a highly interactive and engaging session, discover the generational influences that impacted your own workplace persona, and uncover supervision strategies which will assist you in learning how to fluently communicate across the generations.

*Supervisors play a key role in staff retention as motivators and role models. Employees stay on the job:*

- *When they feel respected,*
- *When they see opportunities for growth*
- *When they feel that their voices are heard*
- *When they feel they have a positive influence on clients' lives and*
- *When their strengths & accomplishments are acknowledged.*





Learning Objectives:

At the completion of this workshop, each participant will be able to:

- List the four generations in today's workplace
- Identify his/her individual generational identity
- Value the impact of historical, economic, and sociological events on a generation's development
- Identify characteristics, and assets & liabilities in the workplace of each generation
- Develop strategies for supervising a multigenerational staff

*Knowing is not enough; we must apply.  
Willing is not enough we must do.  
- Goethe*

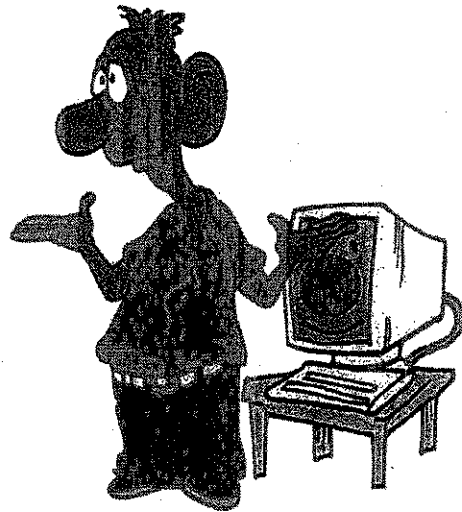
*If I don't want what you want, please try not to tell me my want is wrong.  
Or if I believe other than you, at least pause before you correct my view.*

*I do not, for the moment at least, ask you to understand me. That will  
come only when you are willing to give up changing me into a carbon  
copy of you.*

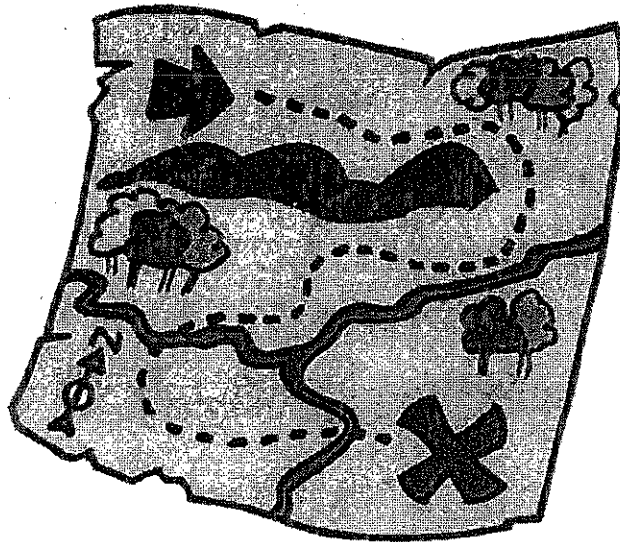
*I may be your spouse, your parent, your offspring, your friend, your  
customer, or your colleague.*

*To put up with me is the first step to understanding me. Not that you  
embrace my ways as right for you, but that you are no longer irritated or  
disappointed with me for my seeming waywardness. Then, in  
understanding me, you might come to prize my differences, and, instead  
of trying to change me, preserve and even nurture those differences.*

*--Adapted from  
Please Understand Me  
by David Keirse and Marilyn Bates.  
Prometheus Nemesis Books, 1978.*







## AGENDA

- *Welcome*
- *Treasure Hunt*
- *The LINK: Understanding the Generations and Retention*
- *Defining the Generations*
- *Hist-Soc-Econ 101*
- *Core Values*
- *Assets & Liabilities*
- *Supervision Strategies*
- *Adjourn*

*You cannot teach a man anything.  
You can only help him discover it within himself.*  
- Galileo Galileio

## DID YOU KNOW THAT...

The average age for a nurse is 47?

50% of all certified schoolteachers plan to retire in the next 5 years?

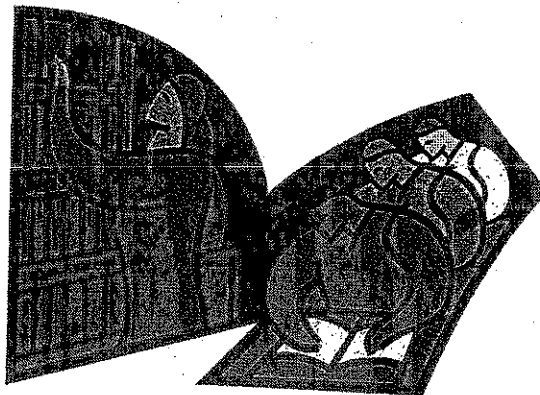
60% of all federal workers are on the "edge of retirement"?

3.9 million households comprise 3+ generations living together?

The majority of multigenerational families are Latino?

The State with the highest percentage of multigenerational families is  
Hawaii (8.2%)?

2<sup>nd</sup> Highest is California (5.6%)?



\* According to 2000 Census

*"Kids, I don't know what's wrong with these kids today."  
-- from Bye Bye Birdie*

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*"Women my age are interested in what you do.  
My mother's generation is interested in how you feel."  
-- Millennial Male*

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## Generational Diversity

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### Who are we?

Silent  
WW2 Generation  
Veterans  
b. 1930 - 1945  
5% of workforce

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Baby Boom Generation  
b. 1946 - 1963, 1943 - 1960  
70 million  
45% in workforce

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Generation X  
MTV Generation  
Hip Hop Generation  
Baby Busters  
13th Generation  
b. 1964 - 1979, 1961 - 1981, 1960 - 1980, 1961 - 1982  
80 million  
40% of workforce

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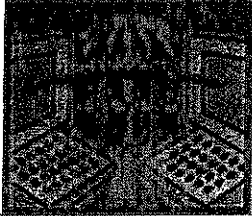

Millennials  
Nintendo Generation  
Echo Boomers  
Internet  
Boomlet  
Nexters  
Generation Y Digital Generation  
b. 1982 - present, 1980 - 2000  
76 million  
10% of workforce

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*"A 60-something graduate recently reflected: 'We wanted what they want. We just felt we couldn't ask.' Herein lies the truth: what young workers want isn't so different from what everyone else wants. However, young workers are asking for it."  
--Karen Cates and Kimia Rahimi, "Mastering People Management,"  
Financial Times, November 19, 2001*

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## Heroes

<i>Generation</i>	<i>Heroes</i>
<i>Millennials</i> 	<i>Bill Gates, NYC firefighters, Joe Torre, and the American Women's Soccer Team.</i>
 <i>X'ers</i>	<i>Generation Xers aren't influenced by "real" heroes-- Every time a hero emerged, skeletons from the closet surfaced, leaving broken promises and disillusionment in their wake.</i>
<i>Baby Boomers</i>	<i>Gandhi, Martin Luther King, Mother Theresa, John &amp; Jacqueline Kennedy.</i>
<i>Silents</i>	<i>Eleanor Roosevelt, Churchill, FDR, Babe Ruth and Joe DiMaggio.</i>

## Characteristics

### Silents

work ethic = commitment, responsibility, conformity

Veterans, Traditionalists

(between heroes of WW2 and youthful rebellion of  
60s Consciousness Revolution)

Suffocated children of Great Depression =

"children should be seen and not heard"

Don't "rock the boat", break the rules, or disrespect authority.

Technologically-challenged.

Prefer to study a problem to decide plan of action methodically.

Strong loyalty to an organization.

Pearl Harbor.

Patriotic.

Never questioned the Golden Rule or the 10 Commandments



## **Boomers**

Products of "wonder years", influenced by Beaver Cleaver, can-do optimism of JFK and hope of post WW2 American Dream.

This is the group that invented the 60-hour work week, the group that is passionately concerned about participation and spirit in the workplace, about bringing heart and humanity to the office, and about creating a fair and level playing field for all.

They've never met a problem they couldn't bluff, blunder, or power through, and then pronounce themselves master of and write a book about.

Intense social & political unrest regarding Vietnam, assassinations, and civil rights led them to rebel against conformity.

Strive for perfectionist lifestyle based on personal values and spiritual growth.

Focus on team-based work, especially as anti-authoritarian declaration. Workaholics.

Strong loyalty to an organization.

JFK assassination.

Vietnam

Focus on family & Children

Outlook: optimistic

Work Ethic: driven

View of Authority: love/hate

Relationships: personal gratification

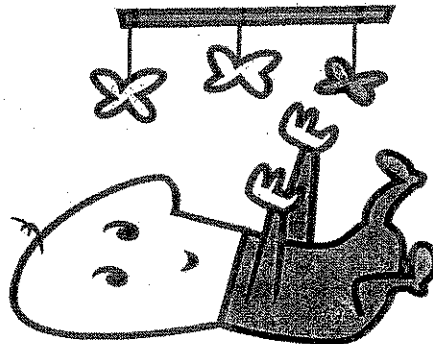
Perspective: team

The drivers of a Boomer worldview such as absolute truth, rules, and boundaries

Never questioned the Golden Rule or the 10 Commandments,

Boomers sacrificed career for children or children for career

Promoted individualism with their daughters, equality of the sexes, diminished chivalry and traditional sex-stereotyped roles



## **Generation X**

Economic & psychological "survivor" mentality.  
Grew up quickly with increased divorce rates, latchkey situations, violence and low expectations.  
Hostage crises & natural disasters and Challenger explosion.  
"At-risk" and "slackers", youthful promiscuity stifled by fear of AIDS.  
Entering workforce, approached downsizing and recession.  
Skeptical toward authority.  
Cautious in commitments. Prefer free agency vs loyalty.  
Ambitious and independent.  
Shorter attention span might evoke preference to verbal instructions vs reading documents.  
May appear to be less driven, but are very ambitious.  
Quality of life (vs money) is motivating force.  
Strive for balanced lifestyle.  
Aware of "workaholicism" of previous generation.  
Mindful of displaced loyalty to organization by previous generations.  
Some recollection of the Cold War.  
Knew about potential of nuclear holocaust.  
American hostage crisis in Iran. Recession times.  
General disregard/mistrust for politics & government. Watergate era.  
Challenger explosion  
End of Cold War  
Persian Gulf War  
AIDS and other STDs  
Rodney King Incident  
situational ethics-trivializes belief in absolutes & creates an individual morality  
Xers bore the brunt of personal sacrifice: Boomers sacrificed children for career

### *High priority to:*

- 1) personal satisfaction & relationships*
- 2) value personal freedom but want limits placed on freedom where safety/health is involved (favor legalized abortion, death penalty, personal searches for weapons/drugs, employer drug testing)*
- 3) appreciation for diversity (Interracial or inter-religious marriage, cohabitation, single parenting)*
- 4) anxious about future (pessimistic about nation's economy, but optimistic about individual prosperity, "America's best year's are behind us")*
- 5) view society's ills from an individual perspective (volunteer, participate in community action programs, desire to be community leaders)*
- 6) care about environment*

Independent  
Perceived lack of company loyalty  
Crave and require responsibility  
Change jobs frequently  
Quick learners, hungry for more information  
Technologically proficient  
Greater awareness of the overall society

*"Women my mother's age are empathetic.  
Those my age tend to be  
self-centered."  
-- 24-year-old New York male*

## Millennials

"Babies on Board" (during early Reagan years) beneficiaries of hands-off parenting & stay-at-home moms.

Coddled and confident, collective sense of determination, heroism & tenacity & not shadowed by Columbine (as teenagers) or Oklahoma City bombings.

"Have you hugged your child today?" sixth graders of early Clinton years.  
9/11 bombings creating sense of national unity, which foster a career shift toward organizations whose missions speak to a purpose greater than a bottom line.

Technologically savvy.

"I'm here to make a difference."

Shorter attention span might evoke preference to verbal instructions vs reading documents.

Personal Safety threatened—with domestic terrorism.

More accustomed to government protections: increased security measures, zero-tolerance for school violence, smoking bans, V-chips, graduated driver's licenses, increased drinking ages.

Strong volunteerism rate (> 50% in 18-24 yo).

Civic-oriented vs political activity.

POSSIBLY close gap between politics and civil service.

Sociable, optimistic, talented, well-educated, collaborative, open-minded, influential, achievement-oriented.

They FEEL sought-after, needed, indispensable.

Have high expectations of the workplace:

challenging, collaborative, creative, fun, financially rewarding.

*Characteristics:*

1. I'm smart. I'm special. (Baby Gap, Sports Illustrated for Kids)
2. Be inclusive and tolerant of race, orientation, religion.
3. Connect 24/7. Interdependence. Prefer computer to TV
4. Achieve now.
5. Serve my community.

### *Key Trends:*

1) *Focus on family & Children*

*(eating out as a family, family vacation, older parents, mother=27)*

2) *scheduled, structured lives.*

*Parents/Teachers micromanaged children's schedules, little unstructured time.*

3) *Multiculturalism.*

*UCLA's higher education research shows that interracial interaction for college freshmen is at record high.*

4) *terrorism.*

5) *Heroism.*

*Re-emergence of the American hero.*

*"In the 10 months following 9/11, the word hero was heard more than it had been in the entire 10 years before." (Raines, C. 2002)*

*Patriotism.*

*Parent advocacy.*

*Millennial parents' advocated for them to grow up safely and protected.*

*They like their parents.*

*Globalism.*



## Core Values

<p>Silent</p>	<ul style="list-style-type: none"> <li>* Dedication</li> <li>* Sacrifice</li> <li>* Hard Work</li> <li>* Conformity</li> <li>* Law and Order</li> <li>* Respect for authority</li> <li>* Patience</li> <li>* Delayed reward</li> <li>* Duty before pleasure</li> <li>* Adherence to rules</li> </ul>
<p>Baby Boomers</p>	<ul style="list-style-type: none"> <li>* Optimism</li> <li>* Team orientation</li> <li>* Personal gratification</li> <li>* Health and wellness</li> <li>* Personal growth</li> <li>* Youth</li> <li>* Work</li> <li>* Involvement</li> </ul>
<p>Gen X</p>	<ul style="list-style-type: none"> <li>* Diversity</li> <li>* Thinking Globally</li> <li>* Balance</li> <li>* Techno-literacy</li> <li>* Fun</li> <li>* Informality</li> <li>* Self-reliance</li> <li>* Pragmatism</li> </ul>
<p>Millennial</p>	<ul style="list-style-type: none"> <li>* Optimism</li> <li>* Civic duty</li> <li>* Confidence</li> <li>* Achievement</li> <li>* Sociability</li> <li>* Morality</li> <li>* Street smarts</li> <li>* Diversity</li> </ul>

Liabilities & Assets to the Workplace

<b>Generation</b>	<b>Liabilities</b>	<b>Assets</b>
Millennials	Distaste for menial work	Multitasking
Millennials	Lack of skills for dealing with difficult people	Goal orientation
Millennials	Impatience	Positive attitude
Millennials	Lack of experience	Technical savvy
Millennials	Confidence	Collaboration
Xers	show impatience with poor performers.	be highly competent technically
Xers	have a hard time identifying with young employees who don't share their work ethic.	hold a strong work ethic.
Xers	be less "seasoned" in their decision-making (nothing they can do to change their age!)	bring a fresh perspective.
Xers	give needy employees less attention than they require	have a somewhat lower "need-to-be-liked" factor than older managers.
Xers		have a systems/big-picture orientation.
Xers	They don't give their respect to others based just on titles. They consider authority a "whatever" kind of thing anyway.	care less about status and power than some of their older counterparts. Gen X supervisors do not expect special treatment based on titles. They fully expect to earn every ounce of respect given them.
Xers	denigrate rules, absolutes, and structure	worship experience and immediacy
Boomers	Can be hung up on lines of supervision	Loyal to the organization
Boomers	Are not technologically savvy and mistrust computers	Willing to work hard in order to achieve success
Boomers	can be indirect in their communication	Build relationships with co-workers and genuinely care about co-workers
Boomers	Require clearly defined schedules and procedures	Enjoy the input of teams
Veterans	"in the box thinkers"	Dedicated to job and organization
Veterans	Do not speak up when frustrated or see fault with superiors or organization	Willing to wait for the "big payoff" or reward from the company...likely to stick with a company through thick and thin
Veterans	Lack technological skills and are reluctant to learn	Can be relied upon to complete the task assigned within specified timelines
Veterans	Can be close-minded about any challenges to authority or patriotism	Extremely thorough
Veterans	Require time to problem solve and do not work well under crises	High adherence to code of honor and ethics

"He Said, She Said...."

.....ACROSS GENERATIONS

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***Xers say Boomers...***

- \* are too political
  - \* don't practice what they preach
  - \* are workaholics
  - \* need validation
  - \* are self-righteous
  - \* more process-oriented
- 

***Millennials complain Xers...***

- ...are cynical and aloof*
- ...they throw wet blanket on fresh ideas & idealism.*
- ...are seen as "selfish"*

***Boomers say Xers...***

- \* aren't loyal
- \* have no work ethic
- \* are not committed
- \* are self-focused
- \* have no respect
- \* more results-oriented

***Older generations see Xers and Millennials...***

- \* are not reliable
- \* are not willing to work long hours
- \* think in terms of "job" - not "career"
- \* have unrealistic expectations about raises and promotions

***Xers complain that Millennials...***

- ... are indulged like the Boomers*
- ...are self-absorbed*
- ...are Pollyannas*

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*"We don't think you should be our manager"*  
*"We think you only think about our performance as your employees.*  
*We think you don't give us enough time and we want someone else."*

*- GenX Employee*

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## Strategies

### **Baby Boomers Preferred Work Environment**

- autonomy
- sense of meaning
- chance to learn new things
- schedules and routines
- opportunity for face-to-face contacts

### **To Be More Successful working with Xers, Boomers can:**

1. Get to the point. Most Xers prefer a straightforward approach. One of the key complaints Xers have about Boomers is their "soft" - some might call it wishy-washy - communication style. Boomers say things like, "I'd love it if you would...." and "You might want to...." Most Xers wish the Boomers would just say, "Here's what needs to get done..."
2. Avoid cliché and hyperbole. Xers feel Boomers give lip-service to concepts like employee involvement and empowerment - and don't actually do what they say.
3. Learn to use technological communication efficiently. Xers say Boomers play phone tag - when they could simply explain on their message what they want/need. Use e-mail when it's appropriate - not for feedback, for example, but to pass along information.
4. When delegating, sketch out the end result, but allow the Xers to figure out how to achieve the result.

### **Intervention Strategies for Working With Boomers:**

- redesign the way tasks get done
- let people work on their own
- teach the basics of the business, help them to understand where their job fits into the big picture

### **Working with Boomer Managers:**

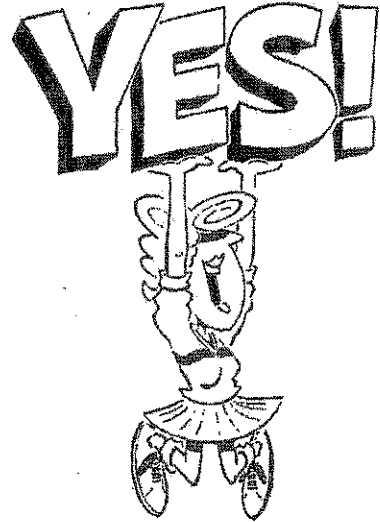
1. Show respect for the Boomers. They've put in their time. They don't want to be called "Mr." or "Mrs." or "Sir" or "Ma'am," but they do want to know you respect their experience.
2. Take your time. Boomers tend to value the "people side" of business. Take the time to get to know them as human beings who care what you think of them.
3. Be friendly. Call Boomers by name - and "check in" with them ("How did your son do at his soccer match?" "How was your ski trip?")
4. Choose face-to-face conversation when possible. Sometimes e-mail and voicemail are too impersonal for Boomers.

### Generation X's Preferred Work Environment

- \* casual, friendly
- \* functional, efficient
- \* technologically up-to-date
- \* neat, clean, orderly
- \* collegial
- \* a place to learn
- \* high level of freedom

### Intervention Strategies for Working With Xers

- Avoid judging
- Accommodate individual needs whenever possible
- Demonstrate competence
- Forgive impatience
- Be a coworker until someone requires a boss
- Celebrate
- Scrap Books
- Mentoring
- Employee Exchange Program
- Weekly Observation Sheets
- Provide ongoing feedback
- Validate the power of "X"
- Projects not jobs
- Create Teams
- Revisit training
- Position your corporate goals as a way for Gen X to realize their individual goals



*I think, therefore I am (Cogito, ergo sum.)*  
- Descartes

**Preferred Work Environment for Millennials:**

- to work with positive people
- to be challenged
- to be treated respectfully
- to learn new knowledge and skills
- to work in friendly environments
- to have flexible schedules
- to be paid well
- goal- and achievement-oriented atmosphere

**YES!**

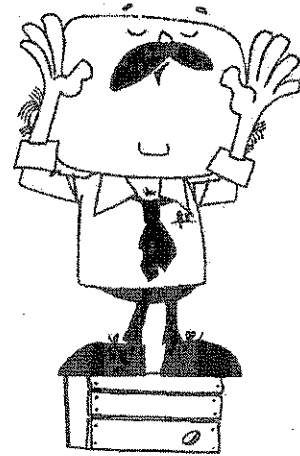


**Intervention Strategies for Working With Millennials**

- The boss should be the leader
- Challenge them
- Let them work with friends
- Let's have fun
- Respect them
- Be flexible
  - Be Prepared For high expectations
  - Don't expect them to pay their dues
  - Don't throw a wet blanket on their enthusiasm
- encourage them
- mentor them
- learn from them
- Design office space so that Millennials are set up physically to share ideas
- Consider assigning projects to groups for reaching a goal
- reverse mentoring program

*In the outskirts of Dubuque, on the farm, when I was growing up - back there, back then - I learned, with all the pigs and chickens and the endless sameness everywhere you looked, or thought, back there I learned - though I doubt I knew I was learning it - that all the values were relative save one. "Who am I?" All the rest is semantics - liberty, dignity, possession. There's only one that matters: "Who am I?" - Elizabeth, in The Lady from Dubuque, a play by Edward Albee*

## Practice what we preach!



### The TRANSFER OF LEARNING...

## From the classroom to the job!

*Many people get excited about new concepts, clarified techniques, or practiced skills as a result of a day away from the regular routine of the office in an enjoyable off-site training location. Frequently, by the time the participant returns to the office, catches up on yesterday's voicemail messages, and carries through with his or her regular job functions, the training is long forgotten!*

*Your colleagues in the training classroom were an essential part of your learning. The written material in your workbook may have helped. The overhead material might have been interesting. The toys, quotes, crafts or the trainer may have helped to learn something.*

*Only the participant can bring these new skills to the job. Support from the participant's boss to experiment with new skills, techniques, and tools is invaluable! Commitment from the actual participant, however, is essential.*

*One way to promise to yourself some thing that you will attempt back on the job is to write it down! Research shows that folks who write out a plan have a greater probability of doing it! Research also shows that if you commit to someone else that you will do something, there is even a higher chance of you doing it! Lastly, it's also helpful to be reminded—by us!*

## Transfer of Learning: Making My ILP Contract

### Instructions:

- 1) Review all of the material presented today.
- 2) Review your original learning objective for the training, consider how it applies to improving your strength-based supervision skills.
- 3) Complete a SMART-B ILP, inserting the carbon paper in between two blank ILPs.



- 4) Be sure that you press hard enough for the copy to be legible.
- 5) Review the SMART-B guidelines, using some of the language from the option you chose.
- 6) Select a learning partner whom you would feel comfortable in calling.
- 7) Review your learning partner's ILP. Check it closely for adherence to the SMART-B plan. Give constructive feedback. Don't simply "sign off."
- 8) Sign, date, and provide your phone number on your partner's ILP.
- 9) Ask your partner to do the same for your ILP.
- 10) Address an envelope to yourself and insert the copy of the ILP.
- 11) Seal the envelope and give this to the trainer.
- 12) Record your due individualized timeframes in your calendar.
- 13) Put your original ILP in a place to review at work. Call your partner for help or clarification, if needed.





