

CF OPERATING PROCEDURE
NO. 170-1

STATE OF FLORIDA
DEPARTMENT OF
CHILDREN AND FAMILIES
TALLAHASSEE, June 26, 2024

Child Welfare

FLORIDA'S CHILD WELFARE PRACTICE MODEL

This operating procedure describes the department's child welfare practice model which has been developed to ensure that all children and families served are treated with respect, fairness and equality. This operating procedure includes a description of the least intrusive and least restrictive interventions necessary to achieve child safety, permanency and well-being. This operating procedure also defines safety concepts for intervention and treatment, provides uniform definitions and standard ratings for the evaluation of caregiver protective capacities, child strengths and needs, the quality and frequency of family visitation and progress in achieving case plan outcomes.

This operating procedure applies to hotline staff, child protection investigators, case managers, licensure, adoption and independent living specialists.

BY DIRECTION OF THE SECRETARY

(Signed original copy on file)

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Assistant Secretary for
Child and Family Well Being

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Chapter 1

INTRODUCTION TO FLORIDA'S CHILD WELFARE SYSTEM AND PRACTICE MODEL

1-1. Purpose. The mission of the Department of Children and Families is to work in partnership with local communities to protect the vulnerable, promote strong and economically self-sufficient families, and advance personal and family recovery and resiliency (s. 20.19, Florida Statutes). The child welfare system is designed to respond to citizen concerns about children who may be victims of abuse, neglect or abandonment; determine whether children are safe, unsafe or at risk; and provide the appropriate interventions to achieve safety, permanency and well-being. The child welfare system involves many professionals: staff who work directly for the department, Attorney General's Office, State Attorney's Office, employees of the department, Community Based Care Lead Agencies, Case Management Organizations or Licensed Child Care Placement agencies. All providers in the child welfare system operate under a uniform set of core procedures that are designed to ensure that families and children receive protection and treatment in a manner that is trauma-informed and least-intrusive.

1-2. Authority.

- a. Section [409.1451](#), Florida Statutes (F.S.), the Road-to-Independence Program.
- b. Section [409.175](#), F.S., Licensure of family foster homes, residential child-caring agencies, and child-placing agencies; public records exemption.
- c. Sections [409.401](#), F.S., Interstate Compact on the Placement of Children; [409.402](#), F.S., Financial Responsibility for Child; [409.403](#), F.S., Definitions; Interstate Compact on the Placement of Children; [409.404](#), F.S., Agreements between party state officers and agencies; and [409.405](#), F.S., Court placement of delinquent children.
- d. Titles II, IV, XVI, XIX and XX, Social Security Act, as amended.
- e. 45 Code of Federal Regulations (CFR), Parts 1355 through 1357; 45 CFR, Part 233.110; and 45 CFR, Part 435.118.
- f. State Plans for Title IV-E, Temporary Assistance for Needy Families, Medicaid and Title IV-D.

1-3. Statutory Intent. Section [39.001](#), F.S., establishes the purposes and intent of the child welfare system.

1-4. System Outcomes. Florida's child welfare professionals seek to achieve the following outcomes for children:

- a. Safety. Florida's children live free from maltreatment.
- b. Permanency. Florida's children enjoy long-term, secure relationships within strong families and communities.
- c. Well-Being. Florida's children are physically and emotionally healthy, and socially competent. Florida's family's nurture, protect and meet the needs of their children, and are well integrated into their communities.

1-5. Florida's Child Welfare Practice Model. The practice model provides a set of common core safety concepts for determining when children are safe, unsafe, or at risk of subsequent harm and how to engage caregivers in achieving change. Florida's practice model includes the expectation that when children are safe but at high or very high risk for future maltreatment, affirmative outreach and efforts will be provided to engage families in family support services designed to prevent future maltreatment. When children are determined to be unsafe, safety management and case planning is non-negotiable. While service interventions are voluntary for children determined to be safe but at high or very high risk of future maltreatment, the child welfare professional should diligently strive to use motivational interviewing skills to facilitate the parent(s)/legal guardian(s)' understanding of the need for taking action in the present to protect their children from future harm. To accomplish effective application of the safety concepts, seven professional practices are employed: Engage, Partner, Collect Information, Assess and Understand Information, Plan for Child Safety, Plan for Family Change, and Monitor and Adapt Case Plans.

a. Engage. The family is the primary point of communication, involvement and decision making. CFOP [170-5](#), Child Protective Investigations, and CFOP [170-9](#), Family Assessment and Case Planning, provide uniform processes that enhance the ability of Child Protection Investigators and Case Managers to engage with the family and those who know the family. Engagement:

(1) Provides parent(s)/legal guardian(s) with information that empowers them.

(2) Seeks to build partnership with the parent(s)/legal guardian(s) and their resource network to collect sufficient information to complete the family assessment and develop safety plans.

(3) Is essential to co-construction of the Case Plan, which includes goals for what must change, related to enhancing Caregiver Protective Capacities and the identification of treatment services.

(4) Supports the family to undertake and maintain the needed change(s).

b. Partner. Partnering occurs throughout the time a child welfare professional works with the family. Child welfare professionals partner with the family, the family's network, other professionals and community partners to achieve understanding of family dynamics and develop safety decisions and actions, including safety planning and management, case planning and assessment of family progress. The partnering process promotes commitment and accountability of the family and all team members toward common goals for the family.

c. Collect Information. Sufficient, relevant information-gathering is the most essential ingredient for effective decision-making. Information is gathered through the information standards, referred to as the Six Information Domains, which include what must be known about children and caregivers to inform effective decision-making.

(1) These Six Information Domains described in the Family Functioning Assessment. The Six Information Domains are: maltreatment; circumstances surrounding maltreatment; child functioning; adult functioning; general parenting; and parental discipline.

(2) Through the collection of this information, the child welfare professional creates an assessment of family functioning and conditions.

(3) The assessment describes the presence or absence of danger threats to child safety, the vulnerability of children, caregiver protective capacities, the sufficiency of safety plans and progress in achieving case plan outcomes.

(4) Information collection begins at the Florida Abuse Hotline and continues during the investigation and throughout ongoing case management services for children who have been determined to be unsafe.

d. Assess and Understand Information.

(1) Immediate circumstances and information already known about family conditions are assessed to accurately identify children in present danger.

(2) Relevant, sufficient information is gathered, assessed and analyzed to complete the family functioning assessment of the children and the actuarial risk assessment of future harm.

(a) Sufficient information about family conditions is gathered to assess whether a child is safe or in impending danger.

(b) When information clearly supports that the parent(s)/legal guardian(s) or other person with significant caregiver responsibility has sufficient caregiver protective capacities to care for and protect the child despite family conditions, the child is determined to be safe.

e. Plan for Child Safety.

(1) There are two times when safety planning is needed

(a) When a child is found to be in present danger, a Present Danger Plan is put in place to control present danger threats and to allow time for sufficient and relevant information collection through the Family Functioning Assessment process.

(b) When an investigator concludes at the end of the Family Functioning Assessment that a child is unsafe an Impending Danger Safety Plan is developed.

(2) Developing a sufficient Impending Danger Safety Plan to control and manage impending danger that is the least intrusive is completed based upon an In-Home Safety Planning Analysis.

(3) Safety plans are managed throughout the life of the case. During the investigation the investigator is responsible for managing the safety plan. When a case is transferred from investigations to ongoing case management, the Lead Agency/CBC becomes responsible for the management of the Impending Danger Safety Plan .

(4) Safety Planning Analysis is used for children with an out-of-home Impending Danger Safety Plan to create Conditions for Return for these children to return home with an in-home Impending Danger Safety Plan.

f. Plan for Family Change. Information gathered through the Family Functioning Assessment-Ongoing results in the development of case plan outcomes related to what behavior(s) or condition(s) must change to keep a child safe.

(1) The Case Plan includes specific, measurable, attainable, reasonable and timely outcomes that are developed jointly with the family.

(2) The family is assisted in identifying the services and supports necessary to achieve each outcome.

g. Monitor and Adapt Case Plans. The Ongoing Family Functioning Progress Update is a formal and ongoing intervention that occurs on a regular basis following the development of the family's Case Plan.

(1) Monitoring case plans follows a standardized approach to measuring progress related to:

- (a) Changes in caregiver protective capacities;
- (b) Changes in child needs;
- (c) Safety plan sufficiency; and,
- (d) Motivational readiness to change.

(2) Case plans are adapted as progress is made to further promote change.

(3) Caregiver progress is assessed and documented in the Six Information Domains.

1-6. Case Flow. Family-centered practice skills should be utilized for all actions and decisions during the life of the case to ensure that we correctly identify an unsafe child and remediate the family conditions in the child's family causing the danger for the child. The following is a high level summary of case flow.

a. The Hotline counselor will gather information in order to:

- (1) Determine whether to screen-in a report and if so, what type of intake it will be.
- (2) Establish response times.

b. The investigator will complete a Present Danger Assessment and if there is present danger, will develop and implement a safety plan.

c. The investigator will conduct a FFA-Investigation and determine one of the following outcomes:

- (1) A child is unsafe and in need of protection and intervention.
- (2) A child is safe, however has a risk score of "Very High" or "High" and would benefit from family support services.
- (3) A child is safe and has a risk score of low or moderate;- and in some situations the family might benefit from referrals to community resources.

d. Upon completion of the FFA-Investigation the investigator will complete the following activities.

(1) When a child is unsafe:

(a) The investigator will complete the in-home safety analysis to determine whether an in-home safety plan is appropriate.

(b) The investigator will establish Conditions for Return (reunification) if an out-of-home safety plan has been developed.

(c) The investigator will transfer the case to the Lead Agency for Community Based Care (CBC) responsible for ongoing safety plan management and case management.

(2) The investigator will refer a case for family support services when the child(ren) has been determined to be safe but at "Very High" or "High" risk of future maltreatment.

e. The case manager will use the assessment information presented in the FFA-Investigation as a starting point for further assessing the underlying family conditions related to impending danger and caregiver protective capacities. The case manager will collect additional information to complete a Family Functioning Assessment-Ongoing (FFA-Ongoing) which will include:

(1) Scaling caregiver protective capacities.

(2) Scaling child strengths and needs.

(3) Developing a danger statement.

(4) Identifying family goal(s), resources, and potential barriers.

(5) Providing information related to the parent(s)/legal guardian(s)' motivation to change.

(6) Using the FFA-Ongoing to identify the specific diminished or absent caregiver protective capacities and child needs that will guide the development of case plan goals and outcomes.

f. The case manager will co-construct case plan outcomes with families to the extent that the parents or legal guardians are available, willing and able. Outcomes should reflect the family's current stage of change in order to best ensure that reasonable efforts are made to assist families with achieving change.

(1) The case plan will identify the actions, activities, tasks and resources, both informal and professional, which are intended to address diminished caregiver protective capacities and child needs. Service provision may be provided when children are in-home or out-of-home.

(2) To ensure permanency for children in out-of-home care, the achievement of change must occur within the timeframes established in Chapter 39, Florida Statutes.

(3) The case manager will continue to assess the child and family to update the information domains, caregiver protective capacities and child needs. The case manager will complete regular Progress Updates that use standardized criteria for measuring family change and progress.

(4) The case will be terminated when the parent(s)/legal guardian(s) have achieved sufficient change in caregiver protective capacities so that a safety plan is no longer required, or when a child has achieved permanency.

g. Supervisors will provide supervision and coaching of staff that models mastery of the department's core tenets and core competencies through their supervisory activities in the office as well as through field activities with children and families. Supervisors will have the ability to observe and assess the performance of child welfare professionals to:

(1) Treat staff, children and their families and others with respect, dignity and fairness at all times regardless of position, assignment, training or circumstance;

(2) Effectively use engagement skills that include active listening;

(3) Understand the dynamics of a family within the context of family rules, traditions, history and culture;

(4) Effectively work with each family's resistance as they move through the change process; and,

(5) Effectively develop and lead a team of professionals working in collaboration with each other and the family to share information and to plan, provide and evaluate family progress and interventions.

h. Supervisors will ensure that child welfare professionals exercise due diligence in gathering and assessing required information.

i. Supervisors will ensure that safety and risk are assessed with fidelity to core concepts and definitions.