## SMART-B Individual Learning Plan ILP

Name \_\_\_\_\_ Date \_\_\_\_\_

**Concluding my participation in this training, I will be able to.....**

**Specific:** Write a very specific behavioral statement. *(For example, what skill or ability could be seen on a videotape?)*

**Measurement:** Identify how you will measure your progress. *(How will you know when you have achieved this? Will something look differently? Will you receive certain types of feedback?)*

**Attainable:** Is this goal within your reach? Describe why this learning IS within your reach.

**Realistic:** Identify favorable factors in your environment, or personal strengths, that will support your progress.

**Timely:** I will accomplish this learning objective by \_\_\_\_\_.

**Benefits:** What are the benefits to doing this? To me? To others?

\_\_\_\_\_  
Signature/Date

\_\_\_\_\_  
Learning Partner/Contact Number



## SMART-B Individual Learning Plan ILP

Name \_\_\_\_\_ Date \_\_\_\_\_

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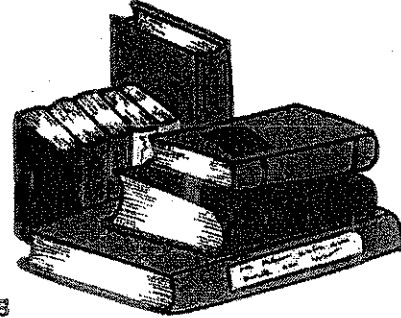
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**Timely:** I will accomplish this learning objective by \_\_\_\_\_.

**Benefits:** What are the benefits to doing this? To me? To others?

\_\_\_\_\_  
Signature/Date

\_\_\_\_\_  
Learning Partner/Contact Number



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**PREFERRED WORKPLACE CHARACTERISTICS INVENTORY**

Circle the statement that you most agree with, for each area.

<b>Career Goals</b>	"Build a legacy."	"Build a stellar career."	"Build a portable career."	"Build parallel careers."
<b>Changing Jobs</b>	"Job changing carries a stigma."	"Job changing puts you behind."	"Job changing is necessary."	"Job changing is part of my daily routine."
<b>Rewards</b>	"The satisfaction of a job well done."	"Money, title, recognition, the corner office."	"Freedom is the ultimate reward."	"Work that has meaning."
<b>Balance</b>	"Support me in shifting the balance."	"Help me balance everyone else and find meaning myself."	"Give me balance now, not when I'm sixty-five."	"Work isn't everything; I need flexibility so I can balance all my activities."
<b>Feedback</b>	"No news is good news."	"Feedback once a year, with lots of documentation."	"Sorry to interrupt, but how am I doing?"	"Feedback whenever I want it at the push of a button."
<b>Retirement</b>	Reward.	Retool.	Renew.	Recycle.
<b>Management Style</b>	Chain-of-command.	Change of command.	Self-command.	Don't command—collaborate.
<b>Training</b>	"I learned it the hard way; you can, too!"	"Train 'em too much and they'll leave."	"The more they learn, the more they stay."	"Continuous learning is a way of life."
<b>Total # items circled in each column:</b>				
<b>Generational Affinity</b>	Mature Gen	Boomer	X'er	Millennial



**Generational Issues:**  
 When Baby Boomers,  
 Gen-Xers and Gen-Yers Collide

## Treasure Hunt

*Instructions: Circle the statements below which are true for you.*

- \_\_\_\_\_ 1. I was in grade school when the Challenger exploded.
- \_\_\_\_\_ 2. I was in college when Martin Luther King was assassinated.
- \_\_\_\_\_ 3. I supervise someone in my unit who is of another generation.
- \_\_\_\_\_ 4. My parents lived through the great depression.
- \_\_\_\_\_ 5. I prefer to work independently.
- \_\_\_\_\_ 6. I grew up using a computer and surfing the web.
- \_\_\_\_\_ 7. I remember when my family got their first television.
- \_\_\_\_\_ 8. I graduated from High School in the 90's.
- \_\_\_\_\_ 9. My generation is known for creating a social revolution.
- \_\_\_\_\_ 10. I watched MTV during my teenage years.
- \_\_\_\_\_ 11. At least one of my supervisees thinks I am too young to be helpful.
- \_\_\_\_\_ 12. I used a card catalog in the library when doing research.
- \_\_\_\_\_ 13. My supervisor and I often disagree about the balance between work and personal life.
- \_\_\_\_\_ 14. I saw one of the following bands in concert: Beatles, Doors, Jefferson Airplane, Janis Joplin, Jimi Hendrix, Buddy Holly.
- \_\_\_\_\_ 15. I was a parent with at-home kids during the Bay of Pigs crisis.
- \_\_\_\_\_ 16. More than 1 person on my team is not comfortable with computers.
- \_\_\_\_\_ 17. I feel most governmental agencies are riddled with corruption.
- \_\_\_\_\_ 18. I remember buying 8-tracks to listen to music.
- \_\_\_\_\_ 19. My first car had a CD-player in it.
- \_\_\_\_\_ 20. I'd like my boss to say, "Your perseverance is valued."

*Instructions, Part 2:*

1. When asked to do so by the Trainers, introduce yourself to someone and ask him/her to initial one statement on YOUR Treasure Hunt which pertains to them (they circled it on their own paper).
2. Repeat this until you collect as many initials from different participants as possible.
3. You'll be asked to initial statements on other people's Treasure Hunts.
4. A person can only initial a Treasure Hunt for one statement.
5. You only need one initial per statement. Extras don't count toward your final total.
6. The person who collects the most initialed statements wins!

## Supervision Scenarios

A supervisor, Lydia, calls her supervisee, Joan into her office for an impromptu meeting. Lydia tells Joan she needs her to quickly gather together the statistics for the number of home visits performed by unit members in the last 6 months. Lydia tells Joan she has been asked to get the information by the deputy director, as has every other unit in the county, and that this information is due tomorrow.

Joan looks a bit panicked at the request so Lydia goes on to explain that she is aware Joan has a day in the office with nothing pressing and that is why she thought Joan would be a good person to call on for assistance. Lydia waits for Joan's reply.

Joan, looking agitated and bewildered, agrees to try and gather the information. As Joan is leaving the office, Lydia tells her she will check in with her before lunch to see how things are going. Lydia also tells her she will be gathering the statistics for numbers of crisis calls in the last 6 months.

On her way out to lunch, Lydia stops by Joan's desk to see how the research is coming. Lydia sees volumes of charts stacked around Joan's desk, on the floor, and in chairs. Joan appears to be marking tick marks on a hand drawn chart while flipping pages of the chart. In bewilderment, Lydia asks Joan what she is doing.

Joan replies she is counting the number of home visits in the past 6 months for the unit. "Isn't that what you wanted?" Lydia tells her that is exactly what she wanted but she did not expect her to go through the charts. Lydia tells Joan she expected Joan to use the computer to run a search using the codes for home visits and cross referencing with the codes for each unit case worker. Lydia goes on to remind Joan that this was part of the training each of them had completed a few months ago.

Joan tells her she would prefer her way, feeling she can be more thorough this way. Lydia accepts this with a reminder that the numbers are due by 4pm. Joan nods stoically.

Lydia is about to leave when she turns and asks Joan if she is ready for lunch. Lydia reminds Joan that the brown bag luncheon on stress reduction is about to begin and she thought Joan was going to attend. Joan looks at Lydia with bewilderment again. Joan says she needs to work through lunch if she hopes to be finished by 4pm. Joan watches Lydia leave for lunch. Lydia walks away, shaking her head in wonderment.

**Think About:**

Can you guess what generation Joan is?

Can you guess what generation Lydia is?

What are the clues which helped you ascertain the generations?

Knowing the respective generational representations, what were the generational barriers at work in the scenario?

What were the differences in:

- ❖ communication?
- ❖ Work ethic?
- ❖ Assertiveness?
- ❖ Team orientation?
- ❖ Problem-solving?

What could the supervisor have done differently to be more effective with a person of Joan's generation?

Do you recognize any of these patterns as someone from your own unit?



## Supervisory Scenario

Alejandro, a caseworker, approaches his supervisor, Amy, about a promotion. Alejandro tells Amy he is interested in moving into supervision and he is aware of a supervisory position coming open due to someone retiring. Amy is somewhat surprised by this declaration but covers adequately and begins a dialogue with him about his ambition.

Amy listens as Alejandro outlines all the reasons he would be good for the job. He tells her he thinks his youthful energy and his eagerness to learn and move up will be a good match for the position. He goes on to say his level of technological capabilities will lend itself well to the new computer program which is being rolled out in the next 6 months. Lastly, his intelligence and fast learning abilities should be a huge asset in learning the new competencies related to the role of a supervisor.

Amy carefully crafts her response to Alejandro. She begins by saying he has only been on staff for 9 months and in the field for just 12 months. She asks him if he feels he has learned all he needs to learn as a case manager. Alejandro quickly remarks he feels he has mastered the position and often helps new workers with their paperwork requirements in addition to being instrumental in identifying new resources for some of the veteran workers.

Next Amy asks Alejandro if he is aware of the extra number of hours supervisors have to put in without additional pay. Amy goes on to remind him that he often protests when asked to take someone else's on-call or to pick up extra cases for someone out on medical leave. She reminds him of his reaction to an incident last week when she asked him to work over to deliver some medication after 5pm to a client in a nearby town.

Alejandro admits he was resistant to working over or taking on extra duties. However, he feels ready for the additional responsibilities and challenges of the supervisory role. He is pushing Amy for an endorsement.

Next, Amy reminds Alejandro of the written warning in his file from 5 months previous. She lets Alejandro know that this could hurt his chances of getting promoted at the present time.

Alejandro becomes quickly defensive and demands, "How long is that going to hang over my head? I admitted I was wrong and I haven't done it again. Will that follow me for the rest of my career?" Amy gently tells him that 5 months after the fact is not the "rest of his career" and that he may need to prove himself for at least a year especially since he did not have a long history with the organization prior to the write-up.

Alejandro agrees to think about the points Amy has made, thanking her for her honesty. He states, "I guess this means you won't recommend me." As he is

leaving the office, he quietly tells her that the next county over is hiring for the same position he has now but at a higher salary. He may look into it.

**Think About:**

Can you guess what generation Alejandro is?

Can you guess what generation Amy is?

What are the clues which you used to ascertain the generations?

What are the generational barriers at work between Alejandro and Amy?

What were the differences in:

- ❖ ambition?
- ❖ Work ethic?
- ❖ Assertiveness?
- ❖ Team orientation?
- ❖ Organizational loyalty?

What could the supervisor have done differently to be more effective with a person of Alejandro's generation?

How could Alejandro have been more effective at getting Amy's endorsement?

Do you recognize any of these patterns as someone from your own unit?

## Supervisory Scenario

A worker, Sylvia, is passing out flyers around the office for a street clean-up fair in the community this Saturday. Several co-workers roll their eyes as she walks by. One of the co-workers laughingly says to Sylvia, "What's the cause of the week this time?" Sylvia laughs along with her and encourages her to come out and "give back".

Sylvia's supervisor, Darrell, calls her into his office. Darrell tells Sylvia in a grave voice that he has an issue he needs to bring up with her. Sylvia immediately gets serious and sitting down looks attentively at her supervisor. She is aware of others in the office migrating toward the door of the office and stopping talking to listen to the conversation.

Darrell tells her he has become aware of how often she is soliciting the help of others in the unit for her hopeless causes and as a result he needs to let her know something. With this announcement, he pulls out a framed certificate and formally awards Sylvia with the Champion of Lame Duck Award with her name and a duck with a crutch pictured on it. Everyone laughs out loud with Sylvia and Darrell laughing the loudest of all. Sylvia appreciates the humor knowing how Darrell is not a joiner and frequently cynically debates with her about the virtues of civic causes.

When everyone has gone back to their desk, Darrell asks Sylvia for her assessment of a particular case. Sylvia outlines the strengths of the family with her plan to visit in the home on a regular basis to help bring them around to a more effective parenting model. Sylvia also reports her belief that the mother is going to stop drinking and become protective of her children in the next 2 months. Sylvia is confident that the interventions she has planned will help the mother to dry out after her long period of alcoholism.

Darrell quickly informs Sylvia that she could not be more wrong about the mother drying out. He tells her that alcoholics rarely dry out and that 2 months is too short a time to achieve all of the goals. Darrell lets her know she needs to modify her expectations and create a new plan which is more realistic. He also tells her he doesn't want her going into the home alone in that neighborhood as several other workers have told him they felt threatened there.

Sylvia accepts what her supervisor is saying with a quick "yes, sir". However, she respectfully disagrees with his assessment of her ability to go into the neighborhood. She tells him she has not encountered anything in this neighborhood she can't handle and that she grew up in a neighborhood similar to this one. Sylvia asks him if he would like her to share her safety plan with workers who are doing home visits in the neighborhood.

Darrell agrees to look at the safety plan but wants to see the change in goals immediately. He wants Sylvia to think more realistically when creating goals in the future.

**Think About:**

Can you guess what generation Sylvia is?

Can you guess what generation Darrell is?

What are the clues which you used to ascertain the generations?

What are the generational barriers at work between Sylvia and Darrell?

What were the differences or similarities in:

- ❖ World view?
- ❖ authority?
- ❖ communication?
- ❖ confidence?
- ❖ Office environment?

What could the supervisor have done differently to be more effective with a person of Sylvia's generation?

What did Darrell do right for a person of Sylvia's generation?

Do you recognize any of these patterns as someone from your own unit?

## **Preferred Workplace Characteristics Across the Generations**

Silents/Veterans  
Baby Boomers  
Generation X  
Millennials

### **Career Goals**

"Build a legacy."  
"Build a stellar career."  
"Build a portable career."  
"Build parallel careers."

### **Changing Jobs**

"Job changing carries a stigma."  
"Job changing puts you behind."  
"Job changing is necessary."  
"Job changing is part of my daily routine."

### **Rewards**

"The satisfaction of a job well done."  
"Money, title, recognition, the corner office."  
"Freedom is the ultimate reward."  
"Work that has meaning."



### **Balance**

"Support me in shifting the balance."  
"Help me balance everyone else and find meaning myself."  
"Give me balance now, not when I'm sixty-five."  
"Work isn't everything; I need flexibility so I can balance all my activities."

### **Feedback**

"No news is good news."  
"Feedback once a year, with lots of documentation."  
"Sorry to interrupt, but how am I doing?"  
"Feedback whenever I want it at the push of a button."

### **Retirement**

Reward.  
Retool.  
Renew.  
Recycle.

### **Management Style**

Chain-of-command.  
Change of command.  
Self-command.  
Don't command—collaborate.

### **Training**

"I learned it the hard way; you can, too!"  
"Train 'em too much and they'll leave."  
"The more they learn, the more they stay."  
"Continuous learning is a way of life."

## *Messages that Motivate...*

*Instructions: If you are unsure about which generation you are most aligned with at the workplace, circle the statements below that would appeal to you the most if your supervisor was attempting to motivate you.*

"Do it your way."

"I approve of you."

"It's valuable to the rest of us to hear what has, and hasn't, worked in the past."

"There aren't a lot of rules around here."

"We aren't very corporate."

"We need you."

"We've got the newest hardware and software."

"You and your co-workers can help turn this company around."

"You are important to our success."

"You are valued here."

"You are worthy."

"You can be a hero around here."

"You'll be working with other bright, creative people."

"Your boss is in his/her older sixties."

"Your contribution is unique and important."

"Your experience is respected here."

"Your perseverance is valued and will be rewarded."

## *Messages that Motivate...*

### **Veterans**

- *"Your experience is respected here."*
- *"It's valuable to the rest of us to hear what has—and hasn't—worked in the past."*
- *"Your perseverance is valued and will be rewarded."*

### **Baby Boomers**

- *"You are important to our success."*
- *You are valued here."*
- *"Your contribution is unique and important."*
  - *"We need you."*
  - *"I approve of you."*
  - *"You are worthy."*

### **Generation X**

- *"Do it your way."*
- *"We've got the newest hardware and software."*
  - *"There aren't a lot of rules around here."*
  - *"We aren't very corporate."*

### **Millennials**

- *"You'll be working with other bright, creative people."*
  - *"Your boss is in his/her older sixties."*
- *"You and your co-workers can help turn this company around."*
  - *"You can be a hero around here."*

"Answer Key to Hist-Econ-Soc 101 Card Sort"

Silents/Veterans	Baby Boomers	Gen X	Millennials
Great Depression Pearl Harbor	TV in every home Martin Luther King Assassination	latchkey kids single-parent house-holds	"Babies on Board" "It takes a village" "Have you hugged your child today?"
D-Day FDR WW2	Beaver Cleaver JFK 60-hour work week	blended families AIDS MTV	Columbine Oklahoma City Bombing 9/11 Clinton Scandals
Korean War New Deal	Vietnam Suburbia	Gas rationing First personal computers	
Rise of Labor Unions Hiroshima-Nagasaki	civil rights "Thank God it's Monday"	American hostage crisis in Iran Watergate	Baby Gap Cigarette smoking bans V-chips
Fireside Chats Radio in Every Home	Rock 'n Roll Polio Vaccine	Challenger explosion End of Cold War	Computer in Every Home
Ration Stamps Korean War	Moon Landing	Rodney King Incident Reagan years	



# Generational Shift: What We Saw at the Workplace Revolution

By Bruce Tulgan & RainmakerThinking, Inc.®

## EXECUTIVE SUMMARY:

Key Findings of Our Ten Year Workplace Study (1993-2003)

## OVERVIEW: THE GENERATIONAL SHIFT

Between 1993 and 2003, a profound revolution has taken place in the values and norms of the American workplace; the impact has been felt throughout the world. During this ten-year period, we at RainmakerThinking, Inc.® have been conducting extensive research on the employer-employee relationship. Our research is ongoing. As of September 17, 2003, we have identified six key findings:

- #1. WORK HAS BECOME MORE DEMANDING ON EMPLOYEES.
- #2. EMPLOYER-EMPLOYEE RELATIONSHIPS HAVE BECOME LESS HIERARCHICAL AND MORE TRANSACTIONAL.
- #3. EMPLOYERS ARE MOVING AWAY FROM LONG-TERM EMPLOYMENT RELATIONSHIPS.
- #4. EMPLOYEES HAVE LESS CONFIDENCE IN LONG-TERM REWARDS AND GREATER EXPECTATIONS FOR SHORT-TERM REWARDS.
- #5. IMMEDIATE SUPERVISORS ARE NOW THE MOST IMPORTANT PEOPLE IN THE WORKPLACE.
- #6. SUPERVISING EMPLOYEES NOW REQUIRES MORE TIME AND SKILL ON THE PART OF MANAGERS.

Together these findings and the trends they reflect amount to the most important change in the employer-employee relationship since the period immediately following World War II.

We call this change, "the Generational Shift." Why?

In the early- and mid-1990s, we first observed these trends only among the youngest people in the workforce. Back then, these trends were decried as aberrations—driven by the "free agent" inclinations of Generation X (those born 1965-1977). Many analysts expected these trends to abate following the dot-com crash and the economic downturn that has persisted since early 2001. Instead, these trends have both intensified and also spread among workers of all ages.

The changes in the employer-employee relationship derive from historic macro-economic factors, not from short-term aberrations. Over the last ten years, globalization and technology have created a business environment of high risk, erratic markets, and unpredictable resource-needs. To remain viable, employers have been forced to adopt extremely flexible and efficient staffing practices. In turn, employees have adjusted by adopting more aggressive attitudes, expectations, and behaviors. Average employees feel challenged to take care of themselves and their families; they struggle to balance desires for long-term security with short-term needs for opportunities, work-conditions, recognition, and rewards.

The downturn in the economy has further entrenched these responses, not weakened them. As a result, the values and norms that first appeared among Generation X are steadily supplanting more traditional workplace values and norms.

Now there are powerful demographic forces underway that will cement the Generational Shift: First, those of the Silent Generation (born before 1946) are gradually exiting the workforce; by 2006, two experienced workers will leave the workforce for every one who enters the workforce. Second, the Baby Boomers (born 1946-1964) are becoming the aging workforce; every day 10,000 Baby Boomers turn 55 years of age. Third, the prime-age workforce will be made up increasingly of Generation X and Generation Y (born 1978-1986).

As Generation X and Generation Y come to dominate the prime-age workforce, they will usher out the last vestiges of the old-fashioned workplace values and norms and finish the workplace revolution.

Welcome to *the real new economy: where employers must be ruthless to survive and individuals must be very aggressive to succeed.*

## **FINDING #1. WORK HAS BECOME MORE DEMANDING ON EMPLOYEES.**

TREND: Productivity (output per labor hour) improvements are coming, not only from new technology, but also from increased human effort and effectiveness.

TREND: Employees are working harder and facing increasing pressure to work longer and/or smarter and/or faster and/or better.

TREND: Employers are reducing tolerance for employee error, waste, and inefficiency.

TREND: Employees must learn and utilize new technologies, processes, practices, skills and knowledge.

TREND: Employees must adjust to ongoing organizational changes, such as downsizing, restructuring, and reengineering.

TREND: Employees receive less management guidance and support.

TREND: Employees work in smaller teams with greater productivity requirements.

TREND: Employees experience less "down time."

TREND: Employees experience greater fear of imminent job loss.

TREND: Employees manifest increased workplace stress and related problems (including anger, interpersonal conflict, and "burnout"); employees express greater need for work-life balance.

## **FINDING #2. EMPLOYER-EMPLOYEE RELATIONSHIPS HAVE BECOME LESS HIERARCHICAL AND MORE TRANSACTIONAL.**

TREND: Traditional sources of authority are being supplanted by new sources: Seniority, age, rank, and rules are diminishing. On the rise are control of resources, control of rewards and control of work conditions.

TREND: Organization charts are flatter; layers of management have been removed.

TREND: Reporting relationships are more temporary; more employees are being managed by short-term project-leaders, instead of "organization-chart" managers.

TREND: Employees' are less likely to agree with employers' stated missions, policies, and decisions.

TREND: Employees are less obedient to employers' rules and supervisor's instructions.

TREND: Employees are more likely to question or challenge employment conditions and established reward structures.

TREND: Employees are more likely to make individual requests regarding desired employment conditions and rewards.

TREND: Employees are more likely to accept employers' stated missions, policies, and decisions, when employers promise a specific quid pro quo.

TREND: Employees are more obedient to employers' rules and supervisor's instructions, when employers promise a specific quid pro quo.

TREND: Employees demonstrate higher productivity, quality, and morale when employers promise a specific quid pro quo.

TREND: Employees are less likely to define "success" in relation to rank or seniority in an organization chart, and more likely to define success in highly personal terms.

### **FINDING #3. EMPLOYERS ARE MOVING AWAY FROM LONG-TERM EMPLOYMENT RELATIONSHIPS.**

TREND: Employers are more likely to undertake major business changes that eliminate jobs regardless of employees' length of service; such changes include mergers, acquisitions, spin-offs, restructuring and liquidations.

TREND: Employers are more likely to implement new technologies that eliminate jobs due to reengineering.

TREND: Employers are hiring fewer "employees" (full-time, exclusive workers), while hiring more contingent workers; and employers' staffing strategies for the future reflect this change.

TREND: "Employees" are diminishing as a percentage of the overall workforce, while the percentage of contingent workers is increasing.

TREND: Employers are less likely to award status, prestige, authority, flexibility, and rewards on the basis of seniority; and employers are more likely to award status, prestige, authority, flexibility, and rewards on the basis of short-term measurable goals.

TREND: Employers are reducing long-term fixed pay as a percentage of overall employee compensation, while increasing the percentage of variable performance-based pay; and employers' compensation strategies for the future reflect this change.

TREND: Employers are reducing the percentage of employee "benefits" (paid for by the company for full-time, exclusive workers) in relation to overall compensation, while increasing the percentage of "employee services" (paid for by the worker on a pre-tax basis); such services include health insurance and retirement savings.

TREND: Employers are less likely to make formal or informal guarantees about continued employment and job security.

## **FINDING #4. EMPLOYEES HAVE LESS CONFIDENCE IN LONG-TERM REWARDS AND GREATER EXPECTATIONS FOR SHORT-TERM REWARDS.**

TREND: Employees are more likely to worry that their prospects for receiving long-term rewards are vulnerable to outside forces, events, or circumstances; these include monetary policy, politics, diplomacy, war, terrorism, and natural disasters.

TREND: Employees are more likely to worry that their prospects for receiving long-term rewards are vulnerable to business factors beyond their control; these include global market shifts, changes in particular industries, and organizational changes.

TREND: Employees are more likely to worry that their prospects for receiving long-term rewards are vulnerable because the future of the organization employing them is not secure.