Chapter 2

CORE SAFETY CONCEPTS

2-1. Purpose. In order to determine whether a child is safe or unsafe with their parent(s)/legal guardian(s) and to provide subsequent interventions, the Child Welfare Practice Model incorporates a set of core safety concepts. These core concepts are essential for establishing that sufficient information is gathered and assessed in a consistent, standardized manner regardless of the provider performing the investigation or ongoing services in Florida. The core safety concepts that all staff must utilize consist of identifying and assessing present and impending danger; planning and establishing the least-intrusive safety plans that assure child safety; managing and controlling safety plans; partnering with caregivers to identify diminished caregiver protective capacities and child strengths and needs; and creating and implementing case plans that enhance the capacity of caregivers to provide protection and well-being for their children.

2-2. Present Danger. Present Danger exists as an immediate, significant, and clearly observable family condition, child condition, individual behavior or action or family circumstances which are in the process of occurring and which obviously endanger or threaten to endanger a child and require immediate action to protect a child. Present danger threats are usually identified at initial contact by an investigator, but may also occur during the course of an investigation or while the family is receiving case management services. Present danger which occurs during ongoing services may involve the parent(s)/legal guardian(s) in an in-home case, a relative or non-relative caregiver or a foster parent. Serious harm will result to the child without prompt response and interventions.

a. The child welfare professional can visibly identify or readily assess historical information for out of control conditions that are immediately harmful to the child. The family conditions are such that the threatening family condition or behavior putting the child in danger could happen at any time and requires an immediate response.

b. The threatening family condition may be readily apparent, or it may be an allegation of significant harm that if true requires protective actions. Examples may include:

(1) Serious injuries to an infant with no plausible explanation and/or the perpetrator is unknown.

(2) Allegations of child sexual abuse.

(3) A criminal history or pending charges for aggravated assault, sexual assault or crimes against children.

(4) Psychotic, delusional or dangerous behavior symptomatic of a mental health issue or substance misuse.

(5) The family condition is dramatic, graphic or notable in its damaging and harmful effect on the child.

(6) The present danger may not include maltreatment.

c. Present Danger Threshold. The qualifiers that must exist to justify present danger are the following:

(1) "Immediate" for present danger means that the dangerous family condition, child condition, individual behavior or act, or family circumstances are active and operating. What might result from the danger for a child could be happening or occur at any moment. What is endangering the

child is happening in the present, it is actively in the process of placing a child in peril. Serious harm will result without prompt investigation and/or case manager response.

(2) “Significant” for present danger qualifies the family condition, child condition, individual behavior or acts, or family circumstances as exaggerated, out of control, and/or extreme. The danger is recognizable because what is happening is onerous, vivid, impressive, and notable. What is happening exists as the matter that must be addressed immediately. Significant is anticipated harm that can result in pain, serious injury, disablement, grave or debilitating physical health conditions, acute or grievous suffering, impairment or death.

(3) Present danger is “Clearly Observable” because there are actions, behaviors, emotions or out-of-control conditions in the home which can be specifically and explicitly described which directly harm the child or are highly likely to result in immediate harm to the child.

d. Danger Threats may manifest as Present Danger when:

(1) Parent/legal guardian/caregiver’s intentional and willful act caused serious physical injury to the child, or the caregiver intended to seriously injure the child. This refers to caregivers who anticipate acting in a way that will result in pain and suffering. “Intended” suggests that, before or during the time the child was mistreated, the parents’/primary caregivers’ conscious purpose was willfully to act in a manner which would reasonably hurt/harm the child. This threat must be distinguished from an incident in which the parent/legal guardian or caregiver meant to discipline or punish the child, and the child was inadvertently hurt. Examples may include but are not limited to:

(a) Parent/legal guardian or caregiver actions were directed at the child to inflict injury; parent/legal guardian or caregiver shows no remorse for the injuries. Initial information supports that the injuries/child’s condition is a result of the deliberate preconceived planning or thinking which the parent/legal guardian or caregiver is responsible. Serious injury locations for present danger should be considered when located on the face/head/neck. Child’s injuries may or may not require medical attention.

(b) Bone breaks, deep lacerations, burns, inorganic malnutrition, etc. characterize serious injury.

(c) Children that are unable to protect themselves have sustained a physical injury as a result of the parent/legal guardian or caregiver intentional and willful act. Could include parent/legal guardian or caregiver who used objects to inflict pain.

(2) Child has a serious illness or injury (indicative of child abuse or neglect) that is unexplained, or the parent/legal guardian or caregiver explanations are inconsistent with the illness or injury. This refers to serious injury which parent/legal guardian or caregivers cannot or will not explain. While this is typically associated with injuries, it can also apply when family conditions or what is happening is bizarre and unusual with no reasonable explanation. Generally this will be a danger threat used only at present danger. One example is the following: A child has sustained multiple injuries to their face and head and the parent/legal guardian cannot or will not explain the injuries and the child is very young or non-verbal. The parent(s)’ explanation changes over time as to how the injury or illness occurred.

(3) The child's physical living conditions are hazardous and a child has already been seriously injured or will likely be seriously injured. The living conditions seriously endanger a child's physical health. This threat refers to conditions in the home which are immediately life threatening or seriously endangering a child's physical health (e.g., people discharging firearms without regard to who might be harmed; the lack of hygiene is so dramatic as to cause or potentially cause serious illness). Examples may include but are not limited to:

(a) The child's living condition is an immediate threat to the child's safety as there are drugs in baggies on the living room coffee table that are easily accessible to the child and the child is not consistently supervised.

(b) Living condition in the home has caused the child to be injured, such as digesting toxic chemicals and/or material and the child requires immediate medical attention.

(c) Home has no exit and child is vulnerable, unable to access an exit and dependent on parent/legal guardian who has not or will not act.

(4) There are reports of serious harm and the child's whereabouts cannot be ascertained; and/or there is a reason to believe that the family is about to flee to avoid agency intervention; and/or the family refuses access to the child; and the reported concern is significant and indicates serious harm. This threat refers to situations in which the location of the family cannot be determined, despite diligence by the agency to locate the family. The threat also refers to situations where a parent/legal guardian/caregiver refuses to see or speak with agency staff and/or allow agency staff to see the child, is openly hostile or physically aggressive toward the investigator or case manager, is avoiding staff, refuses access to the home, hides the child, or refuses access to the child and the reported concern is significant and indicates serious harm. The hiding of children to avoid agency intervention should be thought of in both overt and covert terms. Information, which describes a child being physically confined within the home or parents who avoid allowing others to have personal contact with the child, can be considered "reported concern is significant and indicates serious harm."

(a) The act of physically restraining a child within the home might be a maltreatment of bizarre punishment or physical injury, and would indicate use of this danger threat.

(b) The threat is qualified by the allegation of maltreatment, information from prior case history and current reports regarding the child. There should be concern for present or impending danger based upon information provided to the agency that would result in serious harm to the child. Generally this will be a danger threat used only at present danger.

(5) Parent/legal guardian or caregiver is not meeting the child's essential medical needs and the child is/has already been seriously harmed or will likely be seriously harmed. This refers to medical care that is required, acute, and significant such that the absence of care will seriously affect the child's health. "Essential" refers to specific child conditions (e.g., blindness, physical or developmental disability, medical condition) which are either organic or naturally induced as opposed to parentally induced. The parents will not or cannot address the child's essential needs. Examples may include but are not limited to:

(a) There is an emergent quality about the required care.

(b) Child has Type 1 diabetes and is unable to self-administer his/her medication and the parent/legal guardian or caregiver has not been administering medication to ensure child safety.

(6) Child shows serious emotional symptoms requiring intervention and/or lacks behavioral control and/or exhibits self-destructive behavior that parent/legal guardian is unwilling or

unable to manage. This refers to specific deficiencies in parenting that result in the exceptional child being unsafe. The status of the child helps to clarify the potential for severe effects. Clearly, exceptional includes physical and mental characteristics that result in a child being highly vulnerable and unable to protect or fend for him or herself. Examples may include but are not limited to:

(a) Present danger considerations are focused both on the child's emotional needs and the parent/legal guardian or caregiver ability to meet those needs. Child's emotional symptoms are serious in that they pose a danger to others or themselves. This could include self-harming, fire-setting, or sexual acting-out on others. Parent/legal guardian or caregiver response places the child in present danger.

(b) Child that requires acute psychiatric care due to self-harming behavior that the parent/legal guardian will not or cannot meet despite the resources and ability to attend to the child's needs.

(7) Parent/legal guardian or caregiver is violent, impulsive, or acting dangerously in ways that seriously harmed the child or will likely seriously harm to the child. Violence refers to aggression, fighting, brutality, cruelty, and hostility. It may be regularly active or generally potentially active. This threat is concerned with self-control. It is concerned with a person's ability to postpone; to set aside needs; to plan; to be dependable; to avoid destructive behavior; to use good judgment; to not act on impulses; to exert energy and action; to inhibit; and/or to manage emotions. This is concerned with self-control as it relates to child safety and protecting children. So, it is the absence of caregiver self-control that places vulnerable children in jeopardy.

(a) When violence includes the perpetrator dynamics of power and control it is considered "intimate partner violence." Physical aggression in response to acts of violence may be a reaction to or self-defense against violence.

(b) For purposes of child protection interventions, is important to accurately identify the underlying causes of the violence and whether or not the dynamics of power and control are present. Refer to CFOP [170-4](#), Maltreatment Index, for a complete definition of "Family Violence Threatens Child." It should be noted that the Florida criminal code for domestic violence (Chapter [741](#), F.S.) which provides for law enforcement responses and investigations is narrower in scope than the child welfare maltreatment definition.

(c) Impulsive means that one does not think before one acts. It may mean that a person blurts things out or take actions without thinking about the consequences. Impulsivity (or impulsiveness) involves a tendency to act on a whim, displaying behavior characterized by little or no forethought, reflection, or consideration of consequences. Impulsive actions typically are poorly conceived, prematurely expressed, unduly risky, or inappropriate to the situation that often result in undesirable consequences, which make long term goals and strategies for success more difficult. Individuals suffering from an impulse control frequently experience five stages of symptoms: compelling urge or desire, failure to resist the urge, a heightened sense of arousal, succumbing to the urge (which usually yields relief from tension), and potential remorse or feelings of guilt after the behavior is completed. Impulsivity appears to be linked to all stages of substance abuse and is also linked to sexual abuse.

(d) Parents/legal guardian or caregiver may be behaving in violent or dangerous ways; however, this is intended to capture a more specific type of behavior. Examples may include but are not limited to:

1. Child has experienced sexual abuse and/or exploitation and perpetrator has ongoing access to child.

2. Parent/legal guardian or caregiver is described as physically/verbally imposing/threatening, brandishing weapons, known to be dangerous and aggressive, currently behaving in attacking or aggressive ways.

(e) Careful consideration when determining present danger should be made when assessing domestic violence and family violence. The parent/legal guardian or caregiver may not be “actively” violent in the presence of the child welfare professional; however, the domestic violence dynamics within the household are occurring. In addition, there should be consideration of information that indicates that a child and spouse are being mistreated. Concerns are heightened when abuse of a child and spouse are both occurring.

(8) Parent/legal guardian or caregiver is not meeting child’s basic and essential needs for food, clothing and/or supervision, AND child is/has already been seriously harmed or will likely be seriously harmed. “Basic needs” refers to the family’s lack of:

(a) Minimal resources to provide shelter, food, and clothing; or,

(b) The capacity to use resources to provide for a minimal standard of care if they were available. Examples may include but are not limited to:

1. For present danger, consideration of the parent/legal guardian or caregivers who are unable or unwilling to provide for food, clothing, and/or supervision. The parent/legal guardian or caregiver may be currently intoxicated and/or unavailable, thus leaving the child without supervision when the child is not able to protect themselves.

2. Child is found unsupervised in a dangerous condition, such as being left wandering the streets. There is no parent/legal guardian or caregiver that is currently providing for supervision of the child.

3. Lack of essential food, clothing, and/or supervision that result in child needing acute medical care due to the severity of the present danger.