TREND: Employees are more likely to worry that their prospects for receiving long-term rewards are vulnerable because the continued employment of their immediate supervisors (or other leaders) is not secure.

TREND: Employees are more likely to worry that their prospects for receiving long-term rewards are vulnerable because their own continued employment is not secure.

TREND: Employees are investing a lower percentage of savings in long-term vesting retirement plans and pensions, while investing a greater percentage in self-managed cash balance plans.

TREND: Employees are less willing to make immediate sacrifices in return for long-term promises. Thus, given the choice, employees are more likely to prefer short-term over long-term incentives.

TREND: Employees are more likely to make specific requests for immediate increases in pay, benefits, and work conditions, than long-term.

TRENDS: Short-term incentives are more successful than long-term for maintaining high levels of employee productivity, quality, morale and retention.

## **FINDING #5. SUPERVISORS ARE NOW THE MOST IMPORTANT PEOPLE IN THE WORKPLACE.**

TREND: Employees think of their immediate supervisors as the primary representatives of their employers' missions, policies, systems, and practices.

TREND: Employees rely on immediate supervisors more than any other individuals for assignment of tasks, responsibilities, and special projects.

TREND: Employees rely on immediate supervisors more than any other individuals for resource planning, obtaining necessary resources, and filling resource gaps as they occur.

TREND: Employees rely on immediate supervisors more than any other individuals for planning to avoid problems, identifying problems, and solving problems as they occur.

TREND: Employees rely on immediate supervisors more than any other individuals for training opportunities; this includes informal on-the-job training as well as recommending and/or approving formal training.

TREND: Employees rely on immediate supervisors more than any other individuals for the consideration and approval of desired work conditions; these include scheduling, work-location, working with or avoiding specific co-workers, control of work environment, and "special requests."

TREND: Employees rely on immediate supervisors more than any other individuals for the resolution of disputes with subordinates, coworkers, customers, vendors, other managers and corporate policy or administration.

TREND: Employees rely on immediate supervisors more than any other individuals for task related guidance, coaching, and performance evaluation; this includes daily feedback as well as formal reviews.

TREND: Employees rely on immediate supervisors more than any other individuals for considering, recommending, advocating, and conveying to employees recognition, raises, promotions, and other rewards.

TREND: The day to day communication between supervisory managers and direct reports has more impact than any other single factor on employee productivity, quality, morale, and retention.



## **FINDING #6. SUPERVISING EMPLOYEES NOW REQUIRES MORE TIME AND SKILL.**

TREND: Supervisors are under increasing pressure from senior executives to increase productivity and quality; that means getting more work and better work out of fewer employees, while utilizing fewer resources.

TREND: Average spans of control (the number of employees officially reporting to each supervisor) are increasing; in addition, supervisors are given more responsibility for staffing, recruiting, selection, orientation, training, performance management, and retention; supervisors are also required to deal with more bureaucratic red tape.

TREND: Supervisors must learn to deal with and accommodate the needs and expectations of an increasingly diverse workforce.

TREND: Employees are more likely to make special requests (or demands) of supervisors regarding assignments, work conditions, benefits, rewards, or other special needs.

TREND: Employees need, expect and request more coaching and guidance than they currently receive from supervisors.

TREND: Supervisors report increasing frustration and difficulty in their efforts to deliver special rewards for high performers.

TREND: Supervisors report increasing frustration and difficulty in their efforts to hold employees accountable for overall performance standards, as well as meeting daily goals and deadlines.

TREND: Supervisors report increasing frustration and difficulty in their efforts to implement effective performance improvement plans with low performers; and increasing frustration and difficulty in their efforts to terminate recalcitrant low performers.

TREND: Supervisors who spend less time engaged in managing employees spend more time rectifying employee errors, salvaging lost resources, mediating conflicts among coworkers, resolving complaints from vendors and customers, and solving other problems; these supervisors also spend more time on lower level tasks.

TREND: Supervisors who learn, practice and implement proven management techniques generate higher productivity, quality, morale, and retention; these supervisors also spend more time on high level tasks.

## **ABOUT OUR TEN YEAR WORKPLACE STUDY (1993-2003)**

The research on which this report is based has not concluded. The research is ongoing. Thus, we have included data from the following sources:

**RAINMAKERTHINKING® PRIMARY INTERVIEWS:** We have conducted qualitative interviews with more than 10,000 individuals. Several hundred of these interviews have been longitudinal. Based on our interviews, we have developed hundreds of individual case studies and composite case studies. Our interviews have followed many different question formats and have been conducted by various individuals using various means, including in-person, via telephone, and via email.

**RAINMAKERTHINKING® MANAGEMENT PRACTICES QUESTIONNAIRES:** We have collected detailed management practices questionnaires completed by senior executives from more than 700 different organizations. We started collecting these questionnaires in 1997.

**RAINMAKERTHINKING® INTERACTIVE SEMINARS:** We have led more than 1,000 interactive seminars, logging more than ten thousand hours with hundreds of thousands of participants.

**RAINMAKERTHINKING® FOCUS GROUPS:** We have conducted in-person focus groups including hundreds of respondents each year. Our focus groups have followed many different question formats and have been conducted by various individuals.

**RAINMAKERTHINKING® SURVEYS:** We have conducted surveys including thousands of respondents each year. Our surveys have followed many different question formats and have been conducted by various individuals using various means, including in-person, via telephone, via email, and via our web-site.

**RAINMAKERTHINKING® SPECIAL ACCESS TO PROPRIETARY DATA:** We have reviewed internal survey data from more than 300 individual client organizations; and more than forty benchmarking surveys. This data was collected by our clients and/or by other research firms. We have been given special access to this data as part of our work with client organizations and in connection with our contributions to benchmarking surveys. This data, collectively, represents nearly one million respondents.

**RAINMAKERTHINKING® REVIEW OF PUBLICLY AVAILABLE DATA:** We consistently review available published data, including leading academic research.

**Our research has been the source of fifteen books and hundreds of articles by Bruce Tulgan, Dr. Carolyn Martin, and others from RainmakerThinking, Inc.®, as well as 101 issues of our monthly newsletter. In addition, our research has been cited in dozens of books by outside experts and in articles by more than 1,000 business journalists.**

# ACORN

## Imperative

Suggested approaches to making work environments generationally comfortable and focusing staff's energy on the mission of the organization

A

*Accommodate employee differences*

C

*Create workplace choices*

O

*Operate from a sophisticated management style*

- *supervisory style is not fixed ((control and autonomy are a continuum, not solitary options)*
- *leadership style is situationally varied (sometimes consensually, others by manager, but with input and consultation)*
- *depend less on positional/hierarchical than on personal power*
- *know when & how to make personal policy exceptions without causing a team riot*
- *thoughtful when matching individuals to a team or a team/individual to assignment*

R

*Respect competence & initiative*

N

*Nourish retention*

Category and Module	Competency	Learning Objectives
Critical thinking	Ability to understand the process of developing a critical thinking framework for assessing decision-making and service planning	To articulate the strategies for encouraging critical thinking skills among CA staff
	Ability to encourage critical thinking among staff and develop a unit culture of critical thinking	To develop and implement skills in communication, supervisory relationships, and leadership
		To be able to assess the influence of their "personal framework" on their own thinking and decision-making




**Institute for  
Family Development**

## **Improving Decision Making Through Critical Thinking**

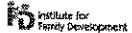
### **Outline**

- I. Introduction**
- II. Model For Reflective Practice**
- III. Personal Framework**
- IV. Errors In Thinking**
- V. Decision Making Steps**
- VI. Encouraging A Culture Of Thoughtfulness**



## Improving Decision Making Through Critical Thinking

Presented by:  
Institute for Family Development

 Institute for Family Development

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## What is Critical Thinking?

Critical Thinking is a systematic approach to considering the information you possess in order to make the best possible decisions.

Critical Thinking involves the careful examination and evaluation of beliefs and actions.

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## Critical Thinking is...

- o Critical Thinking is the active process of trying to minimize the influence of preconception and biases while
  - Rationally evaluating evidence
  - Determining what conclusions can be drawn from the evidence
  - Considering alternative explanations

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### Which Decisions Worry You?

- o Make a list of the difficult decisions you make as a part of your job.
- o Look over your list and identify those decisions that worry you most.

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### How You Make Decisions

- o Complete Handout 1
- o Complete Handout 2

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### Lack of Critical Thinking Can Result In....

- o Misclassifying clients
- o Continuing the intervention too long
- o Focusing on irrelevant factors
- o Selecting weak intervention methods
- o Increasing client dependency

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### Lack of Critical Thinking Can Result In (cont.)

- o Overlooking client strengths and assets
- o Describing behavior unrelated to it's context
- o Terminating the intervention too soon
- o Not arranging for generalization and maintenance of positive gains

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### What's Needed for Effective Practice

- o Self awareness/knowledge of personal framework
- o Professional knowledge (learned in school)
- o Procedural or application knowledge

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### Characteristics of Critical Thinkers

- o Self Examination
- o Self Evaluation
- o Reference to standards in the field when making decisions
- o Mindful expansion of thinking skills
- o Mindful improvement of decision making process

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**Characteristics of Critical Thinkers**

- o Engaging in internal dialogue
- o Engaging in dialog with others
- o **FEARLESS QUESTION ASKER**

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**Cynic vs. Skeptic**

- o Cynic - believes human conduct is motivated by self interest, questions underlying motives.
- o Skeptic - doubts, questions, or suspends judgments; not easily persuaded.

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**Reflective Practice Model**

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### Personal Framework Exercise

- o Working individually, sort Values Cards, placing them under one of the five heading cards ("Very Important" etc)
- o Pick top six values in the "Very Important" pile and set aside
- o Set aside any values in the "Not Very Important" or "Not At All Important" category

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### Personal Framework Exercise

- o Small Group Discussion:
  - How do my values and personal framework influence and impact my work?
  - How might my "Very Important" values influence my decisions?
  - How might any "Not Very Important" or "Not At All Important" values impact my decisions?

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### Kinds of Thinking

- o Reasoning
- o Problem Solving
- o Meta Cognition
- o Creativity

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### Common Practice Fallacies

- o Relying on Case Examples
- o Relying on Testimonials
- o Vagueness
- o Assuming Soft-Hearted Therefore Soft-Headed
- o Being Biased Not Objective

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### Common Practice Fallacies (cont'd)

- o Reliance on Newness/Tradition
- o Accepting Uncritical Documentation
- o Post Hoc Ergo Propter Hoc
- o Focusing Only on Successes

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### Focusing Only on Successes

		<b>Improved</b>		<b>Not Improved</b>	
		Cell A	Cell B	Cell C	Cell D
<b>Client Participate in Treatment</b>	<b>Yes</b>	Successes	Failures		
	<b>No</b>	Spontaneous Recovery	Untreated, Unimproved		

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### Fallacies that Occur Between People and In Groups

- o Ad Hominem
- o Appeal to Authority/Ad Verecundium
- o Diversion/Red Herring
- o Stereotyping
- o Manner or Style

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### Fallacies that Occur Between People and In Groups (cont'd)

- o Groupthink
- o Bandwagon
- o Either/Or or False Dilemma
- o Straw Man Argument

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### Fallacies in Clinical Reasoning

- o Hindsight Bias
- o Fundamental Attribution Error
- o Ignoring Framing Effects
- o Availability

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Fallacies in Clinical Reasoning (cont'd)

- o The Law of Small Numbers
- o Gambler's Fallacy
- o Anchoring and Insufficient Adjustment

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Culture of Thoughtfulness

- o Complete scale
- o Add up your numeric score
- o Answer questions 2 and 3 on page 19, if time permits

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Critical Thinking Questions to Ask When Making Decisions

- o What evidence do I have?
- o What assumptions have I made?
- o What are alternative explanations?
- o How is my personal framework affecting my thinking?
- o What errors of thinking am I making?
- o What can I do to get the information I need to reach a well thought out conclusion?
- o How can I prompt critical thinking in myself and others?

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- o Gambrell, E. (1997). *Social Work Practice, A Critical Thinker's Guide*.

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- o Paul, R. and Elder, L. (2006). *The Thinker's Guide to Fallacies: The Art of Mental Trickery and Manipulation*.
- o Paul, R. and Elder, L. (2005). *A Guide For Educators to Critical Thinking Competency Standards*.

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## Evaluations

- o Please complete evaluations, providing comments in addition to your numerical ratings.
- o Thank you very much.

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**For more information contact:**  
Institute for Family Development  
34004 16<sup>th</sup> Avenue South, Suite 200  
Federal Way, WA 98003  
(253) 874-3630  
[www.institutefamily.org](http://www.institutefamily.org)  
[sleavitt@institutefamily.org](mailto:sleavitt@institutefamily.org)

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<b>Category and Module</b>	<b>Competency</b>	<b>Learning Objectives</b>
Clinical Supervision	Ability to understand the role of the supervisor and the concept of "caught in the middle"	Can articulate the phases of interactional supervision
	Ability to understand the interactional model of supervision	Can describe the essential supervisory skills of communication, relationship building, and group leadership
	Ability to work with individual staff members using interactional supervision strategies	Can articulate ways to mobilize staff to support one another in times of stress or traumatic events



## SKILLS OF SUPERVISION

**DR. LAWRENCE SHULMAN, M.S.W., Ed.D.**  
Professor, School of Social Work, University at Buffalo

### First Day

9:00 AM - 9:30 AM	Contracting and Identification of Examples
9:30 AM - 10:30 AM	Overview of the Interactional Model of Supervision: Preliminary Phase of Work - The Core Skills of Supervision
10:30 AM - 10:45 AM	Break
10:45 AM - 12:00 PM	The Engagement Phase of Practice and Supervision: Contracting with the supervisee
12:00 PM - 1:15 PM	Lunch
1:15 PM - 2:45 PM	Working with the Difficult Staff Member
2:45 PM - 3:00 PM	Break
3:00 PM - 4:00 PM	Supervision of Direct Practice: Teaching the Helping Skills
4:00 PM - 4:30 PM	First Day Summary

### Second Day

9:00 AM - 9:30 AM	Review of Day One: Questions and/or Comments
9:30 AM - 10:30 AM	The Middle Phase of Practice and Supervision
10:30 AM - 10:45 AM	Break
10:45 AM - 12:00 PM	Working with The Informal and Formal Staff Groups
12:00 PM - 1:15 PM	Lunch
1:15 PM - 2:45 PM	The Supervisor's Role When "Caught-in-the-middle".
2:45 PM - 3:00 PM	Break
3:00 PM - 4:00 PM	Jobs Stress and Case Trauma: Moderating the Impact on the Supervisee and His or Her Practice
4:00 PM - 4:30 PM	Evaluation and wrap-up □

DR. LAWRENCE SHULMAN

ADVANCED SKILLS OF CLINICAL SUPERVISION

The focus of this workshop will be on method - what the supervisor or manager does in interaction with staff. Essential skills in communication, relationship, and group leadership will be described and illustrated. A special emphasis on clinical supervision of practice and on the impact of trauma on workers and supervisors will be included. The concept of "parallel process" will be used to describe how supervisors teach clinical skills through the way they supervise their staff.

\* The contracting or engagement phase for the new manager (new to the job or in relation to a new worker joining the staff). Variations on the theme include the problems related to being promoted from within (supervising former colleagues, etc.) as well as being brought in from the outside (the "hired gun" syndrome - straighten out the staff orders, etc.). Issues raised when one supervises inter-ethnically (across race, ethnicity, gender, etc.) and intra-ethnically (within race, ethnicity, etc) will be addressed.

\* Working with the individual staff member. May include the following examples and issues: defensive staff; resistance (active and passive); the teaching role in relation to casework skills; evaluation; staff members experiencing personal problems which affect their clinical practice.

\* Dealing with the impact of traumatic events. Of particular focus will be the impact of stress (e.g., workload or the difficult nature of cases involving issues such as sexual abuse and family violence) and trauma (e.g., the death of client or public attention on agency practices). Supervisors will be helped to identify ways they can mobilize staff to provide support to each other. Processes such as flight/flight, using macabre humor, and agency hyper-activity will be described as maladaptive means for coping.

## THE PHASES OF WORK

### 1. PRELIMINARY PHASE

**TUNING IN.** An exercise in which the supervisor develops a tentative, preliminary empathy with the staff member's feelings as well as those of the supervisor.

**RESPONDING DIRECTLY TO INDIRECT COMMUNICATIONS.** The skill of articulating a staff member's thoughts and feelings in response to indirect communications.

### 2. BEGINNING PHASE

**CLARIFYING PURPOSE.** The skill of making a brief, opening statement, without jargon, which helps to clarify the purpose of supervision.

**CLARIFYING ROLE.** The skill of describing in a brief, non-jargonized manner, the kind of help the supervisor can provide.

**REACHING FOR FEEDBACK.** The skill of encouraging workers to explain their perception of the problem and the areas in which they wish to receive help.

**CLARIFYING MUTUAL EXPECTATIONS.** Developing an agreement on what the worker may expect of the supervisor as well as defining the staff member's obligations.

**DISCUSSING AUTHORITY ISSUES.** Dealing with any issues, raised directly or indirectly, which concern the authority of the supervisor (e.g., evaluation; confidentiality; the worker's past experiences with supervisors).

### 3. MIDDLE (WORK) PHASE

**SESSIONAL TUNING IN.** The skill of developing a tentative, pre-liminary empathy for issues which may emerge at the start of a specific session (e.g., the impact of a traumatic event in a staff member's life; issues left over from the previous session; the staff member's potential reactions to information the supervisor must share).

**SESSIONAL CONTRACTING.** A collection of skills designed to determine the issues or concerns facing workers at a particular session. These may include: remaining tentative at the start of the session while listening for indirect cues; asking workers what is on their minds; raising previously agreed upon issues directly with the worker and checking to see if they are still relevant; checking in with group members at the start of a session.

February 10, 2005

**ELABORATING SKILLS.** The skills required for helping workers to tell their story (e.g., listening, containment, questioning, reaching inside of silences).

**EMPATHIC SKILLS.** The skills which address the emotional content of the staff member's experiences (e.g., reaching for feelings; acknowledging feelings; articulating the staff member's feelings).

**SHARING SUPERVISOR'S FEELINGS.** The skill of spontaneously sharing appropriate supervisor affect which is in response to the productions of the workers. Boundaries need to be respected so that the sharing of supervisor affect is professional and responsive to the needs of the workers. Issues of counter-transference, worker stereotyping, inappropriate supervisor frustration, etc., need to be considered and closely monitored.

**DEMAND FOR WORK.** A facilitative confrontation in which the supervisor asks workers to engage in the work agreed upon in the contracting stage. Specific skills can include confronting denial, reaching inside of a silence, directly raising a taboo issue, challenging the "illusion of work", etc.

**PROVIDING DATA.** The skill providing relevant, unavailable information which workers need to deal with the task at hand. Data can include facts, values, beliefs, etc. Data should be provided in a manner which leaves it open to challenge.

**SESSIONAL ENDINGS AND TRANSITIONS.** The skills involved in bringing a session to a close. These skills may include summarizing, evaluating progress and discussion of transition issues (e.g., the staff member's next step; how to deal with "door knob" communications; role play of anticipated future conversations based upon the work of the session).

#### 4. ENDING AND TRANSITION PHASE

**POINTING OUT THE ENDINGS EARLY.** The skill of raising the impending termination of supervision in a timely manner designed to allow the ending/transition phase to be experienced as a process rather than an abrupt disruption.

**IDENTIFYING THE STAGES OF ENDINGS.** The skill of pointing out to staff the verbal and non-verbal clues which indicate the stages of the ending process: denial; anger; mourning; bargaining; trying it on for size; and the "farewell party" syndrome.

**MUTUAL EXCHANGE OF AFFECT.** The honest exchange of feelings by the supervisor and his/her clients, both positive and negative feelings, which may be associated with the termination of the helping process.

**IDENTIFYING THE LEARNING.** The skill of helping staff to review the work and to summarize the important ideas, insights and feelings which have emerged during the sessions. This process also involves the supervisor's crediting the worker for her/his progress.

**REACHING FOR POSITIVES AND NEGATIVES.** The skills involved in helping staff to avoid an overly positive evaluation which ignores the negatives or an overly negative evaluation which disregards the positives.

**IDENTIFYING NEXT STEPS.** The skills involved in helping workers to identify the next steps they need to follow (e.g., where a worker will get ongoing support; how the worker may best make use of the help of the next supervisor).

#### **BOOKS**

1. Shulman, Lawrence. *The Skills of Helping Individuals Families and Groups, 4th Edition*, F.E. Peacock Publishers, Itasca, Illinois, 1999.
2. Shulman, Lawrence. *Interactional Supervision*. National Association of Social Workers, Silver Springs, Maryland, 1993. (1-800-227-3590)
3. Shulman, Lawrence. *Supervision and Consultation*. In, *The Encyclopedia of Social Work*. National Association of Social Workers, Silver Springs, Maryland, 1995.

# **A FRAMEWORK FOR CASE PRACTICE SUPERVISION**

## **SOME GUIDING PRINCIPLES**

**In developing an approach to providing the professional component of supervision it is usually helpful to establish some principles which will guide the process. Principles to consider include:**

- **Encourage and allow the social worker to determine the case issues to be discussed**
- **Keep the session client focused**
- **Keep the session focused on the work being done with the client and the impact of the client-worker relationship**
- **Reinforce the mutual and interactive nature of this component of supervision**
- **Establish a supervision "contract" with the social worker**
- **De-emphasize authority**
- **Encourage reflection and self-learning but provide answers and suggestions when appropriate**
- **Support strengths and skills first and then help social worker look at areas of weakness**
- **Encourage lively discussion and debate about the case issues presented**
- **Dealing with the social worker's feelings is acceptable as long as it is related to "feelings in pursuit of purpose"**

## **THE SUPERVISORY SESSION MODEL**

**Over time each supervisor develops their own case practice supervision model. While these models will vary with each supervisor and practice setting, they should contain the elements necessary for providing the professional component of supervision. The supervision model developed by Shulman (1982) provides an excellent framework for case practice supervision and consultation. This model parallels the Experiential Learning Cycle of "Experiencing", "Publishing", "Processing", "Generalizing", and "Applying". (See Module 2, pages 39-41)**

- **Tuning-in for the Session**
- **Contracting for the Session**
- **Elaboration of the Concern**
- **Communicating Empathy**
- **Making the Demand for Work**
- **Ending the Session**

## **Tuning-in for the Session**

Spending a few moments anticipating the issues, concerns that the staff member may want to discuss in the session is a helpful exercise. Tuning-in also means considering the feelings which the social worker may bring to the session. Since supervision is a mutually interactive process, the supervisor should also try to tune-in to the issues, concerns, feelings which they themselves bring to the session.

## **Contracting for the Session**

Even though the supervisor and social worker may have a general understanding or "contract" regarding supervision, it is helpful to develop an agreement regarding the time, length, topics to be discussed in each session. When providing the professional component the social worker should be asked to identify the case practice issues they wish to discuss. Once this has been done the supervisor can add any related issues they wish to address.

## **Elaboration of the Concern**

Once the social worker has identified the issue, the supervisor's task is to help the worker provide an elaboration of the concern. This elaboration provides the supervisor with a clearer picture of the problem and the social worker's feelings about the situation. Elaboration can be facilitated by:

- moving from a general statement of concern to one which is specific
- avoiding giving suggestions or problem-solving until the social worker has been able to present fully the specific concern
- active listening
- reaching into silences
- using probing and open-ended questions

## **Communicating Empathy**

Effective supervision is built on the relationship between the supervisor and social worker. So, after the concern has been elaborated it is important (where appropriate) to communicate empathy for the worker's situation. This enables the social worker to experience that their issue and feelings have been heard and understood. Communicating empathy is not simply the mechanical use of communication techniques. No matter the approach or the method chosen the expression of empathy must be genuine. Unless the social worker perceives the empathic approach as genuine it will be dismissed as insincere or manipulative. Some approaches to communicating empathy include:

- reaching for the feelings behind the concern or the words used
- acknowledging the feelings expressed
- putting the social worker's feelings into words

## **QUESTIONS TO FACILITATE REFLECTION**

Reflection and self-learning are important skills which social workers need to learn as they develop professionally. Reflection and self-learning assist the social worker to take increasing responsibility for their own practice and helps them move towards the goal of "self-supervision". The supervisor can facilitate this process through asking questions which encourage the development of these skills.