4. Hospitalized child due to non-organic failure to thrive an unexplained illness.

(9) Parent/legal guardian or caregiver is threatening to seriously harm the child, or is fearful he/she will seriously harm the child. This refers to caregivers who express anxiety and dread about their ability to control their emotions and reactions toward their child. This expression represents a “call for help.” Examples may include but are not limited to:

(a) At present danger this refers to parents/legal guardian or caregivers who express intent and/or desire to harm their child.

(b) Parent/legal guardian or caregiver may have a history of harming children in the past and has identified a need for intervention due to their fear of harming their child. Intent should be considered for present danger, in addition access and ability to harm child.

(10) Parent/legal guardian or caregiver views child and/or acts toward the child in extremely negative ways AND such behavior has or will result in serious harm to the child. “Extremely” is meant to suggest a perception which is so negative that, when present, it creates child safety concerns. In order for this threat to be identified, these types of perceptions must be present and the perceptions must be inaccurate.

(a) This is the extreme, not just a negative attitude towards the child. It is consistent with seeing the child, as demon possessed, evil, and responsible for the conditions within the home.

(b) Consideration of parent/legal guardian or caregiver’s viewpoint of the child as being in action for present danger.

(11) Other. This category should be used rarely. Consultation with and approval by a supervisor must occur to determine that the threat identified is not covered in any of the standard danger threat definitions. Documentation should accurately describe the threat, including the threshold qualifiers.

2-3. Focus of Family Assessment (FFA-Investigation, FFA-Ongoing, Progress Update).

a. Purpose. The family functioning assessment is the process by which information is gathered, analyzed and assessed to determine child safety in the household where the alleged maltreatment occurred. The essential mission of the department is to identify and protect children who need safety management and to support the enhancement of caregiver protective capacities of the caregiver(s) responsible (treatment/change). The family assessment process provides a current analysis by the child welfare professional responsible at different points in time, beginning with the Family Functioning Assessment-Investigations. After a case involving an unsafe child is transferred to ongoing case management, the family assessment is documented in the Family Functioning Assessment-Ongoing Services [FFA-Ongoing (FFA-O)] and Progress Updates. The role of the child welfare professional is to evaluate and describe in the FFA-Investigation (FFA-I), FFA-O and Progress Updates how the household functions, including a clear understanding as to who provides **any** care, parenting, quality time, and/or discipline for the children. Every type of assessment serves the purpose of identifying family conditions, how the children are vulnerable to those conditions, and whether the parent/legal guardian and other significant caregiver(s) in the household are able to care for and protect the children (caregiver protective capacities).

b. Definitions.

(1) “Household” means a common residence shared by two or more individuals whether related or not. (Rule [65C-30.001](#), Florida Administrative Code [F.A.C.])

(2) “Household Member” means any person who resides in a household, including the caregiver and other family members residing in the home. Household members are any additional relatives or persons residing in the home, including but not limited to visitors expected to stay an indefinite length of time or college students expected to return to the home. (Rule [65C-30.001](#), F.A.C.)

(3) “Legal Guardian” means that the child has a custodian appointed by court who has assumed the role of the parent.

(4) “Paramour” means a person who is in a social relationship that involves physical or emotional intimacy with a child’s parent or caregiver. The intimate partner may or may not be cohabitating with the caregiver.

(5) “Parent” means a woman who gives birth to a child and a man whose consent to the adoption of the child would be required under s. [63.062\(1\)](#), F.S. If a child has been legally adopted, the term “parent” means the adoptive mother or father of the child. The term does not include an individual whose parental relationship to the child has been legally terminated [defined in s. [39.01\(49\)](#), F.S., Definitions]

(6) “Significant Caregiver Responsibility” means that specific adult household members have taken on responsibility for major caregiving responsibilities or it is reasonable to view the person as being in a parental role. Things to consider in determining who has significant responsibility include the following:

(a) Household member has routine, day to day care and responsibility for protecting the child such that:

1. The child views such caregiver(s) as one of the primary persons with the authority for their care; and,

2. The caregiver is expected to remain a part of the family unit.

(b) A paramour residing in or frequenting the home has become a parent figure based on one or more of the following:

1. Child welfare professional’s observations of interactions between child and paramour.

2. Child’s statements about the paramour.

3. Statements from other family members or friends who are familiar with family functioning.

4. The child has a bond with the paramour, even though the household member or paramour may or may not provide any financial support to the family.

5. The paramour frequents the home so often that even though he/she denies any care or supervision responsibilities, the person is an authority figure to the child.

c. Focus Household.

(1) The Family Functioning Assessment (FFA) Investigations (FFA-I) will be developed with a focus on the household in which the alleged child victim’s parent, legal guardian, paramour (residing or frequenting the home) and/or other adult household member with significant caregiver responsibility is the alleged person responsible for the maltreatment. The FFA-Ongoing (FFA-O) and Progress Update will be developed in the household in which the danger threat is occurring. When the Special Conditions Referral or Other Parent Home Assessment indicates the need for ongoing services, an FFA-O or Progress Update will be developed to address the identified diminished caregiver protective capacities and service needs

(a) The child victim may reside in the household on a full or part-time basis.

(b) If the child’s parents or legal guardians have established separate households through divorce or separation, only the household where the maltreating parent resides is assessed for danger threats and family functioning. If during the course of any investigation the investigator learns that the child victim’s parent/legal guardian knew about the danger threat occurring

in the home where the maltreatment occurred and was unable or unwilling to take actions to protect the child, an FFA-I on the separate household must be developed.

(c) When the person responsible for the maltreatment is a court-appointed guardian or custodian and the child's biological parent is expressing a desire for the child to be placed back in their care, the following will occur:

1. The FFA-I will focus on the household of the guardian or custodian.

2. If the child was placed in the current home as a result of a child protection investigation, regardless of whether the biological parent entered into and/or completed a case plan, the child's biological parent and household will be assessed in a separate FFA-O.

3. When there is no history of child welfare system involvement, the child's biological parent will be assessed using the Other Parent Home Assessment when residing in a different household.

4. When Termination of Parental Rights has occurred and a biological parent wishes to regain custody, requirements as described in s. [39.8155](#), F.S., must be followed.

(d) One FFA-I, FFA-O, or Progress Update will be created when there is a parent/caregiver or minor child with a newborn in a focus household that is under an active investigation or on-going services and there are no allegations of maltreatment. The minor child who is also a parent must be assessed as a caregiver using all of the information domains, with the exception of the adult functioning domain, to describe and document the minor parent's responsibilities, relationships, and how he/she contributes to or is impacted by family conditions.

(e) When parents reside in separate households there may be circumstances when two FFA-Is, FFA-Os, or Progress Updates will be created on the same case. Detailed information can be found in the Scenario Chart (Attachment 1) and the Two Household Scenario document (Attachment 2).

(f) When a child must be removed from a maltreating parent, non-maltreating parents in a separate household will be assessed using Other Parent Home Assessment per requirements in CFOP 170-7, [Chapter 5](#).

(2) Separate information domains will be developed for each parent/legal guardian and significant caregiver residing in the same household.

(3) When more than one family unit resides in the same household, the family unit wherein the alleged maltreatment occurred will be the focus of one FFA when:

(a) The family units clearly function independently from each other as supported by sufficient information gathering and analysis.

(b) The two family units may share some or all of the household expenses but do not have access to or combine family incomes.

(c) The children in each family do not view the parent(s) in the other family unit as having any responsibility or authority over their care.

(d) Some child care duties may be shared on occasion.

(e) When only one of two family units residing together is the focus of the FFA, the non-focus family members will not be identified as participants.

(4) When two families reside together and share caregiving responsibilities, regardless of the household that is responsible for the maltreatment, a separate FFA-I must be created for each family. When there are allegations of maltreatment against minor parent, a separate FFA-I must be created for the minor parent and his/her child(ren) and the other parent/legal guardians in the home and their respective children.

(a) One FFA-I will include and describe the minor parent as a child victim.

(b) One FFA-I will include and describe the minor parent as an alleged perpetrator.

(5) Every type of family assessment must include descriptions of all family members and persons in the family household and resource network including minors, whether or not they will be identified as participants in the case plan. The descriptions should be included in the most appropriate information domain for the parent or significant caregiver, whichever is most relevant, as to:

(a) Other person's relationship to the parent and reason for presence in the home, including family members of any family unit residing in same household.

(b) Impact of other person's presence as to child functioning, adult functioning, parenting and discipline/behavior management.

(c) Assessment of other person's background history information gathered and whether there are patterns of behavior which present safety concerns.

(d) Assessment of risk and safety for all minor children residing in the household and any family household needs including documentation of any unmet need such as food, clothing, or services not included in the case plan.

2-4. Information Domains (Family Assessment Areas).

a. Purpose. The six information domains provide the substantive basis for the components of the safety decision and risk assessment processes: (1) the presence or absence of negative family conditions that have or have not crossed the impending danger threshold; and (2) the determination of the likelihood of future maltreatment. The sufficiency of this information and interaction of these components are the critical elements in the determination of a child being safe or unsafe. Information collected should be descriptive of a child's specific abilities given his/her age, whether they are in a normal range, and whether the parent(s)' interactions and expectations are appropriate given the child's age (see Appendix A of this operating procedure, Child Development Stages Matrix). Information collected should also be descriptive of family dynamics when there is intimate partner violence.

b. Analysis of the information domains is the first step in all versions of the family functioning assessment (FFA-I, FFA-O, and Progress Evaluation). Information gathered and assessed in the domains is essential in order to understand what is occurring in the family day in and day out and to effectively assess child safety and family risk. The information domains are a core component of family assessment functionality in FSFN. The domains support a continuous process over time to assess and take into account changing dynamics of the family over the life of their involvement in the child welfare system.

c. The completion or updating of the FFA at any point during a child welfare case requires child welfare professionals to obtain sufficient, current information about six information domains: the extent of the maltreatment, circumstances surrounding the maltreatment, child functioning, adult functioning, approach to parenting and methods of discipline and managing their child's behavior.

d. The information domains for adult functioning, parenting and discipline/behavior management will be developed separately for each parent/legal guardian or caregiver in the household with significant responsibilities for the care and protection of the child(ren). The information domain for child functioning will be developed separately for each child in the household.

e. The "Extent of Maltreatment" domain is concerned with the maltreating behavior and immediate effects on a child. It considers what is occurring or has occurred and what the results are (e.g., hitting, injuries, lack of supervision, etc.). The assessment also results in a finding/identification of maltreatment (as in an allegation or verification of the alleged maltreatment). Information that informs this domain includes:

- (1) Type of maltreatment;
- (2) Severity of maltreatment;
- (3) Description of specific events;
- (4) Description of emotional and physical symptoms;
- (5) Identification of the child and maltreating caregiver; and,
- (6) Condition of the child.

f. The "Surrounding Circumstances of the Maltreatment" domain is concerned with the nature of what accompanies or surrounds the maltreatment. It addresses what is going on at the time that the maltreatment occurs or occurred. It serves to qualify the maltreatment by placing it in a context or situation that (1) precedes or leads up to the maltreatment, or (2) exists while the maltreatment is occurring. By selectively "assessing" this element separate from the actual maltreatment, we achieve greater understanding of how serious the maltreatment is. In other words, circumstances that accompany the maltreatment are important and are significant in-and-of themselves and qualify how serious the maltreatment is. Information that informs this domain includes:

- (1) The duration of the maltreatment;
- (2) History of maltreatment;
- (3) Patterns of functioning leading to or explaining the maltreatment;
- (4) Parent/legal guardian or caregiver intent concerning the maltreatment (assessment of intent re: parenting/discipline vs. intent to harm);
- (5) Parent/legal guardian or caregiver explanation for the maltreatment and family conditions;
- (6) Unique aspects of the maltreatment, such as whether weapons were involved;
- (7) Caregiver acknowledgement and attitude about the maltreatment; and,
- (8) Other problems occurring in association with the maltreatment.

g. The “Child Functioning” domain is concerned with the child’s general behavior, emotions, temperament, development, academic status, physical capacity and health status. Refer to Appendix A of this operating procedure for information about child development at different ages. It addresses how a child functions from day to day and their current status rather than focusing on a specific point in time (contact during investigation, time of maltreatment event, case manager’s home visit). An assessment of child functioning must take into account the age of the child and/or any special needs or developmental delays. Among the areas to consider are trust, sociability, self-awareness and acceptance, verbal skills/communication, independence, assertiveness, motor skills, intellect and mental performance, self-control, emotion, play and work, behavior patterns, mood changes, eating and sleeping habits and sexual behavior. Additionally, the assessment of child functioning assesses the child’s physical capabilities including vulnerability and ability to make needs known. In terms of a child who is currently receiving ongoing case management, this information should reflect areas of current child need, such as a medical condition that must be managed, symptoms of depression or trauma, or poor academic performance. If the child is in out-of-home care, it should include information as to the child’s stability in the current placement. Information about child functioning includes:

- (1) General mood and temperament;
- (2) Intellectual functioning;
- (3) Communication and social skills;
- (4) Expressions of emotions/feelings;
- (5) Behavior;
- (6) Peer relations;
- (7) School performance;
- (8) Independence;
- (9) Motor skills;
- (10) Physical and mental health; and,
- (11) Functioning within cultural norms.

h. The “Adult Functioning” domain has strictly to do with how adults (the caregivers) in a family household are functioning. This domain is concerned with how the adults (parents/legal guardians or caregivers) in the family household typically feel, think, and act on a daily basis. The domain focuses on current adult functioning separate from parenting. It describes how the adults behave regardless of the fact that they are parents or caregivers. This assessment area is concerned with life management, social relationships, meeting needs, problem solving, perception, rationality, self-control, reality testing, stability, self-awareness, self-esteem, self-acceptance and coherence. It is important that recent (adult related) history is captured here such as employment experiences; criminal history and whatever that tells us about the adult’s behavior, impulse control, etc.; previous relationships and associated dynamics; and so on. Information that answers this question includes:

- (1) Communication and social skills;
- (2) Coping and stress management;
- (3) Self-control;

- (4) Problem solving;
- (5) Judgment and decision making;
- (6) Independence;
- (7) Home and financial management;
- (8) Income/Employment;
- (9) Citizenship and community involvement;
- (10) Rationality;
- (11) Self-care and self-preservation;
- (12) Substance abuse;
- (13) Mental health;
- (14) Family and/or domestic violence;
- (15) Physical health and capacity; and,
- (16) Functioning within cultural norms.

i. The “General Parenting” domain explores the general nature and approach to parenting which forms the basis for understanding caregiver-child interaction in more substantive ways. Refer to Appendix A of this operating procedure for information about positive parenting associated with child development at different ages. When considering this information element, it is important to keep distinctively centered on the overall parenting that is occurring and not allow any maltreatment incident or discipline to influence the assessment. Among the issues for consideration within this element are: parenting styles and the origin of the style, basic care, affection, communication, expectations for children, sensitivity to an individual child, knowledge and expectations related to child development and parenting, reasons for having children, viewpoint toward children, and examples of parenting behavior and parenting experiences. Information that answers this question includes:

- (1) Reasons for being a caregiver;
- (2) Satisfaction in being a caregiver;
- (3) Parent/legal guardian or caregiver knowledge and skill in parenting and child development;
- (4) Parent/legal guardian expectations and empathy for a child;
- (5) Decision making in parenting practices;
- (6) Parenting style;
- (7) History of parenting behavior;
- (8) Cultural practices; and,
- (9) Protectiveness.

j. The “Discipline or Behavior Management” domain includes the broader context of socialization, teaching and guiding the child. It includes methods of discipline as well other ways that the caregiver provides direction, manages behavior, teaches, and directs a child. This domain includes the parent's methods, the source of those methods, purpose or reasons for, attitudes about, context of, expectations of discipline, understanding, relationship to child and child behavior, and the meaning of discipline. Information that answers this question includes:

- (1) Disciplinary methods;
- (2) Approaches to managing child behavior;
- (3) Perception of effectiveness of utilized approaches;
- (4) Concepts and purpose of discipline;
- (5) Context in which discipline occurs; and
- (6) Cultural practices.

2-5. Information Sufficiency.

a. Purpose. Child welfare professionals must exercise due diligence in gathering all of the information needed to have a **sufficient** basis for assessment, accurate safety determinations, development and management of safety plans and case plans. When information gathered in the six domains is not sufficient, it will lead to inaccurate assessment and understanding of conditions in the home, child vulnerability and caregiver protective capacities. Ultimately, safety plans and case plans will not be based on the right issues. Getting the best possible outcomes for children and families depends on a foundation of sufficient information in each of the domains.

b. Information is sufficient when it fully describes family conditions in a way that aligns with the domain structure and domain descriptions.

(1) Separate information domains are developed for each parent/legal guardian in the household as well as any significant caregiver.

(2) Separate information domains are developed for each child.

(3) Descriptions are provided in the relevant domains for other household members **and** members of the family resource network and their role in the family's daily life is understood.

(4) Information provides a clear picture of current family conditions. Information from the last completed and approved FFA or Progress Update will pre-fill the domains. It is the case manager's responsibility to edit and modify the information that pre-fills the domains to provide:

(a) New information learned about the family.

(b) Document any changes that have occurred since the date of the last FFA.

(c) Additional information that supports the specific caregiver protective capacity and child strengths and needs ratings.

(d) Describe how a child is adjusting to or coping with in-home or out-of-home providers in a safety plan.

(5) Information provides a clear picture and accurate understanding of the domain without having to refer to additional material (e.g., FSN notes, CPT report, completed assessments, etc.).

(6) Information is relevant to that domain only (for example, aspects of child functioning are not described in the adult functioning domain, etc.).

(7) Information is essential to gaining a full understanding or complete picture of the domain (e.g., “child has numerous healthy peer relationships” is relevant; providing names of friends is not relevant).

(8) Information covers the core issues associated with the domain (e.g., Extent of Maltreatment – there is information on severity, maltreatment history, description of specific events, behaviors, emotional and physical symptoms, and identification of maltreating parent, etc.).

(9) Information provides a clear rationale for the safety decision and provides confidence that the accurate safety determination was reached.

(10) Information supports the impending danger threshold criteria.

(11) Information supports protective capacity assessment.

c. Information must be validated. All significant information should be validated by either the child welfare professional’s direct, personal observation or corroborated through multiple collateral sources. The child welfare professional shall validate all information that is critical to safety decision making. Corroboration is defined as credible and reliable information obtained from multiple sources (more than solely the initial reporting source). “Attempted” contacts would not count as corroboration.

d. Information must be reconciled. The child welfare professional is expected to make the diligent efforts needed to try and resolve any significant discrepancy that will have a bearing on an assessment and interventions. The information provided by the child welfare professional must not contain any discrepancies. There are multiple valid reasons why a case might initially contain a number of apparent discrepancies in information. Research has consistently shown how much eyewitness accounts can vary among subjects when interviewed immediately after an incident. Informational discrepancies can also occur because family members are unsure of how the child welfare professional will use the information and are therefore either intentionally deceitful or only share partial information about factual details. Similarly, collateral sources interviewed can be biased for or against the family and present compromised or inaccurate information in an attempt to influence the outcome of the investigation or ongoing services.

e. Critical Thinking. All decisions made by the child welfare professional shall reflect the use of critical thinking as evidenced by the rationale provided to justify or explain the conclusion reached. Despite the axiom that any decision is only as good as the information it is based upon, having essential information available to inform the decision making process does not necessarily guarantee the “right” decision is reached. The final criterion for information sufficiency is that the FFA provides any reader with a clear understanding of:

(1) What information went into the decision making process?

(2) How this information is interrelated to provide the rationale for the decision reached?

(3) The overall determination of safe – unsafe as a result of the correction application of the safety formula components.

(4) The determination that safety planning is adequate to control danger threats in the home to ensure child safety.

(5) The ongoing services determination over the course of case management as to whether there is progress in achieving change in caregiver protective capacities.

2-6. Definition of “Least Intrusive.”

a. “Least intrusive” means the combination of interventions that will be the most effective, cause the least disruption to the child and family’s normal routines and will be aligned to the fullest extent feasible with the family’s preferences, culture and values. Determination of the “least intrusive” safety action should be guided by consideration and balancing of several issues:

(1) Identification of interventions or actions that will be most effective and supportive.

(2) Parent’s right for self-determination.

(3) Child’s need to be protected by persons the child is most familiar and comfortable with.

(4) Child’s need for routines and surroundings which are “normal” to the extent possible.

b. The child welfare professional will seek to reinforce the parent in taking responsibility for the child’s safety, permanency and well-being by working to elicit the parent’s ideas and preferences regarding the implementation of any non-negotiable interventions or actions.

c. Judicial interventions are more intrusive and will be used when required by law or administrative code.

2-7. Caregiver Protective Capacities.

a. “Caregiver Protective Capacity” means the personal and caregiving behavioral, cognitive and emotional characteristics that specifically and directly can be associated with being protective to one’s children. When the caregivers responsible are able to effectively manage negative family conditions in the home for the long term, the child is safe. Protective capacities are personal qualities or characteristics that contribute to vigilant child protection.

(1) The characteristic prepares the person to be protective.

(2) The characteristic enables or empowers the person to be protective.

(3) The characteristic is necessary or fundamental to being protective.

(4) The characteristic must exist prior to being protective.

b. Investigators will determine whether each of the protective capacities is adequate or inadequate when completing a FFA-I.

c. Case managers will gather additional information in the information domains in order to more precisely assess and rate caregiver protective capacities using a four point scale when completing the FFA-O or Progress Update. Case managers may change the protective capacities identified in the FFA-I. Caregiver protective capacities that are not adequate will become the primary focus of case plan outcomes and measuring parent progress with achieving change.

d. Protective capacities must be assessed and rated for the parent(s)/legal guardians and other persons in the household with significant responsibility for the care and protection of child(ren). The accurate identification of Caregiver Protective Capacities is informed by knowledge of a child's specific abilities given his/her age, whether they are in a normal range, and whether the parent(s)' interactions and expectations are appropriate given the child's age. When a child has any special medical, mental health or physical condition, the appraisal of protective capacities assesses whether the parent is able to understand and provide for such special needs. See Appendix A of this operating procedure, Child Development Stages Matrix, for summary descriptions of child behaviors that are within a normal range as to physical, socio-emotional, and cognitive development; indicators of developmental concern, and associated positive parenting characteristics.

e. Scaling Criteria. Based on the information domains, the case manager will rate caregiver protective capacities for each caregiver in the household. The ratings of caregiver protective capacities are used to systematically identify ones that need to be the focus of case plan outcomes and interventions.

(1) An "A" or "B" rating for any indicator reflects that a parent/legal guardian is doing well in that area.

(2) A "C" or "D" rating reflects that a parent/legal guardian is not doing well and requires attention.

(3) These are the common criteria applied to each individual rating.

A=EXCELLENT. Caregiver demonstrates exceptional ability in this area.

B=ACCEPTABLE. Caregiver demonstrates average ability in this area.

C=SOME ATTENTION NEEDED. Caregiver demonstrates some need for increased support in this area.

D=INTENSIVE SUPPORT NEEDED. Caregiver demonstrates need for intensive support in this area.

f. "Behavioral Protective Capacity" means specific action, activity, performance that is consistent with and results in protective vigilance. The following are behavioral protective capacities:

(1) The parent/legal guardian/caregiver demonstrates impulse control. This refers to a person who is deliberate and careful, and who acts in managed and self-controlled ways.

(a) Examples may include:

1. People who do not act on their urges or desires.

2. People that do not over-react as a result of outside stimulation.

3. People who think before they act.

4. People who are able to plan.

(b) Case Management Scaling Guide.

A. Parent/caregiver consistently acts thoughtfully regardless of outside stimulation, avoids whimsical responses, and thinks before they take action. Parent/caregiver is able to

plan in their actions when caring for children and making life choices.

B. Parent/caregiver regularly is acts thoughtfully regardless of their on their urges or desires, avoids acting as a result of outside stimulation, avoids whimsical responses, thinks before they take action, and are able to plan when caring for children and making life choices. When parent/caregiver does act on urges/desires, they do not result in negative effects to their children or family.