In addition to the questions outlined in the "Experiential Learning Cycle" (Module 2, pages 39-41), the following questions have been found to be helpful in promoting reflection and self-learning:

- What do you like about this family or family member?
- What feelings do you have about this family or family member?
- What do you think the family feels about you?
- What is there about you that you think the family likes?
- What aspects of yourself do you see in this family or family member?
- Theoretically what is the basis of your assessment or what you have just presented about the family or family member?
- On what basis did you decide to use that approach?
- On what basis did you decide on that service goal or service priority?
- What was the major focus of your last interview/visit?
- What are your major concerns about this case?
- What do you plan to do next?



Category and Module	Competency	Learning Objectives
MEPA/IEPA for Supervisors	Ability to understand the Federal requirements of MEPA/IEPA as they pertain to placement and adoption.	Can identify the main objectives and purpose of MEPA/IEPA.
	Ability to understand the concept of "Strict Scrutiny" and its application to individual cases.	Can describe the "Strict Scrutiny" standard.
	Ability to conduct a family and child assessment that complies with MEPA/IEPA.	Can apply the goals of child and family matching in compliance with MEPA/IEPA

**Welfare Placement Act 2  
Interested Adoption Act**

**Implications for Practice**

Laurel Mayer, MSW, Cathryn Green, MSW, & Paulette Caswell, MSW  
Region IV DSHS Children's Administration - State of Washington

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**Goals for Today**

- Understanding children's best interests in the consideration of RCNO; and
- Practical guidance for social workers on how to comply with MEPA/IEPA in their daily practice of:
  - 1. Assessing children's needs
  - 2. Assessing preparation of families
  - 3. Child/Family matching

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**What is RCNO?**

- Race: a group of people with shared physical traits e.g. Black, Caucasian or Asian
- Color: skin tone or complexion
- National Origin: a child or parent's ancestry e.g. Columbian, Ukrainian, Filipino



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### Two Main Principals of the Laws

- Prohibits use of a child's or prospective parent's RCNO to delay or deny the child's placement for foster care or adoption
- Requires states to provide for the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of the children in care for whom homes are needed



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### Social Work Practice

- Typically centers on the first main principal
- Misinterpretation and confusion about the law is common and
- Often results in SW's avoiding any consideration of RCNO for fear of violating the law or
- Consideration of RCNO occurs in violation of the law



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### Assess Child for Placement

- GOALS of this Section:
- Decrease confusion about considering RCNO in placement decisions for individual children
- Provide tools for individual child decision-making process



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- Break into teams of about 5-6 people.
- Review the scenario.
- In 5 minutes your team will report to the larger group:
- Your answer;
- How you came to that answer; and
- Was there dissention within the team?

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### Jose scenario

Jose is a 15 year old Hispanic youth with a history of being physically abused in a Hispanic relative home and sexually abused in a Caucasian foster home. His case plan is adoption and he requests that you seek an African American family because "the only time I ever felt safe was when I was with a Black family."

Can you honor his request?

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### Sarah scenario

Sarah is a 10 month old bi-racial African American/Caucasian girl in a temporary foster home. Her mother wishes to relinquish parental rights. She has 6 half-siblings previously adopted by African American grandparents who state they cannot adopt her and that they "don't really know any white folks and don't really want to." Sarah has been visiting her siblings and grandparents 2x/mo for 9 months.

Can the RCNO of prospective adoptive parents be a factor in your decision for her adoptive placement?

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**Beth scenario**

Beth's birth mother is a Cambodian parent who wishes to relinquish parental rights with the assurance that 6 mo old Beth will be placed with a same RCNO family.

Will you honor her request?

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**June scenario**

June is a 3 year old bi-racial African American/Caucasian child who displays a significant PTSD response to all Black men (she is traumatized and either becomes inconsolably hysterical or completely 'shuts down').

What factors will you consider in searching for a family to place her with?

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**Assessing Child's Needs:  
Things to Consider**



You may not delay or deny placement of a child into a foster or adoptive home in hopes of identifying a same RCNO home, or require a specific time frame to search for a same RCNO home when one is not available.

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**Assessing Child's Needs continued:**

You may conduct a search but the search cannot be limited to same RCNO homes except.....

- When the individual child has a specific and demonstrable need for a same RCNO home.
- The child's "compelling" specific and demonstrable need must "advance the best interest of the child" and
- Must be an interest that satisfies the "strict scrutiny standard."

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**What is the "Strict Scrutiny" standard?**

An individual assessment of the child must be conducted to determine whether consideration of RCNO *is in the best interest* of the child in light of that child's unique circumstances which may include:

1. Traumatic experience of child related to RCNO
2. Child is fearful/distrustful of certain RCNO
3. Child has always lived in community or environmental setting that would make adjustment to a different RCNO difficult

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**the "Strict Scrutiny" standard continued**

- **DOCUMENTATION** of the individualized child assessment is required including who was present, the factors considered, and the decision-making process
- Contracted assessments (FCAP, REACH) may be used. \***DOCUMENTATION** of informing the contracted evaluator of the law is required.

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### Assessing Child's Needs continued: More Things to Consider

- Culture can not be used as a "proxy" for RCNO
- MEPA & IEPA do not address the consideration of culture in placement decisions and HSS (the feds) does not define it
- Acceptable, non-discriminatory issues to consider may include: holidays, ability to communicate, religion, or food



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### Assessing Child's Needs continued: More Things to Consider

- A child's request for a family based on RCNO can only be honored if the child has reached the age of consent for adoption: 14 years and older



- A search may be conducted but can not be limited to same RCNO except in the rare case when compelling, specific, and demonstrable need exist as described above

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### Assessing Families for Placement



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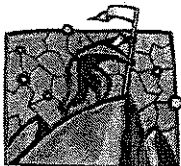
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### Assess Family for Placement

GOAL of this Section:



- Decrease confusion about considering RCNO in assessing families for children

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### Assessing Families for RCNO

Consider this scenario:

Bob and Sue, a professional Caucasian couple in Duvall, WA, are applying to be foster and adoptive parents for African American children.

1. What questions can you ask to assess their cultural competence?
2. What information/resources can you provide them related to Transracial adoption?

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### Assessing Families

Things to Consider:

- The agency must conduct recruitment of families that reflect the RCNO of children in care that need a home (e.g. second main principal of the law).
- Every family must be assessed the same way.
- The Social Worker may assess a family's preparation to meet a child's needs related to RCNO as part of assessing their preparation to meet all the child's needs e.g. sex, age, developmental, medical, emotional/behavioral, etc.




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### Assessing Families Continued

SW may NOT 'single out' or treat parents differently who want to parent across RCNO...

- SW may NOT ask 'what' a family knows about RCNO's different from its own
- SW may NOT assess whether a family's 'activities' reflect knowledge/appreciation for RCNO of child they desire to parent
- SW may NOT require prospective parents to take 'different or extra steps' to parent based on parent's or child's RCNO

...BUT, the SW may ask the same questions of and provide the same information to EVERY family

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### Questions We May Ask

- Describe the characteristics of the child you envision adopting (or fostering), such as age, sex, ethnicity, special needs
- How will you meet this child's needs?
- Describe how this child will fit in or be accepted into your family and community

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### Assessing Families Continued More Questions We May Ask

- What would you do to help a child preserve and appreciate his/her heritage?
- Please describe situations you may find most difficult to parent
- SW may ask for clarification of applicant's written response to these questions or ask the questions again

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### Assessing Families Continued

- SW may provide information to parents that will help them care for children with specific hair and personal care issues, i.e. the 'African American Hair/Skin Care' class is offered and available to *all* foster and adoptive parents
- SW may ask *all* parents if they are interested in learning more
- SW may provide opportunities such as training IF same opportunities are available to *all* prospective parents

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### Assessing Families Continued

#### Assessing Cultural Competence



- An agency may NOT use a 'cultural competence test'
- SW may NOT ask prospective parents to assess their own 'competence' to parent a child w/RCNO different than their own
- SW may NOT ask/consider 'why' family wants to parent across RCNO

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### Assessing Families Continued

Agency may NOT create/allow a process where prospective parents across RCNO are subjected to:

- A longer/more invasive home study examining across RCNO issues
- Requests specific to parenting across RCNO (such as developing a parenting plan)
- Requests to learn about a different RCNO in advance of parenting (such as requests to review specific material or engage with others of a specific RCNO)

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### Assessing Families Continued

From Home Study Outline Section L 5:

- 5. The relevance of the child's racial, ethnic, and cultural heritage:



How do we obtain the information for this section of the home study?

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### Assessing Families Continued

From DCFS Unified Home Study Guidelines:

#### CULTURE

A person's cultural background includes such things as family traditions, customs, religion, ethnicity and lifestyle. Describe the applicant's cultural background.

- > Do you speak any other languages?
  - > Does the applicant have identified American Indian heritage? If so, is s/he enrolled/eligible for membership into a Tribe? What Tribe? If applicant discloses Native American ancestry, worker must follow WAC 388-73-044.
- \*\*NOTE: ICWA does supersede MEPA/IEPA

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### Assessing Families Continued

- Describe the child you see yourself parenting including age, sex, ethnicity, language, health, development, etc.
- Describe how your extended family, social support system and community will accept and support this child.
- What challenges do you anticipate parenting the child you describe?
- What resources do you anticipate you may need to parent this child?
- What are your views regarding the importance of race, ethnicity and culture in parenting?

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### Assessing Families Continued

The social worker's role is to assess the family's ability to meet the needs of the child they have identified they are willing to parent.

Your recommendation is based on your assessment of their ability to meet the identified child's needs; not on what the family has said they wish to do.

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### Child & Family Matching

GOALS:

- Apply what we've learned
- Find the best family for a child



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### Child & Family Matching

6 year old, legally free, bi-racial H/C Marco has lived with his Caucasian grandparents 4 years. They have applied to adopt him and at each meeting they express their disgust for his "filthy Mexican" father. Marco tells you they said "Mexicans are dirty and bad, so does that mean I'm dirty and bad?"



How will you determine whether his grandparents are a good match for him?

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- Return to your original group
- Review approved adoptive families
- Make a decision about matching your child with one of these families
- In 15 minutes be prepared to report your decision to the larger group including:
  1. What is your decision;
  2. How you came to that decision; and
  3. Is there more you wanted to know about them?
  4. Was there dissention within the team?

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### What we hope you take away today

- Child Assessment:
  - Each child's needs are unique and assessed individually;
  - team approach;
  - Document, document, document
- Family Assessment:
  - All families are evaluated in the same way including interviews, information provided, etc.
- Child & Family Matching:
  - Each match is unique
  - Team approach
  - Document, document, document

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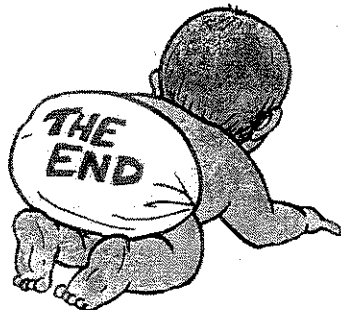
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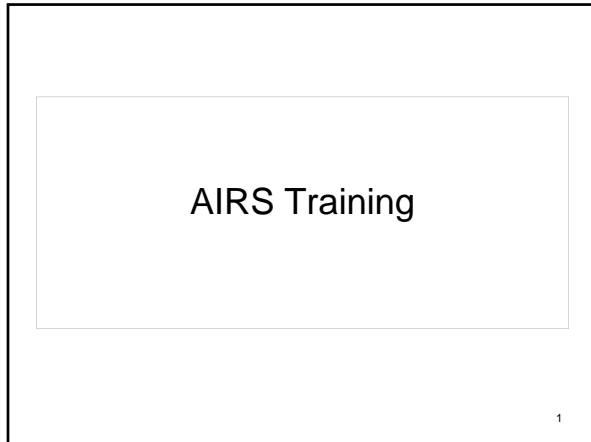
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### Allegations of Employee Misconduct

- **Allegations of employee misconduct or criminal conduct are not documented in AIRS.** If an allegation of misconduct or criminal conduct could potentially receive media or other high profile attention, notification through the chain of command is made as soon as possible by telephone up to the Office of the Assistant Secretary.
- Allegations of employee misconduct are found:
  - DSHS Personnel Policy 545
  - DSHS Administrative Policy No. 6.0
  - DSHS Interagency Agreement and protocol for complying with Executive Order 96-01

2

**AIRS** ADMINISTRATIVE INCIDENT REPORTING SYSTEM

- New Incident
  - Record a new Administrative Report of Incident
- Select/Select Existing Incident
  - This option lets you locate existing incidents in the system. Once located, options are presented for editing or printing an incident. Child Fatality Reviews (CFRs), Work Plans and Follow Ups are also accessed using this option.
- System Reports Menu
  - Display/generate sub menu of reports on new page.
- Update User Information
  - Use this option to change your password, update name or phone number, etc.
- Access Fatality Log
  - Use this area to access the Fatality Log records that do not correlate to AIRS Incidents.
- AIRS Alert System
  - Lists who will get AIRS alerts for various incident types and locations.
- Log Off
  - Remember to logoff when done using the system. You can either click this link or the [Log Off] button near the top of the page.
- System Feedback Area
  - Display or add feedback items, bug reports, suggestions, etc.

3

### Searching Existing Incidents

- Prior to creating an incident report you search AIRS to prevent the duplication of reports.
- Select the “Search/Select Existing Incident” option from the Main Menu.
- Select the type of incident you are searching and provide any other relevant information. You can also search by child name or adult name or incident date.

[To search all children in AIRS alphabetically, put a % in the child’s Last Name Box on the Search screen and do not select an incident type.]

4

### Searching Existing Incidents

Click Search after you are done with setting the parameters

- A list of incidents will be displayed on your screen showing those AIRS reports that fit the parameters you chose.
- Access rights to each incident are reserved for staff who have been related to the incident and provided Staff Access.
- If you are authorized to access an incident, several icons will be displayed directly beneath the incident. Hint: A description of what an icon represents will be displayed when you rest the cursor directly on the icon.
- All staff, regardless of access privileges, has authority to add a follow-up to an incident.

5

### Creating a new AIRS Incident

If search comes up empty, click the green “New Incident” button at the top of that screen (or you can go to “Exit to Main Menu” and click New Incident).

Fill in the data fields

Blue background field means it is a required data field

When done, click “Create Incident”

Red text means you did not fill in a required data field and it will not allow you to save it until you correct the matter

6

**Creating a new AIRS Incident**

Specific information required is requested (blue is required)

- Incident Date
- Region and Office involved
- Preparer will automatically show up as the person logged in and creating the new incident
- Facility involved
 

*Definition of facilities and foster homes include:*

  - Foster homes, facilities, private agencies licensed by the DLR.
  - Licensed childcare facilities licensed by DEL or facilities that meet the criteria for child care licensing.
  - Other Licensed, certified or state-operated facilities.
  - A person or agencies subject to licensing under RCW 74.15
- Incident Type
 

Identify at least one incident type, multiple incident types can be selected. Many of the incident types require that you also select a sub type from the list displayed when you select the type.

7

**INCIDENT TYPES**

- Child Fatality
- Near Fatality
- Client Related and Placement Exceptions
- Staff Safety
- Provider Incident
- High Profile
- Theft/Vandalism/Property Damage
- Other Incident Type

**Remember: Allegations of employee misconduct or criminal conduct are not documented in AIRS.**

8

**Incident Type: Child Fatality**

- Death of any child that is suspicious for CA/N regardless of any CA history
- Death of a child (from any cause) whose family is open to CA, or has history within the prior 12 months
- Death of any child (from any cause) in a licensed facility (including DEL child care)

If Intake creates an intake regarding a reportable child fatality it must also be reported in AIRS. This will include information only referrals, as well as those accepted for investigation.

9

**Incident Type: Child Fatality**

If the incident involves a Child Fatality you must identify the name of the primary child. Each deceased child gets a separate AIRS

Child Fatality - drop down box sub-type choices

- Accidental (*MVC, fall, drowning, positional asphyxiation*)
- Homicide (3rd Party)
- Homicide (by abuse) – by parent or caretaker/in loco parentis
- Natural/Medical (*SIDS, SUDI, illness, medical, "attended" deaths, expected or unexpected*)
- Suicide (*reported as such by Coroner, Medical Examiner, attending physician, law enforcement*)
- Unknown/Undetermined

See AIRS Companion Guide – Appendix A - Definitions

10

**Incident Type: Near (Child) Fatality**

A *near-fatality* is defined as an act that places the child in serious or critical condition (RCW 74.13.500).

AIRS Companion Guide (Appendix A - Definitions): For the purposes of this section, "near fatality" means an act that, as certified by a physician, places the child in serious or critical condition. The secretary is under no obligation to have an act certified by a physician in order to comply with this section.

Child near-fatalities must be reported if:

- the near-fatality is a result of alleged child abuse and/or neglect on an open case or on a case with CA history within 12 months.
- the near-fatality occurred in a CA or DCCEL licensed facility.

All reports of a near-fatality meeting the above criteria must also have a new intake created.

A Near Fatality which later becomes a fatality due to the originally reported circumstances will not require a new referral. An update to AIRS and a case note will suffice.

11

**Incident Type: Near (Child) Fatality**

If the incident involves a Near-Fatality you must identify the name of the primary child and if more than one child is a near fatality, then each is considered a separate incident.

Near Fatality drop down box choices

- Accidental Injury
- Illness/Natural Cause
- Physical Assault
- Unknown/Undetermined

12

**Incident Type: Near (Child) Fatality**

- **Unknown/Undetermined:** Cause of near-fatality is unknown or undetermined at the time of the report.
- **Natural/Medical:** Determined to result from natural/medical reasons.
- **Accidental:** This includes, but is not limited to vehicle accidents, falls, drowning, and/or any other near fatality that is alleged to have been accidental in nature.
- **Suicidal:** Any near-fatality alleged to have been the result of a suicide attempt.
- **CA/N by Caretaker:** Near-fatality alleged to be the result of child abuse and/or neglect by a parent or caretaker acting in loco parentis.
- **Inflicted Injury by Other:** Near-fatality alleged to have been the result of an inflicted injury caused by an individual that is not the parent or a person or acting in loco parentis.

13

**Incident Type: Client Related**

- While client related has been used for incidents involving parents (homicide of a mother of a dependent child) the intent of this category appears to be focused on child clients.
- A IRS manual states "For the purpose of completing an Administrative Report of Incident, a child client is defined as a child (or youth up to age 21) in the care, custody and/or supervision of the Children's Administration (per RCW 26.10) and/or the Department of Social & Health Services as it relates to services CA provides.
- An A IRS report must be made on the following client related incidents:  
 Client Related and Placement Exceptions drop down box choices  
 PlcmntExc-Hotel  
 PlcmntExc-Office  
 PlcmntExc-Apartment  
 PlcmntExc- Adult Facility  
 Inflicted Injury  
 Other  
 Property Damage  
 Restraint  
 Sex. Contact Involv. Residents  
 Suicide Attempt

14

Client Related And Placement Exceptions Definitions

**Serious Injury:** Serious injury of a child client requiring professional medical treatment (beyond first aid treatment) alleged to be the result of (a) physical abuse, (b) unexplained injury or (c) an injury that is not consistent with caretaker's explanation. Note: If it is a life-threatening injury, report the incident as a "Near Fatality."

**Allegation of Molestation or Rape:** Allegations of molestation or rape by an adult caretaker of a child client who is in the care and supervision of the department, or incidents involving multiple victims and/or patterns of molestation or rape between child clients placed by the department. Identify if the incident involved two residents in a facility, siblings, the caretaker, or third party adult.

**Suicide Attempt:** Any suicide attempt that results in injuries requiring hospitalization of a child client.

**Placement exceptions:** Child is placed in one of the following placements: a) an institution not designed for foster children, such as adult mental hospitals or detox programs where children and adults are co-mingled, b) a foster home without special training to provide the safety of children where children reside who are sexually aggressive, physically assaultive or who have demonstrated a pattern of assaultive behavior; c) at DSHS offices due to no placement resources being available or at detention facilities once legal holds are eliminated or d) apartments, motels, unless an appropriate licensed foster family or relative caregiver is not available and only with approval from the Regional Administrator and a determination that adequate supervision is provided for the child.

**Other:** Any other client-related critical incident that does not fall into one of the previously identified situations

15

**Incident Type: Staff Safety**

**Staff Safety Incident or Potential Threat of Harm drop down boxes**

- Environmental Hazard
- Illness Serious-Communicable
- Other
- Phys Assault by Client
- Phys Assault by Other
- Serious Threat of Harm
- Traffic Accident

For additional information on staff safety, see Operations Manual 8600.

Individuals reporting a staff safety incident are required to indicate in A IRS whether or not the incident resulted in serious injury that required professional medical treatment.

Definitions/Examples see next slide ☞

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**Staff Safety Incident or Potential Threat of Harm**

**Serious Threat of Harm:** A staff member or contracted provider feels their safety was/is in jeopardy, or they were/are at risk of harm as a result of receiving a threat.

**Illness Serious/Communicable:** Exposure to any blood borne pathogens, Tuberculosis (TB), or any other serious/communicable illness (constituting a risk to others on the job) that would be classified by the Department of Health as requiring further evaluation, testing, and community education.

**Environmental Hazard:** Exposure of a staff member to any environmental hazard while in the course of carrying out job duties that require medical consultation to ensure the health of that staff (e.g. exposure to methamphetamine manufacturing materials).

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**Staff Safety Incident or Potential Threat of Harm**

**Traffic Accident:** A traffic accident that occurs while a staff member is in the process of carrying out his or her job duties, whether in a personal or state-owned vehicle.

**Physical Assault by Client:** Assault of a staff member by a child, parent, or individual identified as a client receiving services from the department. Immediately notify Law Enforcement and document the jurisdiction and police report case number in the "Community" Section of A IRS.

**Physical Assault by Other:** Assault of a staff member by any other person (non-client) that occurs during the course of the staff member carrying out his or her job duties. Immediately notify Law Enforcement and document the jurisdiction and police report case number in the "Community" Section of A IRS.

**Other:** Any other serious issue that threatens the safety of staff.

18



**Incident Type: Facility or Foster Home (Provider Incident)**

An allegation of licensed provider misconduct is reported in AIRS by supervisors or management personnel.

Requirements include criminal activity that would disqualify a licensed provider from providing care to children (see WAC 388-06-0170 & 388-06-0180), allegation of sexual abuse/sexual exploitation, and an emerging pattern of high-risk child abuse and/or neglect referrals

Provider Incident Allegation drop down box choices

- Child-Abuse Neglect Related
- Criminal Activity
- Drug-Alcohol
- Inappropriate Conduct Toward Staff
- Other
- Sexual Abuse

When an administrative incident meets one of the aforementioned reporting requirements and occurred in, or involved one of the residents and/or staff in a facility or foster home, the Facility-Foster Home Section in AIRS is completed.

19

**Incident Type: High Profile**

Incidents that may generate significant interest by the media, the legislature and/or the Governor's Office.

Incidents reported as "high profile," including those marked high profile by intake, are to be reported in AIRS and must include an explanation (specific text box) regarding the reason it is deemed "high profile".

High Profile - drop down box choices

- Governor and Media Interest
- Governor Office Interest
- Legislative Interest
- Media and Legislative Interest
- Media Interest

20

**Incident Type:  
Theft-Vandalism-Property Damage**

- **Theft Vandalism/Property Damage** is a check box only – no drop down box choices
- Report incidents of theft, vandalism, damage, or loss of state or private property in excess of \$250.

21

**Incident Type: Other**

Other Incident Type asks for description [text box only – no drop down box]

If other types of critical incidents requiring the attention of the administration occur, consult with the CA Office of Risk Management.

22

**Generating Alerts**

Once the required information (including Incident Type) has been supplied, click the "Create Incident" button at the bottom of the page. This begins the alert process tasks.

Upon creating the incident, the system will present the "Generate Alerts" page where you can fine tune the content of the alert message, as well as who should receive it.

Check the boxes for the parties you wish to receive the e-mail alert. Un-checking people who do not need to receive an alert is also an option.

Be sure the appropriate persons in your chain of command are listed. If they are not automatically listed, you can add them by supplying their full email addresses (xxxx300@dshs.wa.gov) in the extra slots at the bottom of the page.

x

23

**Extra Comment Text Box**

- Do not cut-and-paste from an intake

How the Extra Comment narrative text box should look differs depending on the specific Incident Type

A Child Fatality, Near-Fatality or High Profile incident requires a specific format

Something like a Staff Safety incident is not as prescriptive.