C. Parent/caregiver routinely (weekly/monthly) acts upon their urges/desires, is influenced by outside stimulation, thinks minimally before they take action, and are notable to plan, resulting in their actions having negative effects on their children and family.

D. Parent/caregiver frequently (daily) acts upon their urges/desires, is highly influenced by outside stimulation, does not think before taking action, and does not plan. Parent/caregiver's inability to control their impulses results in negative effects on their children and family.

(2) The parent/legal guardian/caregiver takes action.

(a) Takes action refers to a person who is action oriented as a human being, not just a caregiver. Examples may include:

1. People who perform when necessary.
2. People who proceed with a course of action.
3. People who take necessary steps.
4. People who are expedient and timely in doing things.
5. People who discharge their duties.

(b) Physically able refers to people who are sufficiently healthy, mobile and strong. Examples may include:

1. People who can move quickly when an unsafe situation presents (e.g., active toddlers who may dart out toward the street or water source, pool, canal, etc.).
2. People who can lift children.
3. People who are able to physically manage a child's behaviors.
4. People with physical abilities to effectively deal with dangers (e.g., a child with special needs who may be prone to 'running' away, a child who requires close supervision, etc.).

(c) Assertive and responsive refers to being positive and persistent. Examples may include:

1. People who are firm and purposeful.
2. People who are self-confident and self-assured.
3. People who are secure with themselves and their ways.
4. People who are poised and certain of themselves.

(d) Adequate energy refers to the personal sustenance necessary to be ready and “on the job” of being protective. Examples may include:

1. People who are alert and focused.
2. People who can move, are on the move, ready to move, will move in a timely way.
3. People who are motivated and have the capacity to work and be active.
4. People who express force and power in their action and activity.
5. People who are not lethargic to the point of incapacitation or inability to be protective.
6. People who are rested or able to overcome being tired.

(e) Uses resources to meet basic needs refers to knowing what is needed, getting it, and using it to keep a child safe. Examples may include:

1. People who get people to help them and their children.
2. People who use community public and private organizations.
3. People who will call on police or access the courts to help them.
4. People who use basic community services such as food and shelter.

(f) Case Management Scaling Guide.

A. Parent/caregiver takes action, is assertive and responsive, and is physically able to respond to caregiving needs such as chasing down children, lifting children, and is able to physically protect their children from harm consistently. Parent/caregiver may have physical limitations, however, demonstrates the ability to accommodate those physical limitations in order to take action.

B. Parent/caregiver is able to take action, is assertive and responsive, and/or is physically able to respond to caregiving needs, however, requires assistance on occasion to be able to meet children’s needs. Parent/caregiver may have a physical limitation, and occasionally is not able to demonstrate the ability to accommodate those physical limitations in order to take action.

C. Parent/caregiver regularly is not able to take action, be assertive and responsive, and/or physically respond to caregiving needs. Parent/caregiver needs assistance on a regular basis (weekly). Parent/caregiver may have a physical limitation, an on a regular basis is not able to accommodate those physical limitations in order to take action.

D. Parent/caregiver is not able to take action, be assertive and responsive, and/or physically respond to meeting caregiving needs of children. Parent/caregiver requires assistance routinely (daily). Parent/caregiver may have a physical limitation, and routinely is not able to accommodate that physical limitation in order to take action.

(3) The parent/legal guardian/caregiver sets aside her/his needs in favor of a child.

(a) This refers to people who can delay gratifying their own needs, who accept their children's needs as a priority over their own. Examples may include:

1. People who do for themselves after they have done for their children.
2. People who sacrifice for their children.
3. People who can wait to be satisfied.
4. People who seek ways to satisfy their children's needs as the priority.

(b) This refers to people who adjust and make the best of whatever caregiving situation occurs. Examples may include:

1. People who are flexible and can adapt.
2. People who accept things and can move with them.
3. People who are creative about caregiving.
4. People who come up with solutions and ways of behaving that may be new, needed and unfamiliar but more fitting.

(c) Case Management Scaling Guide.

A. Parent/caregiver identifies their child's needs as their number one priority. Parent/caregiver has demonstrated through their actions that they place their child's needs above their own by waiting to be satisfied, sacrificing for their children, and through seeking ways to satisfy their child's needs as a priority. Parent/caregiver does not need to be prompted by others in viewing their needs as secondary to the child's.

B. Parent/caregiver views the child's needs as a priority, however at times struggles to place their children's needs before their own. The lack of viewing the child's needs as a priority does not result in the children being maltreated or exposed to danger.

C. Parent/caregiver recognizes the need to place their child's needs as a priority, however, is not able to set aside their own needs in favor of their child's needs, resulting in the child being maltreated and/or exposed to danger.

D. Parent/caregiver does not recognize the need to place the child's needs as a priority and does not set aside their own needs in favor of the child's, resulting in the child being maltreated and/or exposed to danger on regular occasions.

(4) The parent/legal guardian/caregiver demonstrates adequate skill to fulfill caregiving responsibilities.

(a) This refers to the possession and use of skills that are related to being protective. Examples may include:

1. People who can feed, care for, supervise children according to their basic needs.
2. People who can handle, manage, oversee as related to protectiveness.

3. People who can cook, clean, maintain, and guide, shelter as related to protectiveness.

(b) Case Management Scaling Guide.

A. Parent/caregiver is able to feed, care for, and supervise child.

Parent/caregiver has the skills necessary to cook, clean, maintain, guide and shelter child as related to protectiveness.

B. Parent/caregiver is able to feed, care for, and supervise child, however at times requires assistance in fulfilling these duties. Parent/caregiver is able to seek assistance in meeting child's needs and the need for assistance does not result in the child's needs being unmet and/or children being maltreated.

C. Parent/caregiver has minimal skills related to providing for the basic needs of child. Parent/caregiver lacks the ability to consistently feed, and/or care, and or/supervise child resulting in maltreatment and/or danger. Parent/caregiver recognizes the need for assistance, however, does not act to seek resources to assist in fulfilling caregiving responsibilities.

D. Parent/caregiver has little to no skills related to providing for basic needs of child. Parent/caregiver does not feed, and/or, care, and/or supervise child resulting in child being maltreated and/or in danger. Parent/caregiver does not recognize the need to provide for basic needs of child and/or the parent/caregiver will not or cannot seek resources to assist in fulfilling caregiving responsibilities.

(5) The parent/legal guardian/caregiver is adaptive as a caregiver. This refers to people who adjust and make the best of whatever caregiving situation occurs.

(a) Examples may include:

1. People who are flexible and can adapt.

2. People who accept things and can move with them.

3. People who are creative about caregiving.

4. People who come up with solutions and ways of behaving that may be new, needed and unfamiliar but more fitting.

(b) Case Management Scaling Guide.

A. Parent/caregiver is flexible and adjustable, is able to accept things and move, is creative in their caregiving, and are able to come up with solutions and ways of behaving that may be new, needed and unfamiliar but are fitting to their child's needs.

B. Parent/caregiver is able to be flexible and adjustable in most situations, is able to accept most things and move forward, displays some creativity in their caregiving, and is able to come up with solutions and ways of behaving that are new, needed, and unfamiliar with some assistance. On occasion the parent's/caregiver's adaptation is not fitting to their child's needs, however this does not result in maltreatment and/or danger.

C. Parent/caregiver lacks flexibility in most situations, including routine caregiving responsibilities. Parent/caregiver struggles with adapting to meet child needs, including identifying solutions for ways of behaving or caretaking that does not result in maltreatment and/or

danger to child. Parent/caregiver acknowledges their struggle with flexibility and adaptation, however, has not sought assistance in changing their behavior.

D. Parent/caregiver is not flexible and/or adaptive in caregiving duties, resulting in children being maltreated and/or in danger. Parent/caregiver cannot or will not acknowledge their lack of flexibility and/or adaptability in caregiving. Parent/caregiver has not sought assistance in changing their behavior.

(6) The parent/legal guardian/caregiver has a history of protecting. This refers to a person with many experiences and events in which he or she has demonstrated clear and reportable evidence of having been protective.

(a) Examples may include:

1. People who have raised children (now older) with no evidence of maltreatment or exposure to danger.

2. People who have protected their children in demonstrative ways by separating them from danger, seeking assistance from others or similar clear evidence.

3. Caregivers and other reliable people who can describe various events and experiences where protectiveness was evident.

(b) Case Management Scaling Guide.

A. Parent/caregiver has raised children (older) with no evidence of maltreatment or exposure to danger, have demonstrated ways of protecting their children by separating them from danger, seeking assistance from others. Parent/caregiver can describe events and experiences where they have protected children in the past.

B. Parent/caregiver has raised children (older) with minimal exposure to danger or evidence of maltreatment. This may or may not include prior child welfare system involvement with the family. Parent/caregiver is able to seek assistance from others and can describe events and experiences where they have protected their children in the past, as well as describe how they were not able to protect their children in past. Parent/caregiver is able to differentiate between prior protective actions and lack of protective actions.

C. Parent/caregiver has demonstrated minimal ability to raise children without exposure to danger or maltreatment. Parent/caregiver has had frequent (three or more) contacts with the child welfare system due to repeated exposure to maltreatment and parental conduct. Parent/caregiver is not able to articulate how they have protected their children in the past and/or how they could take protective measures to ensure that their children are protected.

D. Parent/caregiver has not been able to raise children without exposure to danger and/or maltreatment. Parent/caregiver has had repeated contact with child welfare system (three or more reports within 1 year) due to repeated exposure to maltreatment and parental conduct.

g. “Cognitive Protective Capacity” means specific intellect, knowledge, understanding and perception that result in protective vigilance. The following are cognitive protective capacities:

(1) The person is self-aware as a parent/legal guardian/caregiver. This refers to sensitivity to one’s thinking and actions and their effects on others or on a child.

(a) Examples may include:

1. People who understand the cause – effect relationship between their own actions and results for their children.

2. People who are open to who they are, to what they do and to the effects of what they do.

3. People who think about themselves and judge the quality of their thoughts, emotions and behavior.

4. People who see that the part of them that is a caregiver is unique and requires different things from them.

(b) Case Management Scaling Guide.

A. Parent/caregiver understands the cause-effect relationship between their own actions and effects on child. They are open to who they are and to what they do and the effects of what they do. They are able to think about themselves and judge the quality of their thoughts, emotions, and behaviors. They are able to view their role as a caregiver as being unique.

B. Parent/caregiver is able to understand the cause-effect relationship between their own actions and effects on children, however at times struggle to be open in regard to themselves and the quality of their thoughts, emotions, and behaviors in relation to providing for care of the child. The parent/caregiver struggles do not result in child being maltreated and/or being in dangerous situations.

C. Parent/caregiver is able to understand the cause-effect relationship between their own actions, however, are not able to relate their actions to the effects on their child. Parent/caregiver is not open in reflecting their own thoughts, emotions, and/or behavior in relation to providing for care of their children, resulting in children being maltreated and/or in danger. Parent/caregiver recognizes the need for understanding the causal relationship and the effects on child.

D. Parent/caregiver is not able to understand the cause-effect relationship between their own actions and is not able to relate those actions to the effects on their child. Parent/caregiver is not open regarding their own thoughts, emotions, and/or behavior, resulting in child being maltreated and/or in danger. Parent/caregiver does not recognize the need for understanding the causal relationship of their actions and the effects on child.

(2) The parent/legal guardian/caregiver is intellectually able/capable and has adequate knowledge to fulfill caregiving duties. This refers to information and personal knowledge that is specific to caregiving that is associated with protection.

(a) Examples may include:

1. People who know enough about child development to keep kids safe.

2. People who have information related to what is needed to keep a child safe.

3. People who know how to provide basic care which assures that children are safe.

(b) Case Management Scaling Guide.

A. Parent/caregiver possesses essential knowledge regarding caregiving and child development. Parent/caregiver seeks to increase their knowledge in correlation with child's needs and is able to recognize the need for increased knowledge as being essential to providing for child safety. Parent/caregiver may have cognitive limitations, however, has supports and/or resources to assist in knowledge development.