24

Alert Text – Child Fatalities/Near-Fatalities/High Profile

EXTRA COMMENT narrative box must be completed with the following information:

- Name of children and ages
- Name of parents
- Is this an open case? If open:
  - What program
  - Legal status (parental custody, VPA, dependency, legally free, etc.)
  - Location of children (home, relative, foster or group care, etc.)
- Is case closed?
  - What program
  - Legal status (parental custody, VPA, dependency, legally free, etc.)
  - When was case open and closed?

25

Example

“Two-month-old Johnny Smith, son of Joe and Mary Smith, died of unknown causes. The case was closed at the time of the child’s death, but was open for Family Voluntary Services in July 2009. The case closed in September 2009. The child and an older 3-year-old sibling resided with their parents.”

26

Sending Alerts

When done with the “Extra Comment” text click either of the "Send Alerts" buttons (at top and bottom of page) to send the alerts and resume the report

- **Do NOT click the [Back] button to exit this page or your alerts will not be sent!**

27

Main Incident Form

Information Tabs

- Overview
- General Information
- Facility
- Children
- Adults
- Community
- Narratives
- Follow ups
- Staff Access
- Log

28

Overview Section

If the incident involves a Child Fatality it asks if a Child Fatality Review is required. Check box if

- There is an open case on the family prior to the fatality incident
- There is CA history on the family within 12 months of the fatality, including information-only referrals
- The fatality occurred in a CA or DEL licensed or state operated facility.

And asks if the death was expected or unexpected or unknown

29

Overview Section

If “High Profile” was already checked at incident creation, the drop down box should populate the specific source of interest. If not, if checked at this point it requires selection from the drop down box.

“High Profile” cases require narrative text in the “Describe Media or Legislative Interest” text box and will not let you save until narrative entered. Note: Such interest may already exist or is anticipated, and either situation should be noted.

X  
30

**General Information Section**

- Some things populate from prior data fields filled out at creation of the incident report
- Some fields require input (e.g., intake (referral) number, case ID (case number))
- Some are check boxes with drop down box options

x

31

**General Information Section - cont**

**Case Status at Time of Incident drop down box options**

- Closed
- History within 12 months
- No history within 12 months
- No prior history
- Open

**Primary Program [Means "Primary Program In Which Activity During Last 12 Months Occurred"]**

- Adoption Support
- ARS
- CPS – DCFS
- CPS – DLR
- CWS
- FRS
- Licensing
- Other

[Leave blank if the case was not open at the time of the incident]

32

**General Information Section - cont**

**Allegation of Neglect – is asking "Was there an allegation of neglect regarding this incident in the referral?"**

- NA
- No
- Undetermined
- Yes

**Allegation of Abuse is asking Was there an allegation of abuse regarding this incident in the referral?"**

- NA
- No
- Undetermined
- Yes

33

**General Information Section - cont**

**Location of Incident:**

- Automobile
- Children's Admin Office
- DLR Licensed Home/Fac
- Family Home
- Hospital
- Licensed Child Care
- Other
- Private Agency Foster Home
- Relative Home
- State Operated/Certified
- Unlicensed Child Care
- Unlicensed Home

34

**Facility**

- Most data fields call for inputting (facility name, address, contact, etc.)
- One check box - asks if dual licensed
- Others fields have drop down box choices

35

**Facility**

Definitions for various facility types can be found in Appendix A of the AIRS Companion Guide

**Type of Facility**

- DEL Child Care Center
- DEL Child Care Home
- DLR Licensed Facility
- JRA
- State Operated/Certified
- Unlicensed Child Care

**Type of DLR Licensed Facility**

- DLR Family Foster Home
- Group Home
- Other
- Private Agcy Foster Home

36

**Children Section**

If a child was identified by name at creation of incident report, the name will populate.

Additional information is needed on that child so click on the "pencil" icon for the child to view/edit the child's information.

The green ADD CHILD box allows you to input siblings or other children involved in the incident.

Some fields require input (e.g. FamLink Person ID number for the child)

37

**Children Section**

**Child Role In Incident** - drop down box choices

- Other
- Other Living In The Home
- Primary Child
- Prior Deceased Sibling
- Sibling

**Race** has drop down box with multitude of options  
There is an additional **Hispanic** related drop down box

**Legal Status [At Time Of Incident]** options

* 3 <sup>rd</sup> Party	* Adoption
* CHINS	* Dep Guardianship
* Dep-Legally Free	* Dependent
* Parental Custody	* Shelter Care
* Sup. Ct. Guardianship	* Voluntary Placement Agrmt

38

**Children Section**

**Relation to Main Child** – drop down box choices

- Half-Sibling
- N-A Primary Child
- Other
- Sibling
- Step-Sibling

**Nature of Death** – drop down box choices

- Accidental
- Homicide – By Caretaker
- Homicide-3rd party
- Natural/Medical
- Not Applicable
- Suicide
- Unknown/Undetermined

39

**Children Section**

**Characteristics**

Suicidal                       Physical Problems

Medically Fragile Problems                       Behavior

Prior (or current) Out of Home Placement(s)

Prior Dependency Action(s)

There is an additional narrative box for "Other issues"

40

**Children Section**

**Residence Type (at time of incident)** – drop down box choices

- Detention Facility
- DLR BRS Facility
- DLR Licensed
- Family Home
- Hospital
- JRA Facility-home
- Other
- Private Agency FH
- Relative Home
- State Certified
- State Operated
- Tribal Certified Foster Home
- Unlic-Nonrel home

41

**Children Section**

After you are done editing a child, options are to

- Abandon Changes – takes you back to before you clicked on the pencil icon to edit. So prior entered data remains, only the edits you were making are not saved.
- Save Changes – saves what you have entered
- Delete Record – wipes out everything inputted – even previously inputted on the child before your editing/revision

Warning: If you hit the Back button, it will advise you that you will be navigating from the page (without anything changes being saved), giving you a chance to be okay with that or to cancel (so you can go Save).

Opposite to the pencil icon is an "Edit" box icon under the heading Notes. This is an additional narrative text box where you can add information about the child. An example would be to indicate the child has a non-custodial parent, or a bio-parent who is deceased, or that the child is adopted.

42

Adults Section

- Click on green Add Adult box
- Input information
- When done click on Add Record  
or  
Cancel – Exit Without Adding
- You can Add additional adults involved
- You can edit any created adults by clicking on the pencil icon

x  
43

Adults Section

**Relation to Primary Child** – drop down box choices

- \* Adoptive Parent      \* Birth Parent      \* Foster Parent
- \* No Relation          \* Other Relative      \* Parent Paramour
- \* Step Parent

**Select All Applicable Roles / Involvement For Adult**

- Caretaker at time of incident
- Legal Guardian
- Alleged Perpetrator
- Adult In Home/Facility where Death Occurred
- Witness
- Present at Time of Death
- Subject of Current CA/N Allegations
- CA/DSHS Employee
- Facility/Foster Home Hired Staff
- Contracted Provider/Owner
- Participant in Review Process
- Other Role – Please Describe [text box]

x  
44

Adults Section

There is a available text box for comments about the person's involvement in the incident

+

A check box section as to the adult's Characteristics

- Criminal History
- Assaultive Behavior
- Mental Illness
- Domestic Violence
- History of CA/N as a Child
- Substance Abuse
- Familial / Environmental Stressors
- Prior Allegations of Perpetrating CA/N  
(Not related to findings)

x  
45

Community

**Tribal Involvement**

- N/A
- No
- Undetermined
- Yes

**Name of Tribe** [text box]

**WSP Referral Made** [e.g., missing children from care]

- N/A
- No
- Undetermined
- Yes

**Local Law Enforcement Notified**

- N/A
- No
- Undetermined
- Yes

**Law Enforcement Jurisdiction** [text box]  
**Law Enforcement Case Number** [text box]

x  
46

Narratives

- **Description of Incident:** What prompted the incident report. Who, what, when, how, where, and to whom.
- **Description of Actions Taken:** Include info about case assignment, subject and victims that have been interviewed, significant collaterals, relevant staffing, inter-agency involvement
- **Description of Safety Plan for Children:** If applicable, identify the safety plan, including: a description of safety issues, how the safety plan addresses those issues, who was involved in creating the safety plan, and who is responsible for implementing and monitoring the plan.
- **General Comments:** This is an "other" category. Include any relevant information that was not reported in previous sections. May include information on history such as history the parents as children (CA/N, foster care), history of previously CA involvement, criminal histories, etc.

Click edit to enter information in these text boxes  
After saving changes, you can "View" and if corrections needed, click on "Edit"

x  
47

Tips for Narrative Writing

**<b>Bolded Text</b>**

*<i>Italic Text</i>*

<u>Underlined Text</u>

**<strong>Very Bold Text</strong>**

**<br>** Forces a line to break like a soft return

**<p>** Forces a line to break like a hard return or paragraph break.

x  
48

## Follow Ups Section

Use this section to address significant new developments in the case.

These include, but are not limited to

- law enforcement actions
- court actions
- Findings
- new interviews
- new information requiring administrative notification or attention not previously reported in AIRS

Follow-ups can be added to both active (unlocked) and closed (locked) incidents.

A Follow- up can be added to an incident by all staff, regardless of their access to the actual incident in AIRS. Staff not authorized access to a specific incident will only be able to view follow- ups they have created.

x

49

## Staff Access Section

Identify Children's Administration staff who will require access to the report (i.e. Licensing, DLR/CPS, and DCFS staff who are involved in the case).

Additional staff requiring access to an incident may be added by an individual who is currently listed in the incident or by contacting the AIRS administrator.

Certain administrative positions located in the regions and in headquarters will be granted access to all incidents or all fatalities and near fatalities within a region. This added security can be added through a system administrator.

50

## Log

- AIRS maintains an internal audit log of activity for each incident
- Click the View History button to display this history
- It includes who (User ID) did what action (added, deleted, edited, viewed, saved, printed, notified) and when (date and time)

x

51

## Saving/Exiting

- You can save changes anytime (any tab, any section)
- You can view the report by clicking on Printer View Incident button
- When ready to get out click "Save/Exit" button.
- Upon doing so, AIRS makes sure that all required fields are present on the form.
- If required information is missing or invalid (such as an improper date), the page will be redisplayed listing instructions in red near the top. You must resolve all of these issues before the page can be stored. After resolving these issues, click the "Save/Exit" button again.
- If there are no errors or missing required fields, your information will be stored and you will return to the AIRS Main Menu.
- **Note: If you try to exit by other methods such as the "back" button or clicking the "X" to close the window, you will get a warning message that this is not the proper way to exit the page. Heed this warning message or you may lose your work**

52

## Fatality Log

- Not all reported child fatalities require an intake. Often MEs, coroners, or others conducting a death investigation will contact CA as part of their death investigation.
- Deaths of children in families with no prior CA history and no allegations of CA/N related to the death, should not have intakes. However, these reports do need to be documented in AIRS so that if further information becomes available and an intake becomes required, there is documentation of the initial information reported. This is the intended use for the Fatality Log.
- From Main Menu in AIRS, click on Access Fatality Log
- Before creating a new entry, search to see if one has already been entered (e.g., CI).
- Search capabilities are by region, alphabetical, date of death, etc (click on column header).
- Use the green "Add New Fatality Log" to created a new entry
- You can view/edit a fatality log on file by clicking on the pencil icon for that record.
- **In special cases where a Fatality Log does end up with CA involvement, you can click on the [Transform !] icon to transfer the information from the Fatality Log into an AIRS Fatality Incident.**

53

## AIRS

---

- Administrative
- Incident
- Reporting
- System

---

1

## AIRS

---

Created to provide early notice and information for incidents requiring the immediate attention of the administration.

---

2

## AIRS

---

- Documenting Child Fatality Reviews
- Analysis of Incidents

---

3

## AIRS – What is reported?

---

- Child Fatalities
- Near Fatalities
- Client Related (a child in the care, custody, or supervision of CA or DSHS)
  - Serious Injury
  - Allegation of Molestation or Rape
  - Suicide Attempt
  - Placement Exceptions

---

4

## AIRS – What is reported?

---

- Incidents Involving:
  - Foster homes, facilities, or private agencies licensed by the Division of Licensed Resources (DLR).
  - Licensed childcare facilities licensed by DEL or facilities that meet the criteria for child care licensing.
  - Other licensed, certified, or state-operated facilities.

---

5

## AIRS – What is Reported?

---

- Staff Safety Incident or Potential Threat of Harm
  - Serious Threat of Harm
  - Illness Serious/Communicable Exposure
  - Environmental Hazard
  - Traffic Accident
  - Physical Assault by Client
  - Physical Assault by Other
  - Other: Any other serious issue that threatens the safety of staff.

---

6

## Child Fatalities

- Fatalities are reported in AIRS in either
  - Incident Reports
  - AIRS Fatality Log

7

## Child Fatalities

- If an intake is created regarding the child fatality, it must also be reported in AIRS.

8

## Child Fatalities

- Child fatalities are reported in AIRS as an Incident Report if:
  - Open case on the family
  - Any CA history on the family within 12 months of the fatality, including information-only intakes.
  - The fatality occurred in a CA or Department of Early Learning (DEL) licensed, certified, or state operated facility.

9

## Child Fatalities

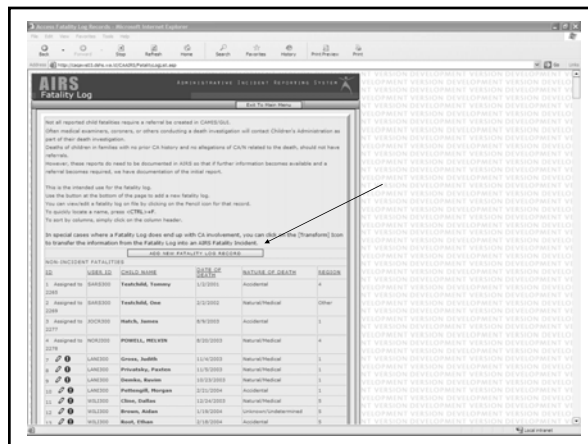
Fatalities are reported the Fatality Log if:

- No CA/N alleged, and
- No recent history on the family (beyond 1 year)

10



11





## Manner of Fatalities Reported To CA

- **Natural/Medical:** death considered natural/medical such as diseases, and illnesses.
- **Accidental:** No evidence of intent (vehicle accidents, falls, drowning, layovers).
- **Unknown/Undetermined:** there is insufficient information, especially about intent, to assign a specific manner of death. SIDS
- **Suicidal:** intentionally self-inflicted.

13

## Manner of Fatalities Reported To CA

- **Homicide:** intentional harm (explicit or implicit) of a parent or caretaker, including actions of grossly reckless behavior.
- **Homicide by Third Party:** committed by anyone that was not a parent, or acting in loco parentis.

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## Child Fatality Review

- Child Fatality Review Required Check Box is marked when:
  - The death is unexpected; and
  - open case on the family prior to the fatality incident or;
  - Any CA history on the family within 12 months of the fatality, including information-only intakes.
  - The fatality occurred in a CA or Department of Early Learning (DEL) licensed, certified, or state operated facility.

15

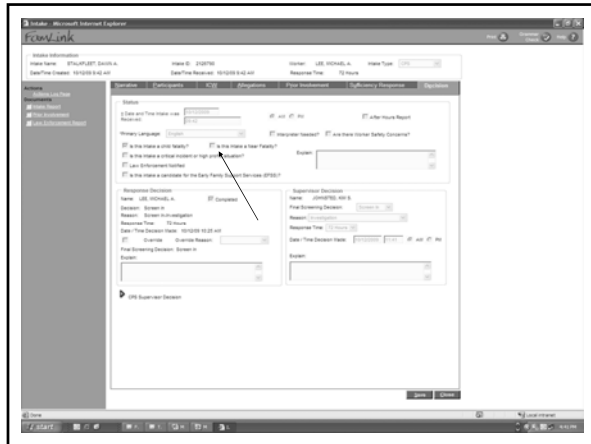
The screenshot shows a web-based form for entering case information. A red arrow points to a checkbox labeled "Child Fatality Review Required" which is currently unchecked. Next to it is the text: "Be sure to mark this box on a new child fatality intake." The form includes fields for Name, Address, Date of Birth, and various decision-making checkboxes.

This screenshot shows a different view of the ELM Link system, likely a summary or decision page. A red arrow points to a checkbox labeled "Child Fatality Review Required" which is checked. The form includes fields for Name, Address, Date of Birth, and various decision-making checkboxes.

## Near Fatalities

- CA is required by law to notify the Ombudsman's office of all CA/N related near-fatalities.
- Check the Near Fatality box on the Decision tab in a new intake.

18



## Near Fatality

- A near-fatality is defined as an act that places the child in serious or critical condition (RCW 74.13.500).

20

## Near Fatalities

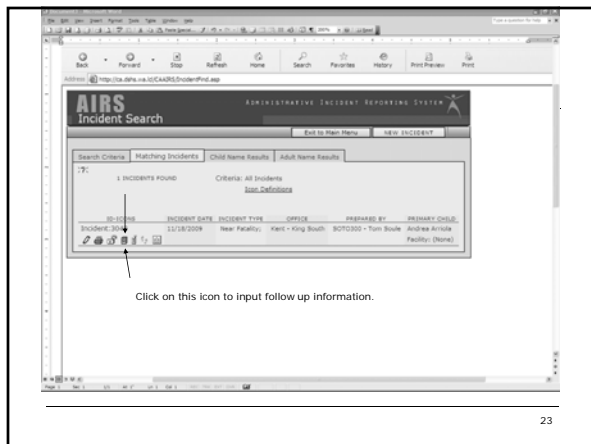
- Near-fatalities are reported in AIRS when:
  1. Is the result of alleged child abuse and/or neglect on an open case or on a case with CA history within 12 months.
  2. The incident occurred in a CA or DEL licensed facility.

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## Near Fatalities

- Near Fatalities eventually result in a child death do not require a new AIRS report.
  - Open existing AIRS report
  - Check Child Fatality Box
  - Consider if a Child Fatality Review is required
  - Document in Follow Up

22



23

## Staff Safety Incident or Potential Threat of Harm

- Serious Threat of Harm: A staff person or contracted provider feels their safety was/is in jeopardy, or they were/are at risk of harm as a result of receiving a threat.

24

## Staff Safety Incident or Potential Threat of Harm

---

- **Illness Serious/Communicable:** Exposure to any blood borne pathogens, or any other serious/communicable illness (constituting a risk to others on the job)

25

## Staff Safety Incident or Potential Threat of Harm

---

### Documentation of H1N1 Flu Diagnosis

- Reports of the Swine Flu diagnosis are created in AIRS.
- When a staff member has been diagnosed with H1N1 by exposure to others in the line of work.
- When a staff member has exposed others in the office and follow-up actions (like office closure) might be indicated.
- Report under Staff Safety (for staff) and Client Related-Other (for clients, foster parents, providers).
- Do not identify the staff person by name, e.g., use social worker, clerical, supervisor, etc.

26

## Staff Safety Incident or Potential Threat of Harm

---

- **Environmental Hazard:** Exposure of a staff person to any environmental hazard while in the course of carrying out job duties that require medical consultation to ensure the health of that person (e.g. exposure to methamphetamine manufacturing materials, etc.).

27

## Staff Safety Incident or Potential Threat of Harm

---

- **Traffic Accident:** Occurs while a staff person is on the job in a personal or state-owned vehicle.

28

## Staff Safety Incident or Potential Threat of Harm

---

- **Physical Assault by Client:** Assault of a staff person by a child, parent, or individual identified as a client receiving services from the department.
- Immediately notify law enforcement and document the jurisdiction and police report case number in the "Community" section of AIRS.

29

## Staff Safety Incident or Potential Threat of Harm

---

- **Physical Assault by Other:** Assault of a staff person by any other person (non-client) that occurs during the course of the staff person carrying out his or her job duties. Immediately notify law enforcement and document the jurisdiction and police report case number in the "Community" section of AIRS.

30

## Staff Safety Incident or Potential Threat of Harm

- Theft/Vandalism/Property Damage Report incidents of theft, vandalism, damage, or loss of state or private property in excess of \$250.

31

## Client Related

- Serious Injury: a child client requiring professional medical treatment (beyond first aid treatment) alleged to be the result of
  - (a) CA/N,
  - (b) unexplained injury or
  - (c) an injury not consistent with the caretaker(s) explanation.

32

## Client Related

- Allegations of Molestation or Rape: Allegations of sexual abuse by an adult caretaker of a child client, or incidents involving multiple victims or patterns of molestation or rape between children placed by the department.

33

## Client Related

- Suicide Attempts
  - Attempts causing injuries that require hospitalization of a child.

34

Main Incident Report - Microsoft Internet Explorer  
File Edit View Favorites Tools Help  
Back Forward Stop Refresh Home Search Favorites History Print Preview Print  
Address http://ca.dhs.wa.gov/CAARS/IncidentEdit.asp?Incident\_ID=2068&AccessType=CAO&ActiveTab=Overview  
AIRS  
Modify Incident  
Report of Incident - Kendra Lowther (ID=2998)  
SAVE/EXIT SAVE CHANGES Printer View Incident  
Overview General Info Facility Children Adults Community Narratives Follow Ups Staff Access Log  
Check all statements below that apply to this incident  
 Child Fatality  
 Near Fatality as a result of alleged CA/N  
 Client Related and Placement Exceptions Description of Incident: Suicide Attempt  
 Theft/Vandalism/Property Damage  
 Staff Safety  
 Provider Incident  
 Other  
 High Profile  
Describe Legislative or Media Interest VIEW EDIT

## Client Related

- Placement Exceptions
  - Hotel
  - Office
  - Adult Facilities
  - Apartment

Document Attempts to Find Permanent Placement

BE SPECIFIC

36

## AIRS Reports on Facilities

---

- Criminal activity that would disqualify a licensed provider from providing care to children (see WAC 388-06-0170 & 388-06-0180).
- Allegation of sexual abuse/sexual exploitation.
- A pattern of high-risk child abuse and/or neglect referrals.

---

37

## AIRS – What is Reported?

---

### High Profile Incidents

#### Examples:

- Intake receives information on prominent community members
  - Law enforcement
  - Judges
  - Politicians
- Media Interest
- Licensed Care Providers

---

38

## Alert Page

---

- Case Status (open, dependent, etc)
- Brief description of incident
- Actions Taken (protective custody, changed placement, stop placement)
- Prior history with CA

---

39

## Alert Page

---

- Example of Alert Page message:

*On 3/6/2010, Tony Leavitt, 3 months old, died in his parents' care. The King County Medical Examiner reported Tony was found by his mother, Gina Thomas, 21, face down in his crib. There was a bottle and soft bedding in the crib. Tony had cold days prior to this incident. Also in the home is Tony's father Glen Leavitt, 24. CA did not have an open case with this family. On January 13, 2010, an intake reported the family's apartment was filthy and the parents were suspected meth users. This screened as Information Only. Seattle Police and the KCME are investigating. There are no other children in the home.*

---

40

## Reporting Procedures

---

- Critical Incidents are entered into AIRS within 30 minutes of receipt of the report.
  - Child fatalities
  - Near Fatalities
  - High Profile incidents involving licensed providers and clients.
- All other AIRS reports are entered within 24 hours.

---

41

## Reporting Procedures

---

- Intake supervisors and/or CPS program managers input the initial AIRS report on child fatality and near-fatality cases.
- Unit supervisors input the initial AIRS report on worker, staff safety, client related, and property loss incidents. Other incidents are input by intake supervisors or unit supervisors as determined by the region.

---

42

## AIRS Questions

---

- Delete an AIRS report
- Add or delete users
- General questions

Contact:  
Paul Smith  
360-902-7533  
paul.smith@dshs.wa.gov

43

## Critical Incident Reporting Protocol

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44

## Critical Incident Reporting Protocol

---

- Reporting
- Responding
- Reviewing

45

## Critical Incident Reporting Protocol

---

### Ensures:

- Immediate notification to the chain of authority
- Safety of children
- Consistent, quality service that supports safety, well-being, and permanency for children
- Accurate and transparent information
- Accountability

46

## What is a Critical Incident

---

- Fatality or near-fatality of a child on open case.
- Fatality or near-fatality of a child in which services were provided to the family within 12 months prior to the child's death or near-fatality.

*CA/N related fatalities/near-fatalities will get more scrutiny*

47

## What is a Critical Incident

---

High-profile event involving any person or family for whom CA has provided services.