B. Parent/caregiver possesses essential knowledge regarding caregiving and child development, however at times struggles in recognizing the correlation with child's needs and the need for increased/varied knowledge for providing for child safety. Parent/caregiver is open to seeking assistance and may or may not have a support network to assist in increasing their knowledge regarding child development. Maltreatment has not occurred as a result of the parent/caregiver's knowledge capacity.

C. Parent/caregiver lacks essential knowledge regarding caregiving and child development and does not correlate the lack of knowledge to the responsibility for child safety and development. Parent/caregiver may have a cognitive delay that affects their ability to increase their knowledge regarding caregiving and safety and the lack of resources or supports for their cognitive delay is a contributing factor to the parent/caregiver intellectual capacity. Parent/caregiver is not or will not seek assistance in increasing their knowledge. Maltreatment has occurred as a result of the parent's/caregiver's knowledge capacity.

D. Parent/caregiver lacks essential and basic child development knowledge regarding caregiving needs and child safety. Parent/caregiver may have a cognitive delay that is debilitating and is not being addressed through informal or formal supports. The parent/caregiver knowledge is such that it leaves children in danger and has resulted in maltreatment. Parent/caregiver is not or will not seek assistance in increasing their knowledge or accessing supports to develop knowledge regarding child development and child safety.

(3) The parent/legal guardian/caregiver recognizes and understands threats to the child. This refers to mental awareness and accuracy about one's surroundings, correct perceptions of what is happening and the viability and appropriateness of responses to what is real and factual.

(a) Examples may include:

1. People who recognize threatening situations and people.

2. People who are alert to danger from persons and their environment.

3. People who are able to distinguish threats to child safety.

(b) Case Management Scaling Guide.

A. Parent/caregiver is attuned with their surroundings, in particular to their perceptions regarding life situations, recognizing dangerous and threatening situations and people. Parent/caregivers are reality orientated and consistently operate in realistic ways.

B. Parent/caregiver is aware of their surroundings and life situations.

Parent/caregiver is aware of dangerous and threatening situations and people, however at times struggles to correlate the impact of dangerous and threatening situations and people with their role as a parent/caregiver. Parent/caregiver ability does not result in children being maltreated and/or unsafe. Parent/caregiver is able to recognize the need for increased awareness and is able to access resources without assistance in increasing their mental awareness in regard to providing for safety of children.

C. Parent/caregiver frequently is not aware of their surroundings and life situations.

In particular this occurs when presented with dangerous and/or threatening situations. Parent/caregiver is not able to recognize the correlation with child safety and mental awareness, resulting in children being maltreated and/or unsafe. Parent/caregiver is not or will not access resources to increase their mental awareness without assistance.

D. Parent/caregiver is not aware of their surrounding and life situations,

particularly when caring for children. Parent/caregiver does not recognize dangerous and/or threatening situations/people, resulting in children being maltreated and/or unsafe. Parent/caregiver may have an unmanaged mental health condition that affects their ability to be aware. The unmanaged mental health condition is known to the Parent/caregiver and they have not or will not seek assistance to manage the mental health condition.

(4) The parent/legal guardian/caregiver recognizes the child's needs. This refers to seeing and understanding a child's capabilities, temperament, needs and limitations correctly.

(a) Examples may include:

1. People who know what children of a certain age or with particular characteristics are capable of.

2. People who respect uniqueness in others.

3. People who see a child essentially as the child is and as others see the child.

4. People who recognize the child's needs, strengths and limitations. People who can explain what a child requires, generally, for protection and why.

5. People who see and value the capabilities of a child and are sensitive to difficulties a child experiences.

6. People who appreciate uniqueness and difference.

7. People who are accepting and understanding.

(b) Case Management Scaling Guide.

A. Parent/caregiver consistently recognizes the child's needs, strengths and limitations. Parent/caregiver is able to appreciate the uniqueness and differences in children with acceptance and understanding. Parent/caregiver is sensitive to the child and their experiences.

B. Parent/caregiver recognizes the child's needs, strengths and limitations. Parent/caregiver is able to appreciate the uniqueness and differences in children, however at times struggles in understanding and accepting the child's differences and uniqueness. At times the parent/caregiver struggles with identifying with the child and their experiences. Parent/caregiver is

aware during these times and may have sought assistance in continuing to develop their parenting skills regarding recognizing child's needs and differences. The parent/caregiver has supports and/or resources available for assistance. Children have not been maltreated and/or unsafe due to the parent's/caregiver's capacity of being able to recognize child needs and strengths.

C. Parent/caregiver does not identify with the child's needs, strengths, and/or limitations resulting in the parent/caregiver acting in ways that have resulted in the child being maltreated and/or unsafe. The parent/caregiver is able to recognize their inability to identify with children and is open to assistance in increasing their parenting capacity.

D. Parent/caregiver does not identify with the child's needs, strengths, and/or limitations that have resulted in the child being maltreated and/or unsafe. The parent/caregiver does not see value in the capabilities of the child and are not sensitive to the child and their experiences. Parent/caregiver view of the child is incongruent to the child and how others view the child. Parent/caregiver is not able to recognize their inability to identify with child and the child's needs and are not willing or able to seek assistance in increasing their parenting capacity.

(5) The parent/legal guardian/caregiver understands his/her protective role. This refers to awareness. This refers to knowing there are certain solely owned responsibilities and obligations that are specific to protecting a child.

(a) Examples may include:

1. People who possess an internal sense and appreciation for their protective role.

2. People who can explain what the "protective role" means and involves and why it is so important.

3. People who recognize the accountability and stakes associated with the role.

4. People who value and believe it is his/her primary responsibility to protect the child.

(b) Case Management Scaling Guide.

A. Parent/caregiver values and believes that it is their primary responsibility to protect the child. Parent/caregiver is convicted in their beliefs and poses an internal sense and appreciation for their protective role. Parent/caregiver is unwavering in their protective role and is able to articulate the significance of their role.

B. Parent/caregiver believes that protecting their child is a primary responsibility, however at times struggles with their internal sense and appreciation for their protective role resulting in times where the parent/caregiver has abdicated their role for protectiveness to others without regard for the protectiveness of the alternate caregiver. Parent/caregiver recognizes their limitations regarding protectiveness and their actions have not resulted in maltreatment and/or an unsafe child.

C. Parent/caregiver does not value and/or believe that their primary responsibility is to protect the child. Parent/caregiver may have an internal sense for being protective, however does not or cannot internalize the primary responsibility for protection of the child. Parent/caregiver does not or cannot accept responsibility for child protection, resulting in children being maltreated and/or unsafe.

D. Parent/caregiver does not recognize and/or value the responsibility to protect children as a primary role of a caregiver. Parent/caregiver does not have an internal sense for being protective and takes no responsibility for keeping children safe, resulting in children being maltreated and/or unsafe.

(6) The parent/legal guardian/caregiver plans and is able to articulate a plan to protect children. This refers to the thinking ability that is evidenced in a reasonable, well-thought-out plan.

(a) Examples may include:

1. People who are realistic in their idea and arrangements about what is needed to protect a child.

2. People whose thinking and estimates of what dangers exist and what arrangement or actions are necessary to safeguard a child.

3. People who are aware and show a conscious focused process for thinking that results in an acceptable plan.

4. People whose awareness of the plan is best illustrated by their ability to explain it and reason as to why it is sufficient.

(b) Case Management Scaling Guide.

A. Parent/caregiver has developed, either currently or in the past, plans to protect children. Parent/caregiver is realistic in their planning and arrangement about what is needed to ensure child safety. Parent/caregiver is aware of danger and is focused on their processing and development of a plan for safety.

B. Parent/caregiver is realistic in their plan for child safety and is able to make arrangements to ensure child safety, however, may or may not have developed a plan for protection in the past. Parent/caregiver is able to articulate a plan and has the resources to execute the plan if needed. Parent/caregiver is realistic in their plan for child safety and is able to make arrangements to ensure child safety, however, may or may not have developed a plan for protection in the past. Parent/caregiver is able to articulate a plan and has the resources to execute the plan if needed.

C. Parent/caregiver does not recognize the need to plan for child safety and has not developed a plan in the past or has developed plans that were unrealistic to ensure safety, thus resulting in maltreatment and/or children being unsafe. Parent/caretaker may have cognitive limitations that affect their ability to conceptualize a plan for protection and are open to assistance in developing plans and/or accessing resources.

D. Parent/caregiver does not recognize the need to develop a plan to ensure child safety and has not developed a plan in the past or has developed plans that were unrealistic, resulting in children being maltreated and/or unsafe. Parent/caregiver does not correlate the inaction of developing a plan and children being maltreated and/or unsafe. Parent/caregiver may have cognitive limitations that affect their ability to conceptualize a plan for protection. Parent/caregiver is unwilling or unable to seek assistance in developing plans and/or accessing resources to assure child safety. Parent/caregiver is unrealistic and unaware of the necessity as parents/caregivers to develop and execute plans for protection of children.

a. emotional Protective Capacity” refers to specific feelings, attitudes, identification with a child and motivation that result in protective vigilance. The following are emotional protective capacities:

(1) parent/legal guardian/caregiver is able to meet own emotional needs. This refers to the parent/caregiver satisfying their feelings in reasonable, appropriate ways that are not dependent on or take advantage of others, in particular children.

(a) examples may include:

1. people who use personal and social means for feeling well and happy that are acceptable, sensible and practical.
2. people who employ mature, responsible ways of satisfying their feelings and emotional needs.
3. people who understand and accept that their feelings and gratification of those feelings are separate from their child.

(b) emotional Management Scaling Guide.

A. Parent/caregiver recognizes and understands their own emotional needs and is effectively managing their needs in ways that do not interfere with their ability to parent and does not take advantage of others. Parent/caregiver makes choices regarding satisfying their feelings and emotional needs that are mature, acceptable, sensible, and practical.

B. Parent/caregiver recognizes their own emotional needs, however, struggles to manage their needs in ways that do not interfere with their ability to parent and/or takes advantage of others. Parent/caregiver makes choices regarding satisfying their emotional needs that at times are not mature and/or acceptable and/or sensible and/or practical. Parent/caregiver choices do not result in maltreatment and/or unsafe. Parent/caregiver has and uses resources necessary to ensure children are safe while ensuring their emotional needs are met.

C. Parent/caregiver shows limited understanding and recognition of their own emotional needs. Parent/caregiver often seeks to satisfy their own emotional needs through means that take advantage of others, primarily their children. Parent/caretaker uses avenues to satisfy their own emotional needs that are unacceptable, resulting in children being maltreated and/or unsafe.

D. Parent/caregiver does not recognize their own emotional needs, resulting in their needs being unmanaged and interfering with their ability to parent children. The unmanaged needs results in children being maltreated and/or unsafe.

(2) parent/legal guardian/caregiver is resilient as a caregiver. This refers to responsiveness and being able and ready to act promptly.

(a) examples may include:

1. people who recover quickly from setbacks or being upset.
2. people who spring into action.
3. people who can withstand challenges and stress.
4. people who are effective at coping as a caregiver.

(b) e Management Scaling Guide.

A. Parent/caregiver has demonstrated that they are able to recover from or adjust easily to misfortune and/or change. Recovery and adjustment are focused on maintaining their role as a caregiver and providing for protection of their children. Parent/caregiver recognizes the need for resiliency as a caregiver and is effective at taking action and coping as a caregiver.

B. Parent/caregiver has demonstrated that they are able to recover from or adjust under most situations regarding misfortune and/or change. Recovery and adjustment are mostly focused on their role as a caregiver and for providing protection. Parent/caregiver struggles with coping and taking action during these times. Children are not maltreated and/or unsafe due to the parents coping and/or taking action.

C. Parent/caregiver when faced with adversity/challenges is not able to recover or adjust. Recovery and adjustment requires frequent interventions by support and resources. Parent/caregiver cannot focus their role during these times to caretaking, resulting in children being maltreated and/or unsafe.

D. Parent/caregiver does not respond to adversity/challenges and recovery or adjustment is non-existent. Parent/caregiver does not respond to interventions by supports and resources and children are maltreated and/or unsafe due to the parent's/caregiver's responses.

(3) parent/caregiver is tolerant as a caregiver. This refers to caregiver who is able to endure trying circumstances with even temper, be understanding and sympathetic of experiences, express forgiveness under provocation, broad-minded, and patient as a caregiver.

(a) mples may include:

1. ople who can let things pass;
2. ople who have a big picture attitude, who don't overreact to mistakes and accidents; and,
3. ople who value how others feel and what they think.

(b) e Management Scaling Guide.

A. Parent/caregiver maintains an even temper and patience under trying circumstances. Parent/caregiver recognizes the need for tolerance as a caregiver and works to ensure that they are open minded and understanding as a caregiver.

B. Parent/caregiver frequently maintains an even temper and displays patience under most situations. Parent/caregiver at times struggles with temper and patience, however, does not impact their role as a caregiver or result in maltreatment and/or unsafe children. Parent/caregiver is aware of their challenges with tolerance and has the ability to access resources to assist in increasing their tolerance.

C. Parent/caregiver frequently cannot or will not maintain their temper and/or patience while providing care for children. Parent/caregiver is aware of their decreased tolerance however are not able to correlate the need for tolerance in parenting. Parent's/caregiver's lack of tolerance has resulted in children being maltreated and/or being unsafe. Parent/caregiver is willing to access resources and/or supports to increase their tolerance as a caregiver.

D. Parent/caregiver cannot or will not maintain their temper and/or patience while providing care for children. Parent/caregiver is not aware of their decreased tolerance and is not able to correlate the need for tolerance in parenting. Parent/caregiver lack of tolerance has resulted in children being maltreated and/or being unsafe. Parent/caregiver cannot or will not access resources and/or supports to increase their tolerance as a caregiver.

(4) parent/legal guardian/caregiver expresses love, empathy and sensitivity toward the child; experiences specific empathy with regard to the child's perspective and feelings. This refers to active affection, compassion, warmth and sympathy.

(a) mples may include:

1. People who fully relate to, can explain and feel what a child feels, thinks and goes through.

2. People who relate to a child with expressed positive regard and feeling and physical touching.

3. People who are understanding of children and their life situation.

(b) e Management Scaling Guide.

A. Parent/caregiver is able to relate to their child and demonstrates actions that are reflective of expressing love, affection, compassion, warmth, and sympathy for the child and their experiences. Parent/caregiver is able to explain child feelings and emotions and is able to respond accordingly.

B. Parent/caregiver is able to relate to the child, however at times struggles to demonstrate either physically or verbally, love affection, compassion, warmth, and sympathy. While the Parent/caretaker acknowledges their love, compassion, warmth, and sympathy, they struggle with displaying affection to the child. This does not result in child being maltreated and/or unsafe.

C. Parent/caregiver frequently cannot or will not relate to their children's feelings. Parent/caregiver does not express love, empathy, and/or sympathy for the child on a frequent or consistent basis. Parent/caregiver is able to recognize the absence of relating to the child's feelings. The parent's/caregiver's feeling towards the child results in the child being maltreated and/or unsafe.

D. Parent/caregiver is not able to relate to the child's feelings. The parent/caregiver does not express any love, empathy, and/or sympathy for the child. The parent's/caregiver's lack of feelings towards the child results in the child being maltreated and/or unsafe.

(5) parent/caregiver is stable and able to intervene to protect children. This refers to the mental health, emotional energy, and emotional stability of the parent/caregiver in providing for protection of children.

(a) mples may include:

1. ople who are doing well enough emotionally that their needs and feelings don't immobilize them or reduce their ability to act promptly and appropriately.

2. ople who are not consumed with their own feelings and anxieties.

3. ople who are mentally alert, in touch with reality.

4. ople who are motivated as a caregiver and with respect to protectiveness.

(b) e Management Scaling Guide.

A. Parent's/caregiver's mental, emotional stability and energy are sufficient to meet the needs of the child. Feelings and emotions are not paralyzing to the Parent/caregiver. Parent/caregiver is alert and reality orientated to their own emotions/feelings and actions. Parent/caregiver is motivated in ensuring their own mental, emotional stability and energy are sufficient to ensure that the child is safe.

B. Parent's/caregiver's mental, emotional stability, and energy are sufficient under most daily routines, however during times of adversity or challenges the Parent's/Caregiver's struggle to maintain their stability. Parent/caregiver seeks resources and supports during these times and accesses resources to ensure that child is safe.

C. Parent/caregiver is frequently not able to maintain emotional stability during daily routines, resulting in the child's needs not being met. Parent/caregiver is aware of instability, however, is immobilized in taking action to access resources or supports to provide for child safety, resulting in child being maltreated and/or unsafe.

D. Parent/caregiver is not able to maintain emotional stability during daily routines and challenging life events. Parent/caretaker is not aware of their instability and has taken no action to access resources and/or supports to ensure for child safety, resulting in child being maltreated and/or unsafe.

(6) parent/caregiver is positively attached to the child. This refers to a strong attachment that places a child's interest above all else.

(a) mples may include:

1. ople who act on behalf of a child because of the closeness and identity the person feels for the child.

2. ople who order their lives according to what is best for their children because of the special connection and attachment that exists between them.

3. ople whose closeness with a child exceeds other relationships.

4. ople who are properly attached to a child.

(b) e Management Scaling Guide.

A. Parent/caregiver demonstrates their attachment to the child through actions such as ordering their lives according to what is best for their child, displays affectionate regard for their child and the child's experiences, and identifies their closeness with the child exceeds other personal relationships.

B. Parent/caregiver demonstrates their attachment to the child through actions, however at times struggles with ordering their lives according to what is best for the child, displaying their affection for the child, and identifying the closeness of the relationship with the child. Parent/caregiver attachment struggle are not intentional and the parent/caregiver is aware of the

struggle. Parent/caregiver has or has the ability to seek resources and/or supports for increasing their parenting capacity. Children have not been maltreated and/or unsafe due to the parental and child attachment.

C. Parent/caregiver frequently does not demonstrate their attachment to the child. This is evidenced by the ordering of their lives, lack of affectionate regard for the child, and the parent identifying other relationships as being their primary relationship. Child has suffered maltreatment and/or is unsafe as a result of the parent's/caregiver's lack of attachment to the child.

D. Parent/caregiver has no attachment to the child, shows no regard for the child and the parent/caregiver relationship. Parent/caregiver does not identify as a parent/caregiver. Parent/caregiver cannot or will not seek resources and/or supports to enhance their attachment and does not recognize the correlation between the lack of attachment and maltreatment.

(7) parent/legal guardian/caregiver is supportive and aligned with the child. Supportive refers to actual, observable sustaining, encouraging and maintaining a child's psychological, physical and social well-being.

(a) mples may include:

1. ople who spend considerable time with a child filled with positive regard.

2. ople who take action to assure that children are encouraged and reassured.

3. ople who take an obvious stand on behalf of a child.

(b) igned refers to a mental state or an identity with a child. Examples may include:

1. People who strongly think of themselves as closely related to or associated with a child.

2. People who think that they are highly connected to a child and therefore responsible for a child's well-being and safety.

3. People who consider their relationship with a child as the highest priority.

(c) plays concern for the child refers to a sensitivity to understand and feel some sense of responsibility for a child and what the child is going through in such a manner to compel one to comfort and reassure. Examples may include:

1. ople who show compassion through sheltering and soothing a child.

2. ople who calm, pacify and appease a child.

3. ople who physically take action or provide physical responses that reassure a child, that generate security.

(d) e Management Scaling Guide.

A. Parent/caregiver demonstrates that they are strongly related and/or

associated with the child, thus showing compassion for the child by calming, pacifying, and appeasing

children as needed. Parent/caregiver is aligned with the child, as demonstrated by the actions and responses towards the child. Parent/caregiver identifies their relationship with the child as being the highest priority.

B. Parent/caregiver frequently is aligned with the child through their actions, however at times struggles in demonstrating compassion for the child and/or being responsive. The parent's/caregiver's actions do not result in the child being maltreated and/or unsafe. The parent/caregiver acknowledges their struggle and has the resources and/or supports to increase their responsiveness and compassion for the child.

C. Parent/caregiver does not identify with the child through their actions and lacks compassion for the child. Parent/caregiver is infrequently non-responsive to the child when the child needs to be calmed, pacified, and/or appeased. The parent/caregiver acknowledges their inability to align with the child, but cannot or will not take actions to increase their alignment with the child. The parent's/caregiver's actions have resulted in children being maltreated and/or unsafe.

D. Parent/caregiver is not aligned with the child as demonstrated by their non-responsiveness to the child and the lack of compassion for the child. Parent/caregiver does not express concern and/or does not acknowledge their lack of alignment with the child. The lack of parent/caregiver actions has resulted in the child being maltreated and/or unsafe.

2-8. Impending Danger.

a. Definition. "Impending danger" refers to a child being in a continuous state of danger due to caregiver behaviors, attitudes, motives, emotions and/or situations posing a specific threat of severe harm to a child. Impending danger is often not immediately apparent and may not be active and threatening child safety upon initial contact with a family. Impending danger is often subtle and can be more challenging to detect without sufficient contact with families. Identifying impending danger requires thorough information collection regarding family/ caregiver functioning to sufficiently assess and understand how family conditions occur.

b. Danger Threshold and Criteria. The "Danger Threshold" is the point at which negative family conditions go beyond being concerning and become dangerous to a child's safety. Negative family conditions that rise to the level of the Danger Threshold and become Impending Danger Threats are in essence negative circumstances and/or caregiver behaviors, emotions, etc. that negatively impact caregiver performance at a heightened degree and occur at a greater level of intensity. The danger threshold criteria must be applied when considering and identifying any of the impending danger threats. The specific justification for identifying any of the impending danger threats is based on a specific description of how negative family conditions meet the danger threshold criteria. In order to qualify that impending danger exists, the following criteria must be met:

(1) Observable. Refers to family behaviors, conditions or situations representing a danger to a child that are specific, definite, real, can be seen and understood and are subject to being reported and justified. The criterion "observable" does not include suspicion, intuitive feelings, difficulties in child welfare professional -family interaction, lack of cooperation, or difficulties in obtaining information.

(2) Vulnerable Child. Refers to a child who is dependent on others for protection and is exposed to circumstances that she or he is powerless to manage, and susceptible, accessible, and available to a threatening person and/or persons in authority over them. All children age 0-6 years are vulnerable given their young age. For children older than 6, vulnerability is judged according to age; physical and emotional development; ability to communicate needs; mobility; size; and dependence and susceptibility. In determining when a child older than 6 years is vulnerable to a specific danger threat in the home the following should be considered:

(a) Based upon the nature of the danger threat, how does the child's physical development, mobility and size make him or her susceptible to the threat?

(b) Based upon the nature of the danger threat, how does the child's emotional development make him or her susceptible to the threat?

(c) To what degree does the child's inability to communicate needs make him or her susceptible to the danger threat?

(d) To what degree does the child's inability or unwillingness to share or disclose information make him or her susceptible to the danger threat?

(e) To what degree does the child demonstrate any capacity for self-protection?

(3) Out of Control. Refers to family behavior, conditions or situations which are unrestrained resulting in an unpredictable and possibly chaotic family environment not subject to the influence, manipulation, or ability within the family's control. Such out-of-control family conditions pose a danger and are not being managed by anybody or anything internal to the family system.

(4) Imminent. Refers to the belief that dangerous family behaviors, conditions, or situations will remain active or become active within the next several days to a couple of weeks. This is consistent with a degree of certainty or inevitability that danger and severe harm are possible, even likely outcomes, without intervention.

(5) Severe. Includes such severe harm effects as serious physical injury, disability, terror and extreme fear, impairment and death.

c. Impending Danger Threats. Impending danger threats are typically more subtle in nature than present danger and can best be described as a pervasive "state of danger." Impending danger threats result from persistent and ongoing out-of-control negative family conditions in the home. Impending danger places a child in a continual, imminent, but not present position of being seriously or severely maltreated. Impending danger can only be identified after gathering sufficient information in the six information domains. Impending danger threats are associated with or related to four main domain areas: Maltreatment and the Nature of Maltreatment, Child Functioning, Adult Functioning, and Parenting.

d. The **six impending danger threats related to the nature, scope, extent and circumstances surrounding the maltreatments**, are as follows:

(1) Parent/legal guardian/caregiver's intentional and willful act caused serious physical injury to the child, or the caregiver intended to seriously injure the child.