- Media coverage
- Legislative interest
- Public interest

*High-profile events are not limited to media or legislative interest: When in doubt, consult.*

48

## What is a Critical Incident

---

- Serious physical abuse on open cases or kids in state custody (foster care or relative placement)
- Sexual abuse cases of kids in state custody
- Criminal activity by licensed providers
- CA/N related arrests reported by media

*When in doubt, consult.*

---

49

## Responding: Notification Timeline

---

### In the first 30 minutes:

- Notify chain of authority of incident, including the appointing authority.
- The appointing authority will notify:
  - Field Operations Deputy Director or designee
  - Notification continues to the Assistant Secretary, others as needed.

---

50

## Responding: Notification Timeline

---

### In the first 30 minutes:

- Begin documentation in AIRS.
  - AIRS generates email alerts.
- Complete Extra Comment section in AIRS.
  - This is included in the email alert generated by AIRS.
  - This information begins the triage process.

---

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## Responding: AIRS Email Alerts

---

### Those receiving alerts include:

- Chain of authority
- Critical Incident Program Manager
- Practice Consultants
- Deputy Director of Field Operations
- Field Operations Director
- Ombudsman
- Assistant Secretary
- DSHS Communications

---

52

## Responding: AIRS Extra Comment Section

---

Provide brief summary of incident including:

- Case is open, closed with history, no history.
- Names, dates of birth (DOB), ages of all children in home.
- Names of parents/adult caregivers.
- Location of children

---

53

## Responding: AIRS Extra Comment Section

---

- **If open:** program, legal status of children
- **If closed:** program, legal status of children, date of open and close

---

54

## Responding: Critical Incident Briefing Template

---

### **Within two hours:**

- Complete the Critical Incident Briefing Template and provide to the appointing authority.
- The appointing authority submits the briefing to the Assistant Secretary.

55

## Responding: Critical Incident Briefing Template

---

- Summary of incident
- Overview of case history, include information-only intakes
- Current status of case
- Next steps
- Updates

56

## Responding: Critical Incident Briefing Template

---

### Briefing should also include:

- Most recent health and safety visit, who saw the child last, how did they look?
- Staffings, e.g.) CPTs, FTDMs, LICWAC, include significant recommendations
- Recent legal activity, e.g.) last hearing, significant decisions
- Services: include current or most recent services, summarize services

The briefing paper template includes detailed instructions. Please remove instructions before sending for review.

57

## Responding: Critical Incident Briefing Template

---

### The completed briefing is sent to:

- Assistant Secretary
- DSHS Communications
- Director of Field Operations
- Deputy Director of Field Operations
- Regional Administrator or DLR Administrator
- Deputy Regional Administrator or DLR Deputy Administrator

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## Responding: Staffing the Case

---

- At the direction of the Assistant Secretary, a staffing may be held, in person or via conference call, within the next business day or sooner depending on the incident.

59

## Responding: Staffing the Case

---

### The staffing may include:

- Assistant Secretary
- Director, Field Operations
- Deputy Director, Field Operations
- Other CA Directors, as needed
- DSHS Communications
- Regional Administrator
- Deputy Regional Administrator and/or DLR Administrator
- Area Administrator
- Supervisor
- Social Worker

60



## Responding: Staffing the Case

Tips for staffing the case:

Review the case and know the following:

- Current condition of injured child
- Safety planning for siblings, location
- Case history
- Last contact with the family
- Current status / future case planning

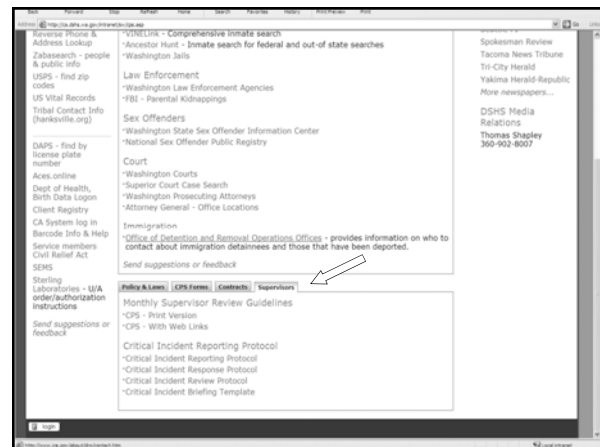
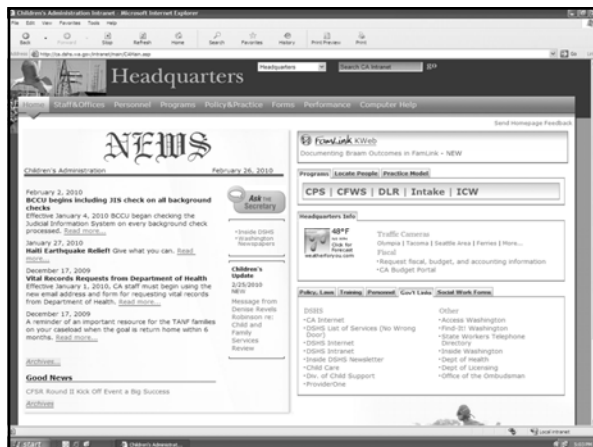
61

## Reviewing: Child Fatality Reviews

The child fatality review process is changing.

- A review team supervised from HQ will conduct all fatality reviews.
- The CA Quality Assurance Team reviews the recommendations and creates an action plan for implementation.
- CA Leadership Team approves the action plan.

62



## Reminder

- Subject to disclosure.
- Grammar, punctuation, sentence structure.
- Use of abbreviations. (REACH, NISSA, FNP, PCIT, TF-CBT)

*Drafts may be submitted to anyone on the contact for review and feedback prior to final submission.*

65

## Reminders

AIRS reports continue to be required per Operations Manual 5100.

- Child fatalities
- Near-fatalities
- Client-related
- Provider Incident
- Staff Safety Incident or Potential Threat of Harm

66

## Contacts

---

For assistance with or questions about the new protocol to:

- Sharon Gilbert 360-902-7822
- Paul Smith 360-902-7533
- Kyle Smith 360-902-0254
- Toni Sebastian 206-341-7378
- Marilee Roberts 509-737-2812
- Nicole Muller 360-902-0217

*Direct media-related questions to:*

- *Sherry Hill 360-902-7892*

---

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## Quote for the Day

Knowing one's true self is the first task of a leader.

--Nisargadatta Maharaj, Indian spiritualist

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nancy@uncampbell.com

## Leadership Development

Becoming Who you were Born to Be

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nancy@uncampbell.com

**The Leadership journey is fundamentally about personal development**

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nancy@uncampbell.com

▶ The Journey is about trying to see ourselves as others see us!

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nancy@uncampbell.com

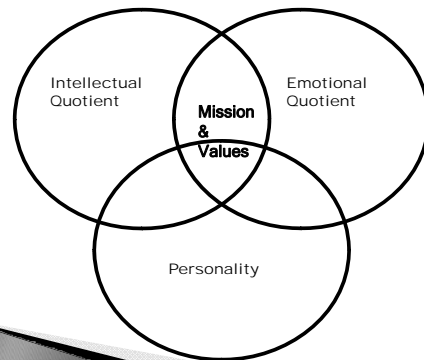
## The Effective Boss

▶ I'd like you to take a few minutes by yourself to complete the following task

Make a list of the adjectives that describe your best boss, your worst boss.....

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nancy@uncampbell.com

## Three Aspects of Our Being



## Why Bother?

- ▶ Emotional Intelligence by Daniel Goleman
- ▶ Leaders who used styles with a positive emotional impact had better financial returns than those who did not
- ▶ Leaders with the best results did not practice one leadership style

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nancy@uncampbell.com

## Leaders/Managers

- ▶ A leader operates on the *emotional* and *spiritual* resources of the organization, on its values, commitments and aspirations.
- ▶ The manager operates on the *physical* values of the organization, on its capital, human resources, raw materials and technology.

--Bennis and Nanus

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nancy@uncampbell.com

## The Role of Leaders

- ▶ Take a few minutes and create a definition of leadership.

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## The Role of Leaders

The art  
of mobilizing others  
to struggle  
for shared aspirations

Kouzes and Posner

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## The Role of Leaders

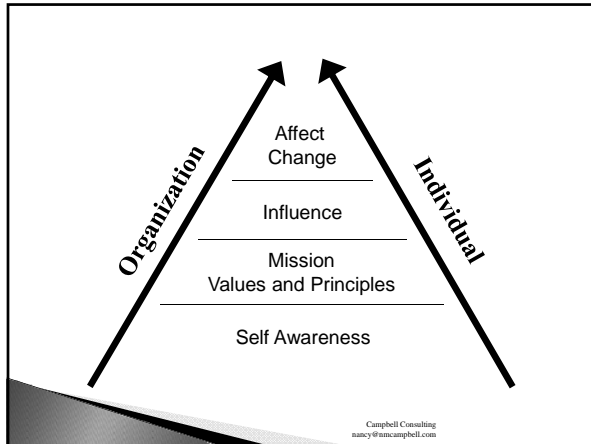
- ▶ Trying to get people to do things they otherwise, ordinarily would not do

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nancy@uncampbell.com

## The Challenge for Leaders

The Key is in  
**Balancing**  
*Task* and  
*Relationship*

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nancy@uncampbell.com



## Why Bother?

- ▶ Most career derailment is not due to limited technical or conceptual abilities but due to lack of effective interpersonal skills

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**Leadership Development is the expansion of a person's capacity to be effective in leadership roles and processes.**

**CCL Handbook on Leadership Development**

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Everyone thinks about changing the world, but rarely does anyone think about changing themselves

Durga Parajuli, participant in gender-equity program sponsored by Herco, Nepal. From "World Ark" March-April 2005.

## Leadership Development

- ▶ Leadership Development Assumes
  - We can learn leadership skills
  - The individual is the target
  - There are many leadership roles in our lives

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## Elements of a Successful Developmental Experience

- ▶ Assessment: Provides clarity about needed Changes (behavior, skills, attitude)
- ▶ Challenge : Opportunity to experiment and Practice new (behavior, skills, Attitudes)
- ▶ Support: Confirmation and clarification of lessons learned

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nancy@uncampbell.com

## What leadership development programs can not do

- ▶ Give you a new personality!
- ▶ Increase your IQ!

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nancy@uncampbell.com

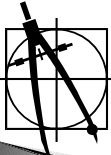
## Leadership Development Strategies

- ▶ 360 Feedback
- ▶ Feedback Intensive Programs
- ▶ Skill-Based Training
- ▶ Job Assignments
- ▶ Developmental Relationships
- ▶ Hardships

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nancy@uncampbell.com

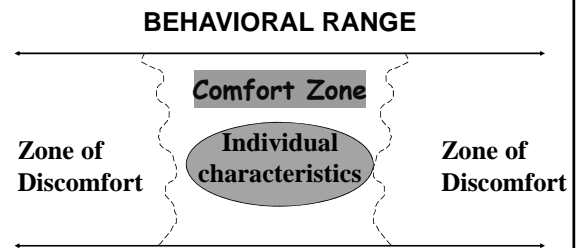
## THREE CATEGORIES OF LEADERSHIP SKILLS

1. Technical skills
2. Interpersonal skills
3. Conceptual skills



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nancy@uncampbell.com

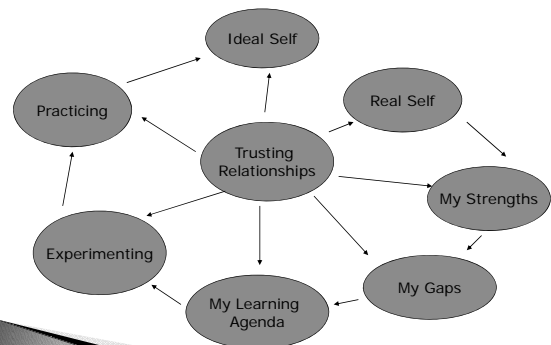
## THE EFFECT OF INDIVIDUAL CHARACTERISTICS ON BEHAVIOR



## Personality Dimensions

- ▶ Personality Dimensions are relatively stable over time, but we can learn to move outside of our comfort zone and to modify our behavior

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nancy@uncampbell.com



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nancy@uncampbell.com

## And who are you?

- ▶ Campbell Leadership Descriptor
- ▶ Identifying Characteristics of effective leaders

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## Objectives

- ▶ Describe Universal Leadership Components
- ▶ Evaluate your personal strengths and areas for growth
- ▶ Develop an action plan
- ▶ Expand your tool kit!

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nancy@uncampbell.com

## Major Tasks

- ▶ One focus is on major tasks
- ▶ Vision
- ▶ Management
- ▶ Empowerment
- ▶ Diplomacy
- ▶ Feedback
- ▶ Entrepreneurialism

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nancy@uncampbell.com

## Relationship Skills

- ▶ Personal Style
- ▶ Personal Energy
- ▶ Multicultural Awareness

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## Major Tasks

- ▶ Vision–Establish Tone and Direction
- ▶ Management–Set goals and align resources to achieve them
- ▶ Empowerment–Select and Develop people

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nancy@uncampbell.com

## Major Tasks

- ▶ Diplomacy–Forge coalitions with internal and external stakeholders
- ▶ Feedback–Observe and listen carefully to clients, customers, and other key stakeholders and share information so others can accept it
- ▶ Entrepreneurialism–Find future opportunities or desirable outcomes through projects, programs and policies.

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## Your Work

- ▶ Find someone to partner with
- ▶ Review your leadership descriptor
- ▶ Answer the following questions:

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## Your Work

- ▶ What was one important thing you learned as a result of completing the descriptor?
- ▶ What surprised you?
- ▶ On which characteristic did your good leader score the highest? The lowest? Your poor leader? What do those scores imply about leadership?

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## More Work

- ▶ Did you score higher or lower than you expected? On which characteristics?
- ▶ In what ways has completing the Descriptor helped you to see leadership differently?
- ▶ What are some things you might do next to become a better leader?

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## Action Planning

- ▶ Review your strengths
- ▶ Why strong? How did you develop?
- ▶ In what ways will this strength be useful to you as you move up?
- ▶ What steps can you take to further develop this?
- ▶ Are there any negative effects of this strength?

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## Action Planning

- ▶ For your lower areas
- ▶ Why is this area challenging for you?
- ▶ In what ways is this area impeding your progress?
- ▶ How important will this area be as you move up?
- ▶ What can you do to strengthen this area?

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**The leader of the past was a person who knew how to *tell*.  
The leader of the future will be a person who knows how to *ask*.**

— Peter Drucker

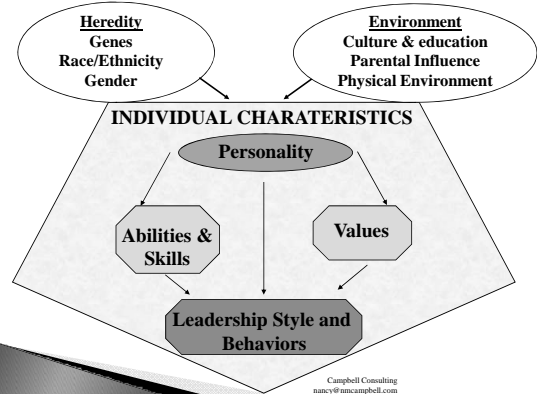
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## Feed Forward

- ▶ Pick one behavior that you would like to change.
- ▶ Describe this behavior to randomly selected fellow participants. *Do this one-to-one.*
- ▶ Ask for feedforward—two suggestions for the future that might help achieve a positive change in your selected behavior. *Listeners may not give any feedback about the past. You are limited to future ideas only.*
- ▶ Listen attentively to the suggestions and take notes. *You are not allowed to comment on suggestions in any way. You may not even make affirming statements like "That is a good idea."*
- ▶ Thank the other participant for his or her suggestion.
- ▶ Now change roles and ask the other participant what s/he would like to change.
- ▶ Provide feedforward—two suggestions aimed at helping them change.
- ▶ Say, "You are welcome" when thanked for your suggestions.
- ▶ Find another participant and repeat the process.

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## INDIVIDUAL DIFFERENCES FRAMEWORK



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## Summary

- ▶ Leadership is a developmental process
- ▶ The most effective leaders are willing to explore themselves and their environment
- ▶ Effective leaders understand that they have limitations that if acknowledged and understood can be effectively addressed
- ▶ Effective leaders understand that they need to see and hear the perspective of others about their style and the culture of a given situation

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Everyone thinks about  
changing the world, but rarely  
does anyone think about  
changing themselves

Durga Parajuli, participant in gender-equity program sponsored by Heifer Nepal. From "World Ark" March-April 2005.

We should take care not to make the intellect our god.  
It has, of course, powerful muscles, but no personality.  
It cannot lead  
It can only serve.

Albert Einstein

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## Leading Change

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### Helping Others Transition




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*You are not merely here to make a living. ~~You are here in order to enable~~ the world to live more amply, with greater vision, with a finer sense of hope and achievement. You are here to enrich the world, and you impoverish yourself if you forget the errand. ~*

*Woodrow Wilson*

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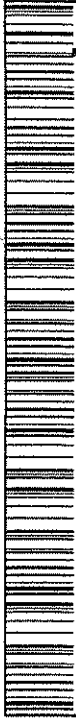
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“It is in changing that we find  
purpose”

Heraclitus

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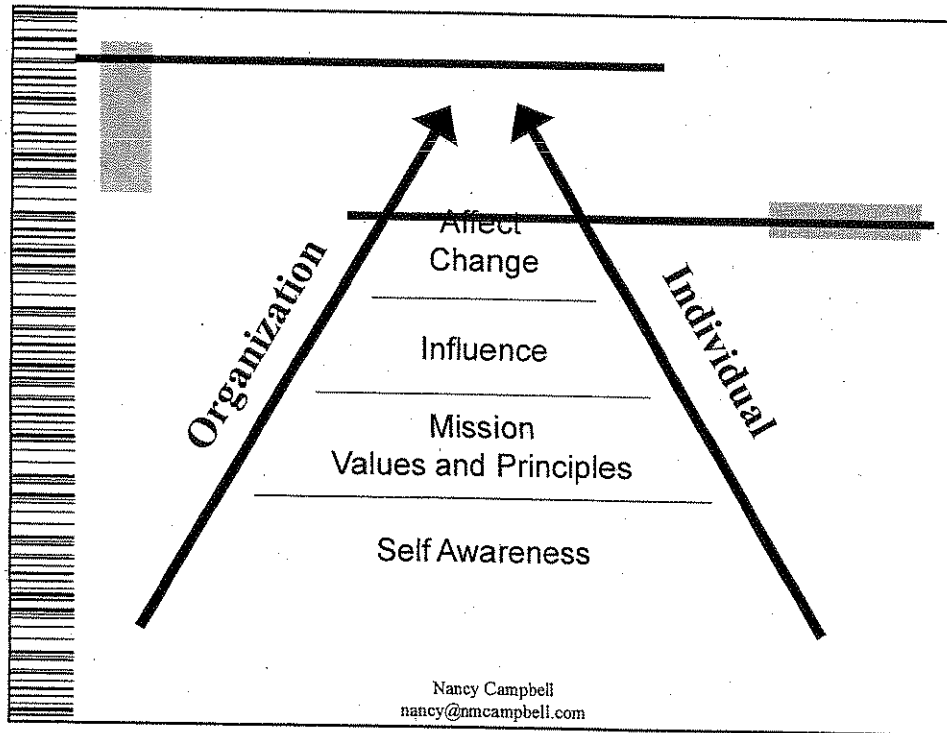
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## Session Objectives

- ◆ Differentiating Between Change and Transition
- ◆ Helping others transition
- ◆ Creating the conditions for motivation

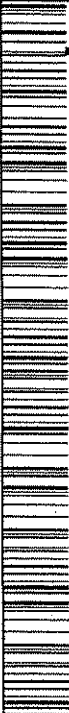
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## The Challenge of Change

- ◆ Why do people resist change??

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There are always many differing views  
regarding what constitutes *needed and*  
*desirable* change

There are many different ways to  
accomplish *needed and desirable* change

Every organization/system has a *unique*  
*culture and context*

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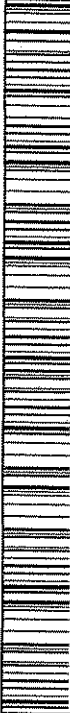
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## Exercise

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- ◆ Get into groups
- ◆ Assign a recorder and a reporter
- ◆ Identify a significant change effort in your agency or division
- ◆ Identify what made the change initiative work?
- ◆ What impeded the change effort?

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## Recognizing the Emotional Impact of Change

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- ◆ Today we are beginning to recognize that effective leadership involves not just intellect (technical skills) but emotional intelligence (relationship skills)
- ◆ Effective change agents have always known this

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nancy@nmcampbell.com



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## Getting others to agree to change requires

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- ◆ An understanding of how people respond intellectually and emotionally to change
- ◆ A willingness to take the time to consider and understand the value of different perspectives.
- ◆ Gaining the support of others to change often requires a willingness to change oneself!

Nancy Campbell  
nancy@nmcampbell.com



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**Simply put, effective change  
begins when leaders begin to  
change themselves.**

**-- James O'Toole**

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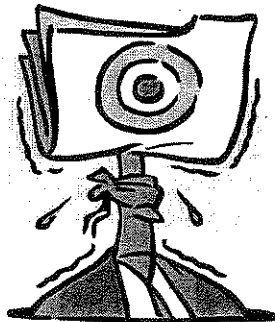
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**We have met the enemy and guess  
who it is?**

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nancy@nmcampbell.com




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## Resistance to Change is Normal

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As people we naturally object to having the will of someone else imposed upon us. Given the natural resistance to change, a critical question is posed by James O'Toole when he asks, "Why do leaders fail to do the things necessary to overcome their followers' natural resistance to change?"

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nancy@nmcampbell.com



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Overcoming the resistance to change  
in others begins with  
an understanding of oneself.

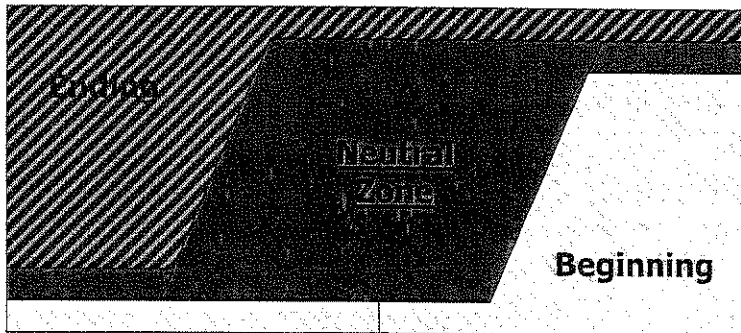
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## Table Discussion

- ◆ In what ways can you help others overcome their “natural” resistance to change?

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## William Bridges: Managing Transitions



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**"It's not the change that does you in...it's the transitions!"**

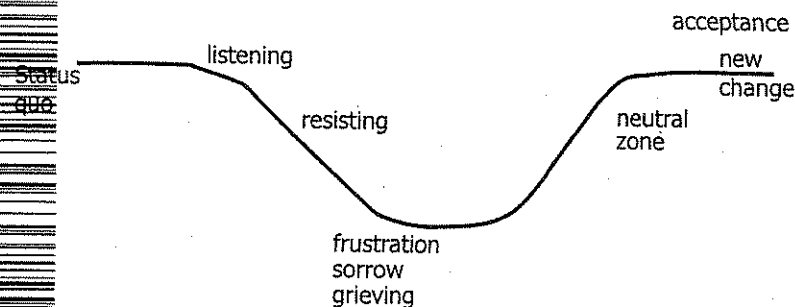
William Bridges, *Managing Transitions*

- ♦ **Change** is situational—*an event that happens*
- ♦ **Transition** is the psychological process people experience as they adjust to the new situation
- ♦ **Change is external** -- it happens around & to us
- ♦ **Transition is internal** -- it's how we react and adapt

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## The Change Process

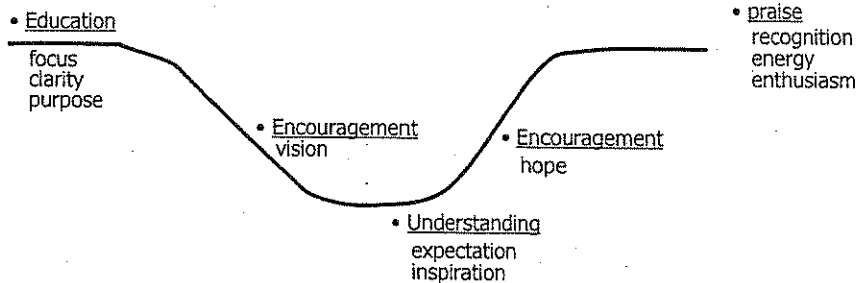
### Stages



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## The Change Process

### Communication



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## Endings

### Identify who is Losing What

- ✓ Describe what is going to change in detail.
- ✓ Does this cause secondary changes?
- ✓ Who is going to have to let go of something?
- ✓ What is “over” for everyone?

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nancy@nmcampbell.com



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## Endings

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Don't be surprised by "Overreaction"

- Leftovers from the last change
- You may not have the full picture

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## Endings

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### LOSSES

**Accept the Reality  
& Importance of the Losses**

**Do Not Argue.  
It is their loss, not yours.**

Nancy Campbell  
nancy@nuncampbell.com

## Endings

Expect the Grieving Pattern

Denial ⇔ Anger ⇔ Bargaining ⇔  
Anxiety ⇔ Depression

Nancy Campbell  
nancy@nmcampbell.com

## Endings

- ◆ Treat the Past with Respect
- ◆ Let people take a piece of the past with them

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## Endings

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- ◆ Show people how endings ensure continuity of what really matters

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## Leading through the Neutral Zone

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- ◆ I have let go
- ◆ I am with you
- ◆ But this feels uncomfortable

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## Leading through the Neutral Zone

- ♦ Try not to add other changes in the system while you are bringing on this change.
- ♦ Review policies & procedures to see if you need some patches to carry you through.
- ♦ The normal hierarchy often fails at this time, do you need some special “acting positions”?
- ♦ Have identified short range wins.
- ♦ Don't promise great things in the beginning, plan a slow start up.
- ♦ Provide any special training that is needed

Nancy Campbell  
nancy@nmcampbell.com

## Leading through the Beginning

### START

The date on your project plan when an activity or action should occur.

### BEGINNING

The date in a person's mind or being that the start of the activity or action occurs.

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nancy@nmcampbell.com




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## Leading through the Beginning

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**Sell the problems**  
***Before the Solutions***

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## Beginnings: The Four P's of Beginnings

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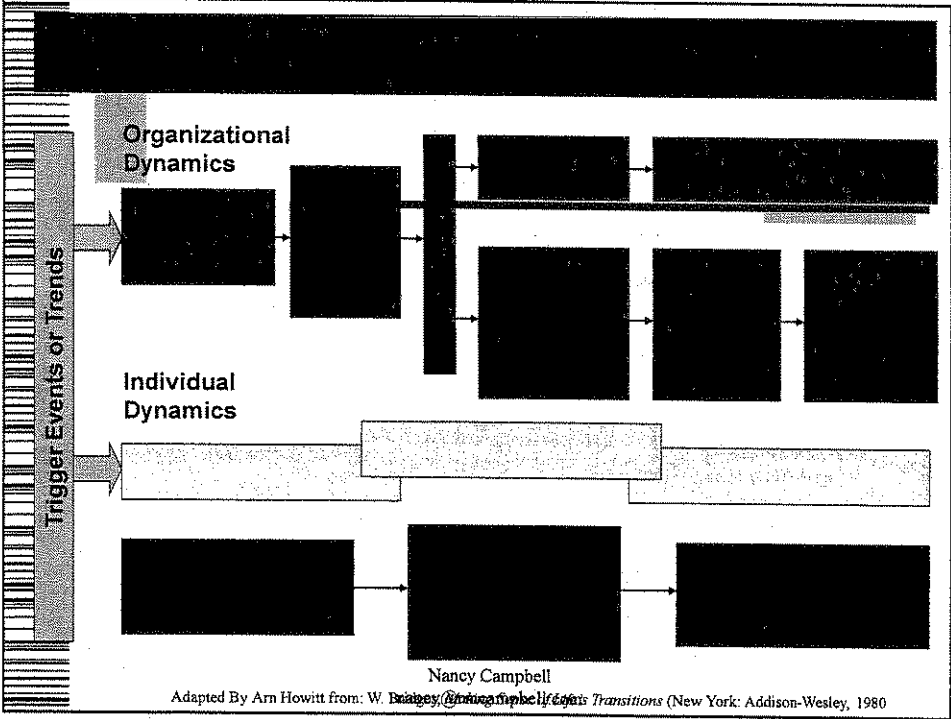
- ◆ **Purpose:** Explain it over & over again
- ◆ **Paint** a picture: It helps people to understand how the outcome will look & feel.
- ◆ **Plan:** Create a phased-in plan that clearly outlines steps in the process.
- ◆ **Part in the play:** Give everyone a role to play in the process so they have ownership & contribute.

Nancy Campbell  
nancy@nmcampbell.com

# Beginnings

- ◆ Be consistent
- ◆ Ensure quick successes
- ◆ Symbolize the new identity
- ◆ Celebrate success
- ◆ Reinforce success

Nancy Campbell  
nancy@nmcampbell.com





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## Change is about Motivation

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A person does that because of what happens to that person when he or she does it.”

--Daniels, Aubrey, C. *Bringing Out the Best in People*

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## Motivating Others

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- ◆ One of the critical steps in leading change is enhancing the intrinsic motivation of others
- ◆ Motivating Others requires:

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## Motivating Others

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- ◆ Understanding the individual's personal and professional needs, interests and desires
- ◆ Intrinsic motivation comes when personal and professional desires and needs align

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## Motivating Others

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- ◆ Positive reinforcement creates intrinsic motivation
- ◆ If you rely on external motivation, your proposed change will not be a priority for many system players!

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## Motivating Others

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- ◆ You must create the circumstances for the development of intrinsic motivation by the system players

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Because the problem lies largely in their attitudes, values, habits, or current relationships, the problem solving has to take place in their hearts and minds.

Ronald A. Heifetz, *Leadership Without Easy Answers*

Nancy Campbell  
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## Summary

- ◆ Leadership is about effecting Change
- ◆ Leading Change requires an understanding of the impact on the individual and the organization
- ◆ Effective influencing require self awareness
- ◆ With self awareness a leader can develop the coalition that can guide people through transition

Nancy Campbell  
nancy@nmcampbell.com

“We must become the  
change we want to see”

Mahatma Gandhi

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<b>Category and Module</b>	<b>Competency</b>	<b>Learning Objectives</b>
Lessons Learned for Supervisors	Ability to identify the strategies towards and barriers to, effective decision-making	Can discuss professional standards and supervisory expectations with staff
	Ability to become aware of issues regarding caseload management, professional standards, bias, and their relationship to unit culture	Can demonstrate the importance of critical thinking, openness, accountability and professionalism with staff
	Ability to be aware of the importance of role modeling as a unit supervisor	Can articulate how to establish a unit culture of high ethical standards, self-review and quality customer service





# Lessons Learned for Supervisors

Toni Sebastian  
Supervisor's Academy  
March 17, 2009

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## Lesson One

*Excessive caseload size results in shortcuts to decision-making and superficial case management. Managers and supervisors must identify solutions for excessive caseload size.*

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## Addressing Caseload Size

- Document
- Advise chain of command
- Ask for help
- Develop office strategies for coverage

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## Case Review and Supervision

- Cut corners strategically
- Standardize work
- Know what questions to ask on what type of case
  - Permanency
  - Safety
  - Filing
  - Placement

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## Lesson Two

*Recognize that the work is public and subject to review, question, and critique. It is the supervisor's responsibility to build a culture of openness, accountability, and transparency.*

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## Working with Staff

- Begin at the beginning
  - Hiring, training, supervision, and mentoring
- What is a public agency?
- Do you represent yourself or the agency?
- Access to our work
  - Open access with protection of confidentiality

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**Talking about and Explaining our Work**

- Responsibility to our clients, our agency, and the public
- Being able to answer questions about the work
  - Adopting a non-defensive position and attitude
  - Remain open to feedback and change in direction

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**Supporting v. Defending Staff**

- Know the difference
- Encourage
- Provide support
  - Internal support – unit, supervisor, peers
  - Peer support – critical incident, secondary trauma, cumulative trauma
  - Employee Assistance Program

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**Management of High Profile Cases**

- Media
- Legislature
- Intense conflict
- Be proactive
- Communication to Chain
  - Know case
  - Review work

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### Lesson Three

*Supervisors determine the culture of their unit through role modeling. This role modeling includes professionalism, work ethic, collaboration with community partners, interest in learning, and demonstration of critical thinking.*

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#### **Establish Professional Standards and Supervisory Expectations**

- Staff conduct
  - Punctuality
  - Dress
- Returning phone calls
- Accessibility
  - Itinerary and current calendars
  - Updated phone messages

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#### **Establish Professional Standards and Supervisory Expectations**

- Workplace environment
  - Calm, organized, orderly
  - Cases, files, documents
- Work Product
  - Complete staff work
  - Written work grammar, spelling, clear, concise, factual

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**Establish Professional Standards  
and Supervisory Expectations**

- Customer Service is the source of the majority of constituent complaints.

*Quality customer service:*

- Establishes reliability
- Establishes credibility
- Builds reputation

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**Establish Professional Standards  
and Supervisory Expectations**

- Collaborating with collaterals, community partners, and other child welfare partners

- Participating instaffings
- Including appropriate collaterals
- Notification

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**Establish Professional Standards  
and Supervisory Expectations**

- Values, Ethics
- Culture of learning
  - Unit meetings
  - Distribute and share information
  - Research, literature

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## Lesson Four

*Bias influences decision-making and the manner in which information is interpreted, understood, and presented.*

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## Know Biases

- Your own
  - What do you bring to the work?
- Worker biases
  - Strengths and areas of challenge
- Unit bias
- Office

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## What is Bias?

An inclination or preference, either for or against, that interferes with impartial judgment.

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### **Indicators of Bias**

- Scanning environment for information that supports own view
- Limited scope of information supporting view or conclusion
- Providing excuses or explanations for clients
- Emphasis on being right rather than factual

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### **When is it a problem?**

- When it acts as a barrier to accepting information that contradicts the favorable view
- When it controls the decision-making, activities, and outcomes of a case

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### **When is it a problem?**

- When it affects objectivity
- When it creates enmeshment and a blurring of professional boundaries

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### Working with Staff

- Newer staff v. senior staff
  - Taking experience for granted
- Standardizing supervision
- Discipline and personnel actions

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### In Casework

- Case assignment
- Observe
  - Home visits
  - Court
  - Staffings – CPTs, FTDMs, etc.
- Case review
  - Placement, filing, reunification
  - Conflicts with providers, foster parents, relatives

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### Confronting and Managing Bias

- Ask the critical questions
- Request and expect source materials
- Focus on fact patterns
- Allow for emotions and frustration, help staff separate emotions from facts
- *Normalize* discussion in supervision and at unit meetings

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<b>Category and Module</b>	<b>Competency</b>	<b>Learning Objectives</b>
Workload Management	Ability to effectively manage social worker caseloads as they relate to performance measures and agency mission	Can prioritize tasks according to program mission
	Ability to understand the effects of unmanageable workload and to be able to problem-solve solutions	Can describe performance measures and the policies and timelines that require compliance
	Ability to contribute to the unit-level and agency-level discussion of workload management	Can identify and manage work activities to utilize existing staff and resources efficiently and effectively



**Building a Model and Framework for Child Welfare Supervision\***  
 Peg Hess, PhD, ACSW, Susan Kanak, MBA, Julie Atkins, MA

**BACKGROUND INFORMATION**

1. Position Title: \_\_\_\_\_ 2. Years in Current Position: \_\_\_\_\_  
 3. Previous Position: \_\_\_\_\_ 4. Educational Background/Degree: \_\_\_\_\_

5. a-f.		Number
a.	Number of caseworkers you currently supervise	
b.	Number of caseworkers to be assigned to supervisor according to guidelines (state, county, legislation)	
c.	Average number of cases assigned to each caseworker	
d.	Number of cases per caseworker in guidelines	
e.	Total number of cases you supervise	
f.	Number of cases you currently directly serve	

5g. If you are currently directly serving cases, for what length of time have you done so?

**JOB RESPONSIBILITIES**

7. Please rate your perception of the importance of each job responsibility listed below by placing a check in the appropriate column as either most important to you in your position, important, not important, or not applicable/not aware (not included in job description/unsure whether included in job responsibilities). Your perception of what is important may understandably differ from that of your agency or supervisor. Please identify the reasons for rating the job responsibilities as "most important to you" and "not important to you." If you need more space, please use the back of the survey.

Job Responsibility	Most important to you (and reasons)	Important to you	Not important to you (and reasons)	Not applicable/ Not aware
a. Develop/monitor caseworkers' family-centered practice competence				
b. Develop/monitor caseworkers' cultural competence				
c. Assist caseworkers in applying learning from training, workshops, etc.				
d. Promote evidence-informed practice (assisting caseworkers in using practice and outcome data to assess practice effectiveness and adjust practice strategies to promote desired outcomes)				

\*Taken from National Child Welfare Resource Center for Organizational Improvement (2009).  
[www.nrcoi.org](http://www.nrcoi.org) and [www.nrcfcp.org](http://www.nrcfcp.org)

**Building a Model and Framework for Child Welfare Supervision\***  
 Peg Hess, PhD, ACSW, Susan Kanak, MBA, Julie Atkins, MA

Job Responsibility	Most important to you (and reasons)	Important to you	Not important to you (and reasons)	Not applicable/ Not aware
agency				
e. Promote caseworkers' self reflective practice and critical thinking and case decision-making				
f. Recruit, select, train (or arrange training), and retain staff				
g. Identify/manage/evaluate caseworker performance (reward excellent performance, address performance difficulties)				
h. Provide on-going professional development for caseworkers ( <i>develop knowledge/skill/career</i> )				
i. Case staffing/case reviews				
j. Anticipate/address/manage change within				
k. Anticipate/address/manage change within unit				
l. Facilitate communication and collaboration (supervisor-caseworker, agency-community (public and media), agency-foster parents, supervisor-agency, agency-courts, administrators, supervisor-caseworker-contractual service providers)				
m. Build and maintain working relationships with other units in agency				
n. Influence agency (re: goals, policy, structure, processes, resources, short-and long-term planning)				
o. Interpret and influence the organizational culture within the unit				
p. Prevent/address stress/secondary traumatic stress/burnout for caseworkers				
q. Prevent/address stress/secondary traumatic stress/burnout for self				
r. Enhance caseworkers' job satisfaction/Build and maintain morale				
s. Anticipate/Manage risk (safety) (to clients, caseworkers, supervisors)				

\*Taken from National Child Welfare Resource Center for Organizational Improvement (2009).  
[www.nrcoi.org](http://www.nrcoi.org) and [www.nrcfcppp.org](http://www.nrcfcppp.org)

**Building a Model and Framework for Child Welfare Supervision\***  
 Peg Hess, PhD, ACSW, Susan Kanak, MBA, Julie Atkins, MA

Job Responsibility	Most important to you (and reasons)	Important to you	Not important to you (and reasons)	Not applicable/ Not aware
t. Manage caseloads (assign and cover cases)				
u. Manage time and workflow for caseworkers				
v. Manage time and workflow for self				
w. Use management information systems (MIS) (to evaluate outcomes; identify resource needs, training needs, and policy problems; manage caseloads)				
x. Monitor caseworker responsibilities to supervisor (timely information sharing, developing agenda for formal supervision, self-assessment re: training/stress/professional development)				
y. Address ethics in caseworkers' practice (boundary issues, confidentiality)				
z. Address ethics in supervision (boundary				

Job Responsibility	Most important to you (and reasons)	Important to you	Not important to you (and reasons)	Not applicable/ Not aware
issues, confidentiality)				
za. Provide ongoing professional development for self				
bb. Provide leadership to unit				
cc. Provide leadership within organization				
dd. Provide leadership within community				
ee.				
ff.				

7a. Are there additional responsibilities that your job includes? If so, please list above and rate.

\*Taken from National Child Welfare Resource Center for Organizational Improvement (2009).  
[www.nrcoi.org](http://www.nrcoi.org) and [www.nrcfcp.org](http://www.nrcfcp.org)

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**OBSTACLES AND SUPPORTS FOR EFFECTIVE SUPERVISION**

9. Other than time and money, are there serious obstacles to your ability to carry out your current job responsibilities effectively?

10. What (or who in what positions) are the greatest supports to you in carrying out these responsibilities effectively?

<b>Category and Module</b>	<b>Competency</b>	<b>Learning Objectives</b>
SBC for Supervisors	Ability to be aware of the conceptual basis of Solution-Based Casework	Can identify the principles of Solution-Based Casework
	Ability to relate Solution-Based Casework principles to the case consultation process and clinical supervision	Can apply Solution-Based Casework principles to specific case consultation situations
		Can demonstrate examples of supervisor and staff interaction using Solution-Based Casework





# Clinical Supervision

## What isn't Clinical Supervision?

### Clinical Supervision

#### What it is not

- ◆ "Hallway" supervision
- ◆ Telling the worker what to do
- ◆ Timelines only
- ◆ Performance measures only

## It's About Time

### Taking the Time to Supervise

- ◆ Quality supervision lies in the ability to pull valuable time out of a demanding schedule to work more efficiently.
- ◆ Supervisors will reduce their crisis supervision time as they promote worker's skills and focus on case plan management.

## It's About Time

### Taking the Time to Supervise

- ◆ Quick decisions often lead to poor outcomes... "slowing down to speed up".
- ◆ Clinical Supervision means less crisis management.
- ◆ What is good for families is good for workers.

Solution Based Casework:  
What is it and how does it fit in?

**SBC is the common conceptual  
map between supervisor and  
caseworker**

Solution Based Casework:  
What is it and how does it fit in?

**The optimal supervisory  
relationship is one in which  
both the supervisor and  
worker are transformed by  
the interaction.**

## **The Building Blocks of Clinical Supervision**

### **Maintaining a Partnership**

- ◆ **Ask about specific situations**
- ◆ **Notice competency**
- ◆ **Ask about problem exceptions**
- ◆ **Elicit potential solution strategies**

## **The Building Blocks of Clinical Supervision**

### **Think Developmentally**

- ◆ **Use a Genogram**
- ◆ **Ask what is the developmental stage of the family?**
- ◆ **Ask what are the tasks the family is struggling with?**

**The Building  
Blocks of Clinical Supervision**

**Maintaining a Focus on Specific  
Situations in Family Life**

**The Building  
Blocks of Clinical Supervision**

**Tracking Problem Patterns**

- ◆ **Individual**
- ◆ **Family**

## **The Building Blocks of Clinical Supervision**

**Keeping tasks concrete,  
specific  
and documented**

- ◆ **The worker must get out the plan every time the case is discussed with the supervisor**

## **The Building Blocks of Clinical Supervision**

**Ask about Exceptions**

## Small Group Discussion

- ◆ Break up into groups of four.
- ◆ Think about a recent supervision interaction. Given what we have discussed, how might you do things differently.
- ◆ Report back to the large group

## Case Consultation Process

- ◆ Develop a partnership with social worker...normalize, validate, compliment.
- ◆ Goal Consensus...What do you both want out of the meeting?
- ◆ Find out who is in the family?
- ◆ What is the family trying to accomplish?
- ◆ What are the developmental issues?
- ◆ Track the event



## Case Consultation Continued...

- ◆ Who has the high-risk pattern?
- ◆ Always start with the plan so far. Ask for a copy of the plan to keep it front and center.
- ◆ Is the plan SMARTT? Does it need changes? Ideas for change to take back to the family?

## Intake

### You Are The Experts

What would Clinical Supervision look for a Intake Supervisor using the concepts and skills We have been discussing?

## SBC Supervision for Intake

- ◆ What made this person decide to call in today?
- ◆ Was there a time they can recall when things were going better for this family? If yes, what has changed?
- ◆ On scale of 1 to 10, where would the caller rate the challenges this family is facing?
- ◆ What are the strengths of this family?
- ◆ What would be helpful for this family?
- ◆ Are they willing to be part of the solution?

## Intake Video

Things to look for:

- ◆ Solution-based questions
- ◆ Safety concerns
- ◆ Developmental/everyday life challenges
- ◆ What did you notice that was effective?

## CPS You Are The Experts

What would Clinical Supervision look like for a CPS Supervisor using the concepts and skills We have been discussing when sending a worker out on a referral?

## CPS Clinical Supervision

Before going out on the referral:

- ◆ What do we already know about the family?
- ◆ What developmental and everyday life challenges are they probably facing?
- ◆ What appears to be the safety and risk issues for this family?
- ◆ Do you have any fears or concerns about connecting with this family?
- ◆ What else?

## CPS Clinical Supervision

When returning from the first interviews with the family:

- ◆ What are the developmental challenges facing this family?
- ◆ What is are the everyday life events facing this family?
- ◆ What task were they trying accomplish?
- ◆ What was the sequence of event that led to the referral?
- ◆ What is the individual problem that is causing safety and risk issues for the children?
- ◆ Let's review the safety plan.

## CPS Video

Things to look for:

- ◆ Solution-based questions
- ◆ Safety concerns
- ◆ Developmental/everyday life challenges
- ◆ What did you notice that was effective?

## CPS Clinical Supervision

What makes a great Safety Plan?

Specific  
Measurable  
Assessment-based  
Realistic  
Responsibility assigned  
Time framed

## You are the Experts

What should a case transfer look like  
using the Clinical Supervision  
concepts we have been talking  
about?

## Case Transfer

- ◆ How can the family be involved?
- ◆ The original crisis is a "teachable" moment for the family.
- ◆ An opportunity for the family to see the problem in a new solution oriented way.
- ◆ Transfers must be deliberate; paying attention to the details of how the problem will be defined.

## Practice Practice Practice

- ◆ Break in to groups of three  
One supervisor and two workers
- ◆ Practice staffing a case transfer that is pertinent to your position
- ◆ Debrief role play
- ◆ Switch roles

## Voluntary Services You are the Experts

What would Clinical Supervision look like for a Voluntary Services Supervisor?

### Supervision in Voluntary Services

- ◆ Goal consensus
- ◆ Safety concerns
- ◆ Developmental/everyday life challenges
- ◆ Skill acquisition vs. service completion
- ◆ SMARRT Plan

## Clinical Supervision

What makes a great Voluntary Service Plan?

Service plan needs to be specific to the risk..

Specific  
Measurable  
Assessment-based  
Realistic  
Responsibility-assigned  
Time-framed

## CFWS

You are the Experts

What would Clinical Supervision look like for a CFWS Supervisor?



## Video

### CFWS Video

Things to look for:

- ◆ Goal consensus
- ◆ Safety concerns
- ◆ Developmental/everyday life challenges
- ◆ Skill acquisition vs. service completion
- ◆ Family level and Individual level goals
- ◆ SMARRT Plan
- ◆ ACE

## Staying Focused on Long-Term Cases

- ◆ Re-establish the partnership
- ◆ Credential change
- ◆ What was the original event
- ◆ Re-evaluate the case plan to focus on family's developmental goals and related individual goals
- ◆ What would you need to see to close the case?

## Adoptions You Are the Experts

What would Clinical Supervision look like for an Adoptions Supervisor?

## Video

### Adoptions Video

Things to look for:

- ◆ Goal consensus
- ◆ Safety concerns
- ◆ Developmental/everyday life challenges
- ◆ Skill acquisition vs. service completion
- ◆ SMARRT Plan

## Licensing You Are the Experts

What would Clinical Supervision look like for a Licensing Supervisor?

## Video

### Licensing Video

Things to look for:

- ◆ Goal consensus
- ◆ Safety concerns
- ◆ Developmental/everyday life challenges
- ◆ Skill acquisition vs. service completion
- ◆ SMARRT Corrective Action Plan

## Practice Practice Practice

- ◆ Break into groups of two:
  - One supervisor, one worker
- ◆ Practice staffing a case in your unit
- ◆ Switch roles
- ◆ Debrief roles
- ◆ Report to the large group

## Unit Meetings and Group Consultation You are the Experts

Your staff as the experts

When would group clinical consultation  
be helpful?

What would a unit meeting that  
included clinical consultation look  
like?

## Group Clinical Consultation

- ◆ Solution Based Approach
- ◆ Refocus when staffing goes negative and critical
- ◆ Useful and productive ideas that build curiosity and critical thinking
- ◆ Cooperation and positive thinking
- ◆ Demonstration of respectful, collegial relationship with staff

## Group Consultation Video

Things to look for:

- ◆ Goal consensus
- ◆ Safety concerns
- ◆ Developmental/everyday life challenges
- ◆ Skill acquisition vs. service completion
- ◆ SMART Plan

## Video of Group Clinical Consultation

Things to look for:

- ◆ Strength based focus
- ◆ Refocus when staffing goes negative and critical
- ◆ Useful and productive ideas that build curiosity and critical thinking
- ◆ Cooperation and positive thinking
- ◆ Demonstration of respectful, collegial relationship with staff

## Tips for Quality Clinical Supervision

- ◆ Keep your social worker thinking developmentally...What are the developmental stages of the family?
- ◆ Focus on everyday life tasks...what specific tasks are they struggling with?
- ◆ Tracking the problem.
- ◆ Helping social worker remain solution based.
- ◆ "Teaching rather than telling"

## More Tips for Quality Supervision

- ◆ Where is the family doing well?
- ◆ What do they need to do to move the case forward?
- ◆ What family tasks do they need to work on?
- ◆ What individual skills do they need to develop?

## What is your plan

- ◆ Break up into groups of two and develop a written outline of how you will take what we have discussed to day and implement it into your unit.
- ◆ Remember to be SMART about your plan!
- ◆ Report back to the large group

## Clinical Supervision

*The supervisory relationship is our greatest training and practice tool.*

*Let's use it to mentor social workers and develop great practice.*

## Solution-Focused Management: The "Alasdair Brief"

- ◆ When someone comes through the door, often in a state of concern or anger, immediately set aside your current tasks and give them your full attention. (But don't invite them to sit down.)
- ◆ Ask for a behavioral description: What happened? Who did what? When does/did it happen? Are we certain that is happening? How do we know? Take brief notes.
- ◆ What small/first step will show us that the situation is moving in the right direction? What can be done? Who can do it? What is the next step in this situation? (Give space and have people come up with their own ideas first rather than offer advice.)
- ◆ When do we review this? What do we do to review this?



## Solution-Focused Management: The "Alasdair Brief"

- ◆ Break up into Groups of three
  - One person will be the supervisor
  - One person will be the worker with a problem
  - The third will be an observer
- ◆ Practice for five minutes, review then switch roles

Notes from SFM Consult Steve Langer 8/21/08

## **How to engage workers in change, (when they think they are doing fine)**

**Clarify worker's intent**

**What do they want to accomplish?**

**They have a sense of deficiency, if well defended.**

**When did the worker do something well?**

**If well defended, worker has pride, - can work with that.**

**Check for times when worker and supervisor agreed on performance.**

**Ask worker what "better" would look like?**

**Once you have talked about strengths, talk about weaknesses and goals**

**Ask supervisor, "What's possible for this worker."**

**Be respectful of person's learning style, (and ask about it).**

**Scaling: Ask worker;**

**How safe child is**

**> Ask worker first to: talk about strengths and differences in ratings.**

**How worker is doing**

**Give workers empirical data on performance in a caring way; Ask worker, "Do you agree"?**

**Can refer to external standard -- "How do you see it?" "What should we do about it?" "Where is their concern coming from?"**

**Ask who worker see's as a good model and why.**

**"How can you apply your strengths to the problem area?"**

**Share the burden with other resources**

**Hold people accountable for misbehavior.**

## Case Consultation Guide

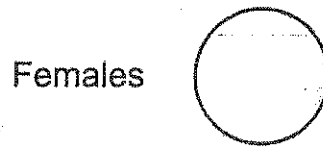
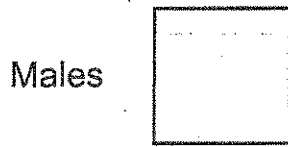
A Solution Based approach means we focus on the family. The goal is to work in partnership with people to help identify their strengths, focus on everyday life events, and help them build the skills necessary to manage situations that are difficult for them.

Case consultations work best when the following outline is used:

1. Help members of the team get to know the family by introducing the family members with a genogram. Remind the team of the developmental challenges families like theirs face.
2. Discuss the family's strengths and skills. What does the family do well? What are they proud of? What gives them a sense of self-worth and satisfaction?
3. Discuss what is difficult for the family. What situations in everyday life are high risks for them? What is their current pattern for trying to accomplish these tasks?
4. Discuss what individual problems family members might have that serve as barriers to resolving the problems in the family. What do you know about those individual patterns of behavior?
5. If you have co-developed plans with the family (or individual family members), what are they? (Please bring enough copies for the team.) How are the plans going so far? Is the family keeping track of their successes? If so, bring some copies of their accomplishments.

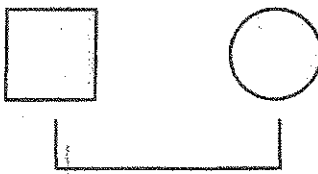
The team will benefit just from hearing about your work with the family, however the team is also there to assist you and the family by brainstorming about other possible resources or approaches. Think about how the team might be helpful prior to your case discussion.

# Tips for Constructing a Genogram



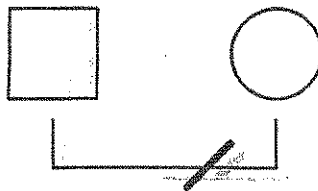
Marriage

m. 1993

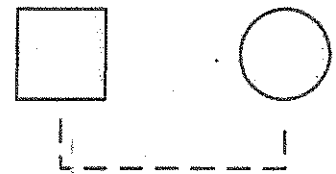


Seperation/Divorce

d. 1993

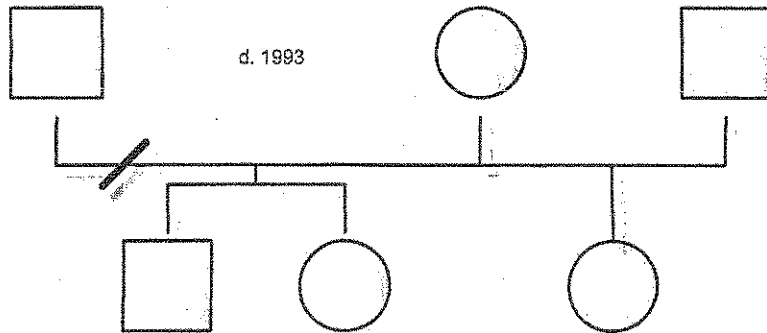


Intimate/Unmarried



Adding Children

d. 1993



Death



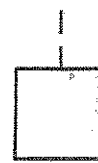
Pregnancy



Adopted Daughter



Foster Son

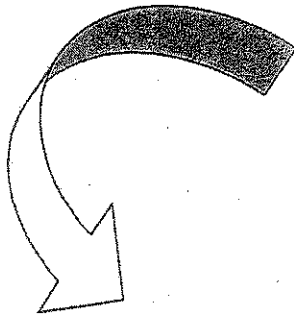


Strengths

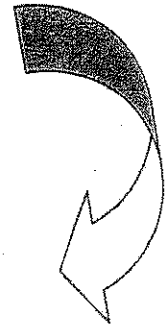
Assessment/Issues

dad

mom



**RISK**



**GOAL**

(Family Life Objective)

**FLO**

(Individual Life Objective)

**ILO**

**Tasks**

**(Action Plan)**

**Tasks**

**-Ways to Measure:**

<b>Category and Module</b>	<b>Competency</b>	<b>Learning Objectives</b>
Evidence-Based Practice	Ability to understand evidence-based standards and research in child welfare settings	Can understand and describe the concept of evidence-based practice
	Ability to understand the relationship between evidence-based practice, best practice methods, and cost effectiveness	Can describe the evidence-based programs offered in Washington State.
		Can articulate the benefits and limitations of evidence-based program research and application



# **Use of Evidence Based Programs**

Department of Social and Health Services

**Engaging,  
Motivating,  
Assessing, and  
Working Successfully  
..... with Children and Families**

**Dana Phelps, M.Ed.**

**Evidence-based is defined in  
Washington as:**

**Models that have..strong  
science/research support**

**Models that have.. been  
replicated (done) in several places**



## Best practice?

Best practice is a term that usually refers to common or acceptable practice.

For example accreditation standards

Best practices usually have shown some outcomes, but may not have undergone a "study and control group" design study

Best practices will always have a place in practice because:

Not everything will be researched

There is no program that meets every child's needs

Not every child welfare activity can be measured

## Do we have to study a program before we use it?

Not necessarily. There are some child welfare areas where little or no research has been done

Promising practices may be implemented and studied as they are being used

It makes sense to use evidence based programs when they already exist for a group of children. When an EBP does not exist, then a promising program may be used

## Programs in Washington

Multidimensional Treatment Foster Care (MTFC)

Functional Family Therapy (FFT)

Parent Child Interaction Therapy (PCIT)

Promoting First Relationships

Incredible Years Program

Nurse Family Partnership

Homebuilders

## Parent Child Interaction Therapy

- treatment for parents and young children (ages 2-7)
- emphasizes improving the parent-child relationship and changing parent-child interaction patterns

In PCIT, parents are taught specific skills to establish a nurturing and secure relationship with their child and methods of appropriate discipline. PCIT is provided to a parent and child pair over approximately 20 weeks.

Parents are required to practice the new skills at home with their child.

## Parent Child Interaction Therapy

### PRIDE Skills

- Praise** appropriate behavior. - *Use labeled praises.*
- Reflect** appropriate talk - *This is the skill that gets kids to talk!*
- Imitate** appropriate play - *Depending on your child, you may imitate exactly or with similarity*
- Describe** appropriate behavior. - *States what the child is doing right.*
- Enthusiasm**

## Homebuilders

An Intensive Family Preservation Services program designed to prevent out of home placement of children.

Utilized when a family has been referred for child abuse and neglect and the child or children are at imminent risk of placement.

Program is short in duration, usually 4 to 6 weeks. (40 hours of service average in those 4 – 6 weeks)

Homebuilders therapists respond to families 24 hours a day, 7 days a week.

## Homebuilders

The program focuses on teaching parents to care effectively for their children by increasing the parents ability to:

- manage child behavior
- utilize appropriate discipline,
- provide a safe and nurturing home environment

Therapists have a low caseload (two cases at a time)

## Functional Family Therapy

- Research-based prevention and intervention program for adolescents and their families
- Targets youth between 11-18....
- Short-term, family-based program
  - Average of 12 sessions over 4 months
- Range of adolescent problems
  - drug abuse/use, conduct disorder, family conflict

## FFT Family-based philosophy...

- We know families can be....
  - discouraged
  - hopeless
  - emotional
  - blaming
  - less than motivated
- Our job...meet them where they are...
- We understand all families are uniquely organized
  - each a different and complicated social systems
- We know all families have strengths and resources that we can tap
- Family is the "client"

### Guiding Principles

## Obtainable but lasting change

The outcome goals of therapy are those that are obtainable and lasting

- not someone's idea of healthy families but.....
- obtainable behavioral changes

...are those that are:

- obtainable behavioral changes ...
- for these people ...
- with these resources ...
- and these value systems ...
- in this context

FFT shows several important outcomes when used in child welfare settings:

- a reduction in negativity within the family
- improved communication in the family
- increased parental supervision
- reduced placement in foster care (FPS)

11% foster placement in FFT vs. 49% foster placement in services as usual

## Trauma Focused CBT

- treatment for children (ages 5 -18)
- emphasizes skills to cope with past trauma

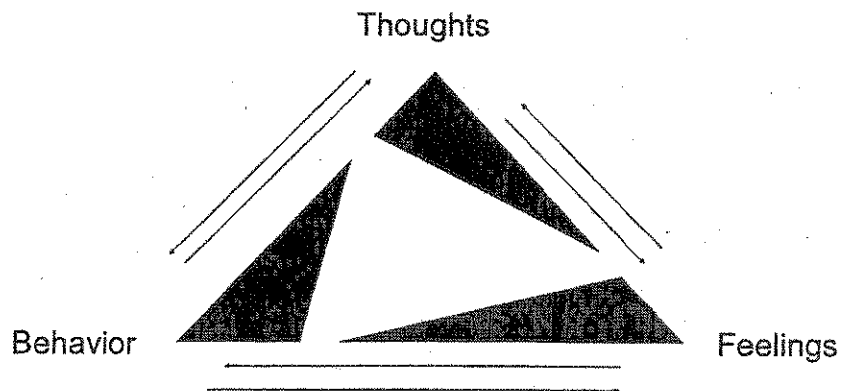
TF – CBT teaches children in an individual setting ways of coping with past traumatic experiences and new skills. Caregivers of the children participate in some sessions where they learn to support the child.

This treatment is appropriate for children with “internalizing” behaviors and is not appropriate for children who are “acting out.”

## Trauma Focused CBT Components

- Psycho-education
- Emotion regulation skills
- Correcting maladaptive cognitions
- Desensitization/trauma narrative
- Interpersonal skills
- Positive parent management

## CBT Triangle



## Emotion Regulation Skills

### **“Helping children manage negative emotions”**

Targets: fear, anxiety, depression, anger

#### Strategies:

- Feelings identification
- Relaxation
- Controlled breathing
- Cognitive coping
- SIT
- Take a break
- Mindfulness

## Incredible Years Program

- treatment for parents of young children (ages 2-7)
- emphasizes improving the parenting skills and use of appropriate discipline

Incredible Years teaches groups of parents specific skills to use in parenting their child and methods of appropriate discipline. The Incredible Years program groups will last between 12 and 16 weeks.

Parents are given homework to practice at home with their child.



## Multidimensional Treatment Foster Care

Program that serves children in a specially trained foster home

Only one foster child per home

Foster home is supported by a case manager that is available 24/7

Foster parents create a behavior management plan with the case manager

## Multidimensional Treatment Foster Care

The foster parents provide consistent rewards for positive behavior

Privileges are gained by the child for following the program

Foster child's time heavily structured

## Multidimensional Treatment Foster Care

Child is awarded points for following rules and directions

Child loses points for "problem" behavior

Child usually has an individual therapist

Child's "family" has a family therapist

## Multidimensional Treatment Foster Care Outcomes

MTFC shows three important outcomes for the child welfare population:

- fewer placement disruptions
- a decrease in rate of problem behavior
- a 90% retention rate of foster families

## Multisystemic Therapy (MST)

- treatment for families with adolescents
- teach parents skills and connect them to resources needed to independently address the difficulties of raising teenagers

A focus is placed on helping youth and families cope with family, peer, school, and neighborhood problems. Within a context of support and skill building, the therapist places developmentally appropriate demands on the adolescent and family for responsible behavior. Intervention strategies are integrated into a social ecological context and include strategic family therapy, structural family therapy, behavioral parent training, and cognitive behavior therapies.

## Multisystemic Therapy (MST)

The program is designed as an alternative to placing children out of home.

The therapist carries a caseload between 5 and 7 families and is available to the family 24/7.

The interventions primary goal is to reduce the need for out of home placement. It has successfully reduced the number of days in psychiatric hospitalization by 72% as compared to a treatment as usual program.

An MST adaptation for treatment of families of younger children is currently being studied for application in child welfare cases.

## Programs being looked at:

### Family Integrated Transitions (FIT)

Outcomes for co-occurring mental health and substance abuse

### Project Safe Care

Home visiting program that focuses on parent and child bonding and infant/child health care

## What about when there is no research?

At times, best practices are the only thing available to guide practice

When developing a new practice, evidence based programs can provide a foundation for building a program or practice (i.e. skills that are effective with a group of people).

We can work with model developers and experts in the field to build the new practice or program

## What are the limits?

No one program has yet been found to solve all the problems faced by children

There is not enough research on minority populations to know that every program works with every population

Successful use of evidence based programs depends on having skilled providers and support from the community

## Where to get more information

The Washington State Institute for Public Policy recently published a report.

<http://www.wsipp.wa.gov/pub.asp?docid=08-07-3901>

Other state's are doing similar work. Information on California's efforts can be found at:

<http://www.cachildwelfareclearinghouse.org>

## Questions

For more information contact:

Dana Phelps

(360) 902-7653



<b>Category and Module</b>	<b>Competency</b>	<b>Learning Objectives</b>
Disproportionality	Ability to distinguish “disproportionality” and “disparity” in measurements of intakes, services and reunification for children of color	Can articulate the theories of disproportionality as they relate to the child welfare system
	Ability to understand the conceptual basis of theories of disproportionality and institutional racism	Can describe the findings of research relating to disproportionality in the child welfare system
	Ability to critically examine the impact of proposed solutions and policies on disproportionality	Can discuss topics for ongoing work relating to disproportionality with their staff and colleagues





Presentation to Children's Administration CW Supervisors  
March 19, 2009  
Lynett Loggers and George Gonzalez  
Casey Family Programs

## DISPROPORTIONALITY IN THE CHILD WELFARE SYSTEM

### AGENDA

- × Opening Comments
- × Definitions/National Data/History of  
Disproportionality in Child Welfare
  - + Dr. Carol Spigner video - 55 minutes
- × King County/Washington State
- × Direct Service Response
  - + Knowing Who You Are video
- × Open Dialogue/Sharing

## **TERMINOLOGY**

### **Disproportionality**

- × Over-or-under-representation of children of color under age 18 in foster care compared to their representation in the general population (Race Matters Consortium).

### **Disparity**

- × Disparate or inequitable treatment, services and outcomes for children of color as compared to those provided and experienced by similarly situated Caucasian children (Race Matters Consortium).

## **TERMINOLOGY**

### **Racial Equity**

- × A social outcome measure that occurs when the distribution of society's resources, opportunities, and burdens are not predictable by race (Aspen Roundtable).

### **Structural Racism**

The many factors that work to produce and maintain racial hierarchies and inequities in America today which includes:

- × National history, values and culture;
- × Public policies, institutional practices and cultural stereotypes (Aspen Roundtable).

## **THEORIES ABOUT CAUSES**

### *Parent/Family Risk Factors:*

Poverty, Jobless, Drugs, Mental Illness

### *Community Risk Factors:*

Poverty, Homelessness, Crime, Violence

### *Organizational/Structural Factors:*

Bias, Practices, Policies, Systemic Racism

## **LEVELS OF RACISM**

- × Individual
- × Interpersonal
- × Institutional
- × Structural

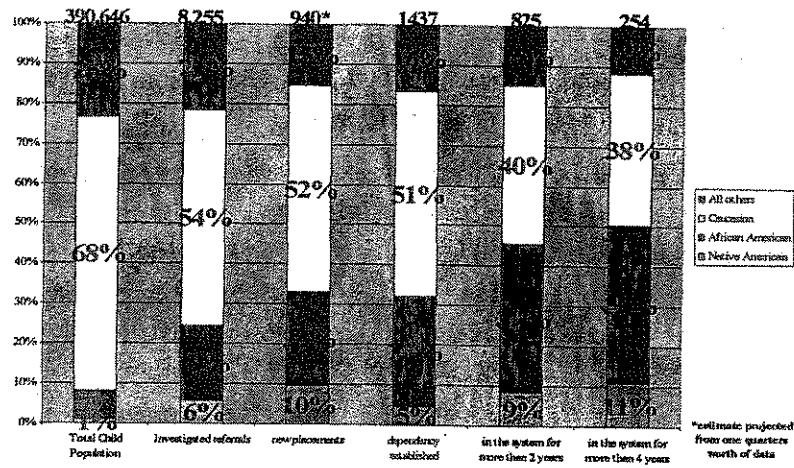
## WHAT THE KING COUNTY DATA SHOWS

- \* Children of color constitute one-third of the King County child population, but make up more than one half of all children currently in foster care in King County.
- \* African American and Native American children are over-represented at nearly every decision point in the child welfare system, and the disparities increase the deeper you go in the system.
- \* Multi-racial children and children of "other" races are over-represented at a few decision points in the system

## What the King County Data Shows

- Compared to Caucasian children, African American and Native American children:
  - Are disproportionately represented in child welfare referrals accepted for investigation
  - Are more likely to be removed from their homes and placed in foster care
  - Make up a disproportionate percentage of children in care longer than 2 years and longer than four years
  - Wait longer to be adopted.

## Summary children entering, or in the system



## Findings from National Research

- ◆ Children of color more likely to be reported to CPS than white children even when equally severe injuries.<sup>1</sup>
- ◆ Worker's perception that the family is non-compliant may result in higher assessment of risk, despite otherwise similar facts.<sup>2</sup>

<sup>1</sup> Katz, M., R. Hampton, et al. (1986). Returning children home: clinical decision making in cases of child abuse and neglect. *American Journal of Orthopsychiatry* 56 (2):253-262.

<sup>2</sup> English, D.M., Brummel, S., and Orme, M. (1995). A preliminary examination of similarities and differences in the assessment of risk for different ethnic groups. Olympia, Washington, Office of Children's Administration Research, Washington State Department of Social and Health Services: 18.

## Findings from National Research

- ◆ Racial disparity in outcomes may relate to families of color receiving fewer services.<sup>1</sup>
- ◆ Racial or ethnic status of social worker does not, in and of itself, make a difference in outcomes.<sup>2</sup>

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<sup>1</sup>Hill, R. (2001). *Disproportionality of Minorities in Child Welfare: Synthesis of Research Findings*. Washington, D.C., Westat: 30.

<sup>2</sup>Barth, R. P., M. Courtney, et al. (1994). Timing is everything: an analysis of the time to adoption and legalization. *Social Work Research* 18(3).

## Findings from National Research

- ◆ Children of color are more likely to be placed with kin.<sup>1</sup>
- ◆ Kinship care providers receive fewer services than non-related foster parents do.<sup>2</sup>
- ◆ Caucasian foster parents are offered significantly more services than other ethnic or racial groups.<sup>3</sup>

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<sup>1</sup>Berrick, J. D., R. P. Barth, et al. (1994). "A comparison of kinship foster homes and foster family homes: implications for kinship foster care as family preservation." *Children and Youth Services Review* 16(1/2): 33-63.

<sup>2</sup>Ibid

<sup>3</sup>Stenbo, S. (1982). Differential treatment of minority children in service systems. *Social Work* 27, 39-45.

**~~Children of Color are not in the System~~  
because of Higher Rates of Abuse or  
Neglect by their Families**

THOMAS MORTON  
CHILD WELFARE INSTITUTE OF AMERICA'S 1999  
STUDY OF NATIONAL CHILD WELFARE DATA

- \* There is no higher incidence of abuse or neglect in any racial or ethnic group.
- \* We must assume that any higher rate of referral must be the result of something else....

**~~TOPICS FOR ONGOING WORK~~**

- \* Applying Undoing Racism training to practice
- \* Learning and understanding the communities where families reside
- \* Providing prevention services in communities



## TOPICS FOR ONGOING WORK

- \* Providing services in language of the population
- \* Examination of issues of under representation as well as overrepresentation
  - + Within group differences
- \* Matching Reunification/preservation services to family needs
  - + Reasons for entry into care
    - \* Intersections with substance abuse

## TOPICS FOR ONGOING WORK

- \* Impact of disparities in other areas: education, health care, mental health, and criminal justice
- \* Gender, race/ethnicity, class issues in service provision
  - + Practices and policies in identifying fathers and paternal relatives

## TOPICS FOR ONGOING WORK

- ✖ Recruiting families of color as foster and adoptive homes
- ✖ Maintaining family connections
  - + Sibling placement issues
- ✖ Service delivery and funding for kinship providers

## TOPICS FOR ONGOING WORK

- ✖ Analyzing outcome data by race and using data to inform practice
- ✖ Analyze impact of proposed policies and practices on specific populations and on disproportionality
  - + Impact of privatization on disproportionality... contracting

## KNOWING WHO YOU ARE

- × The Video

## KNOWING WHO YOU ARE

- × What are your impressions of the concepts presented regarding racial and ethnic identity?
- × What are the top points highlighted that you want to address when you get back to work?
- × How can you further integrate racial and ethnic identity work with youth I your organization?

## OPEN DISCUSSION

- × Tell us, and everyone else in the room, what you think.
- × What questions are there?
- × Some resources to share

## OUR COLLECTIVE WORK CONTINUES...

“We can no longer afford to step softly around this problem; we must be willing to wake up and awaken others to confront institutional and individual issues that perpetuate disproportionality.”

*BSC Framework for Change, p. 2*

**OUR COLLECTIVE WORK CONTINUES...**

*"... there are few things in the world  
as dangerous as sleepwalkers."*

*Ralph Ellison, Invisible Man, p. 5*

Casey Family Programs

**THE CHILDREN ARE WAITING...**

**✕ It's up to us!**

## **CHALLENGES**

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- ✖ Understanding the problem
- ✖ The poverty question
- ✖ Capacity
- ✖ Constituent engagement
- ✖ Tribal involvement and implementing ICWA