(a) Fractures, deep lacerations, extensive bruising, burns or inorganic malnutrition characterize serious injury.

(b) Typically involves the use of objects to inflict pain/cause injury.

(c) Child has no ability to protect themselves from physical injury or excessive corporal punishment.

(2) The child's physical living conditions are hazardous and a child has already been seriously injured or will likely be seriously injured. The living conditions seriously endanger a child's physical health. Examples may include:

- (a) Extreme lack of hygiene with potential to cause serious illness.
- (b) Toxic chemical or materials easily within reach of child.
- (c) Unsecured, loaded firearms/ammunition in child's presence.
- (d) Illicit or prescription drugs accessible by children.

(3) Parent/legal guardian/caregiver is not meeting the child's essential medical needs and the child is/has already been seriously harmed or will likely be seriously harmed. Examples may include:

(a) Parent is not maintaining child's medical regimen or meeting treatment needs despite the seriousness of the injury/illness.

(b) Parent has not called 911 to seek emergency medical response.

(4) "Other." Any other observation or information which would indicate a threat to the child's safety. This maltreatment may not be selected without supervisor approval and the investigator providing detailed justification (i.e., why no other impending danger threat was appropriate).

NOTE: The next two threats rarely manifest as impending danger because by the time the FFA-I has been completed either the child/family has been located or other sufficient information has been gathered to rule out these threats or to help identify other more appropriate impending danger in the home. **Supervisors should carefully review the rationale provided by the investigator when these two threats are identified as impending dangers.**

(5) Child has a serious illness or injury (indicative of child abuse) that is unexplained, or the parent/legal guardian/caregiver explanations are inconsistent with the illness or injury. Examples may include:

(a) Multiple injuries or singular severe injury that could not have occurred accidentally.

(b) Despite seriousness of injury, parent reportedly does not know how child was injured.

(c) Explanation for how child was injured changes over time.

(6) There are reports of serious harm and the child's whereabouts cannot be ascertained and/or there is a reason to believe that the family is about to flee to avoid agency intervention and/or refuses access to the child and the reported concern is significant and indicates serious harm. Examples may include:

(a) Family is intentionally avoiding contact with CPI.

(b) Caregiver is hiding the child with relative or family friend and refuses to

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disclose location.

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e. There is **one impending danger threat related to child functioning** which is identified primarily based on the investigator having sufficient information on how the child functions on a day-to-day basis including, but not limited to, details on the child's physical health, development, emotion and temperament, intellectual functioning, behavior and self-control:

(1) Child shows serious emotional symptoms requiring intervention and/or lacks behavioral control and/or exhibits self-destructive behavior that parent/legal guardian/caregiver is unwilling or unable to manage. Examples may include:

- (a) Child is self-injurious.
- (b) Child is setting fires.
- (c) Child is sexually acting out.
- (d) Child is addicted to drugs or alcohol.

f. There is **one impending danger threat related to adult functioning** which is identified primarily based on sufficient information as to how the caregiver functions on a daily basis including, but not limited to, the individual's overall life management, physical health, emotion and temperament, cognitive ability, intellectual functioning, self-control and patterns of criminal behavior, history of family and/or domestic violence, impulse control, substance use/abuse and mental health issues:

(1) Parent/legal guardian/caregiver is violent, impulsive, or acting dangerously in ways that seriously harmed the child or will likely seriously harm to the child. Examples may include:

- (a) Child is being sexually abused and perpetrator has ongoing access to child.
- (b) Caregiver is physically assaultive/threatening.
- (c) Caregiver is brandishing a weapon.
- (d) Domestic violence dynamics are present in the household.
- (e) Caregiver is involved in substance misuse.
- (f) Caregiver is violating "no contact" supervision restrictions by order of the

court.

g. There are **three impending danger threats related to parenting and discipline/behavior management** which are determined primarily based on sufficient information as to how the caregiver typically parents including, but not limited to, the parents disciplinary approaches, the rationale or purpose of discipline, and the circumstances or behaviors that generally elicit parental disciplinary actions:

(1) Parent/legal guardian/caregiver is not meeting child's basic and essential needs for food, clothing and/or supervision, AND child is/has already been seriously harmed or will likely be seriously harmed. Child is hospitalized due to non-organic failure to thrive. Examples may include:

- (a) Child is unsupervised in a dangerous environment or condition.
- (b) Lack of basic, essential food, clothing, or shelter that result in child needing medical care or attention.
- (c) Child needs to be hospitalized for non-organic failure to thrive.

(2) Parent/legal guardian/caregiver is threatening to seriously harm the child; child is fearful he/she will seriously harm the child. Examples may include:

- (a) Parent expresses intent or desire to harm child.
- (b) Parent makes statements about the family's situation being hopeless.
- (c) Child describes extreme mood swings in parent, drug or alcohol use that exacerbate parent's volatility and frustration with child.

(3) Parent/legal guardian/caregiver views child and/or acts toward the child in extremely negative ways and such behavior has or will result in serious harm to the child. Examples may include:

- (a) Parent describes the child as evil or has singled the child out for being responsible for the family's problems.
- (b) Child expresses fear of being left with caregiver.
- (c) Child describes being subjected to confinement or bizarre forms of punishment.

2-9. Child Strengths and Needs.

a. Purpose. Child strengths and needs measure the extent to which certain desired conditions are present in the life of the child within a recent timeframe. Child strengths and needs are assessed by the case manager based upon the assessment of child functioning.

(1) These child indicators are directly related to a child's well-being and success (e.g., emotion, behavior, family and peer relationships, development, academic achievement, and life skill attainment).

(2) When the department is involved with families whose children are unsafe, the case manager is responsible for assuring that the child's physical and mental health, developmental and educational needs are addressed by their parents, as well other caregivers when children are in an out-of-home setting.

(3) A current description of child strengths and needs will be provided in the FFA-O or Progress Update as part of "child functioning."

b. Child strengths and needs should be relevant and descriptive as to the child's specific abilities given his/her age. See Appendix A of this operating procedure, Child Development Stages Matrix, for summary descriptions of child behaviors that are within a normal range as to physical, socio-emotional, and cognitive development; indicators of developmental concern, and associated positive parenting characteristics.

c. Scaling Criteria. Based on the assessment of child functioning, the case manager will rate child strengths and needs to systematically identify critical child needs that should be the focus of case plan outcomes interventions.

- (1) An "A" or "B" rating for any indicator reflects that a child is doing well in that area.
- (2) A "C" or "D" rating reflects that a child is not doing well and requires attention.

(3) These are the common criteria applied to each individual rating:

A=EXCELLENT. Child demonstrates exceptional ability in this area.

B=ACCEPTABLE. Child demonstrates average ability in this area.

C=SOME ATTENTION NEEDED. Child demonstrates some need for increased support in this area.

D=INTENSIVE SUPPORT NEEDED. Child demonstrates need for intensive support in this area.

d. Specific Child Strength and Need Definitions and Ratings.

(1) Emotion/Trauma. The degree to which, consistent with age, ability and developmental level, the child is displaying an adequate pattern of appropriate self-management of emotions.

A. Child is able to experience a wide range of emotions and can manage emotions to the best of developmental ability. Child recovers readily from experiences.

B. Child may have occasional brief periods of anger, sadness, worry, etc. that are temporarily disruptive, but these periods do not interfere with building friendships with peers or adults in their social, educational or family life. Child may have occasional nightmares, but tolerates these without major disruption.

C. Child's experience of anger, sadness, worry, etc. are frequent enough to cause some disruption in social, educational, or family life.

OR

Child has some symptoms of trauma such as a startle response, frequent difficulty sleeping or staying awake, bed wetting, overeating or under-eating, and these symptoms are causing some distress for the child.

D. Child experiences out-of-control anger, profound sadness or worry so much that child is unable to maintain friendships, is falling behind academically.

OR

Child has pervasive trauma symptoms such as a startle response that is so severe child cannot tolerate many environments; sleep disruption that is causing severe academic or health problems; bed wetting; eating patterns that are causing significant weight gain or loss; or child is experiencing despair or hopelessness to the point of thinking of self-harm.

(2) Behavior. The degree to which, consistent with age, ability and developmental level, the child is displaying appropriate coping and adapting behavior.

A. Child manages his/her own behavior above developmental expectations. Child is developing a sense of right and wrong and his/her approach is to seek to do what is right. He/she has an advanced awareness of the impact of behavior on others; keen empathy for others, and seeks to act in ways that promote the good and well-being of others.

OR

Child is not old enough to think about life choices and behaviors. (Children 0-3)

B. Child generally understands right and wrong and primarily seeks to do what is right. Motivation may still be more to please others or avoid punishment. Child will err, but not substantially more than would be expected for developmental level.

C. Child violates rules and expectations in ways that are disruptive to their normal routines or relationships. Child may be old enough to think about their behavior; however child has frequent (weekly) struggles with making appropriate life choices. The child's behaviors are difficult for parent/caregiver to manage. Child may run away on occasion. The child's behavior may have resulted in child care or school suspension, or involvement with juvenile justice.

D. Child consistently violates rules and expectations so that life around the child cannot be carried on. Child may be old enough to think about their behavior. Child may be frequently running away. Child's behavior is harmful to self or others including self-injury, extreme risk-taking, persistent violence toward others, sexual violence, cruelty to animals, or fire-setting.

(3) Development /Early Learning (applies to children under the age of 6 years). The child is achieving developmental milestones based on age and developmental capacities; child development in key domains is consistent with age and ability appropriate expectations.

A. Child's physical and cognitive skills are above age expectations in all domains based upon normal developmental milestones.

OR

Child with developmental delays is receiving special interventions and is demonstrating excellent progress.

B. Child's physical and cognitive skills are at or near age expectations in most of the major domains.

OR

Child with developmental delays is receiving special interventions and is beginning to demonstrate some progress.

C. Child's physical and cognitive skills are mixed, near expectations in some domains but showing significant delays in others.

OR

Child with developmental delays is or may be receiving special interventions and is demonstrating very slow gains that are below desired goals.

D. Child's physical and cognitive skills show significant delays in most domains.

OR

Child with developmental delays is or may be receiving special interventions and is showing minimal to no improvement.

(4) Academic Status (applies to children 6 years of age and older). The child, according to age and ability, is actively engaged in instructional activities; reading at grade level or IEP expectation level; and meeting requirements for annual promotion and course completion leading to a high school diploma or equivalent or vocational program.

A. Child is reading at or well above grade level and is meeting and exceeding all requirements for grade-level promotions.

OR

Child is exceeding goals set forth in an IEP or Section 504 plan.

B. Child is reading at or close to grade level and is adequately meeting all requirements for grade-level promotions.

OR

Child is adequately meeting goals set forth in an IEP or Section 504 plan.

C. Child is reading a year below grade level and is meeting some but not all requirements for grade-level promotions.

OR

Child is only meeting some of the goals set forth in an IEP or Section 504 plan.

D. Child is reading two years below grade level and is not meeting core requirements for grade-level promotions.

OR

Child is not meeting any of the goals set forth in an IEP or Section 504 plan.

(5) Positive Peer/Adult Relationships. The child, according to age and ability, demonstrates adequate positive social relationships.

A. Child interacts with other children and with adults above expectations for developmental level. Child excels in making and keeping friends.

OR

Child is not old enough to think about life choices and behaviors. (Children 0-3 would meet this criteria.)

B. Child interacts with other children and adults in ways that would be expected for developmental level.

C. Child has some difficulty making or keeping friends and/or has some discomfort relating to adults. However, child has sufficient social interactions outside of the household.

D. Child has extreme difficulty making or maintaining friendships and experiences social isolation, ostracism, or bullying.

(6) Family Relationships. Child demonstrates age and developmentally appropriate patterns of forming relationships with family members.

A. Child experiences his/her family as a safe and supportive place and has a strong sense of belonging. Child does not express any concerns about safety nor shows any symptoms of fear or trauma.

B. Child is generally comfortable in his/her family. Child expresses some concerns or worries about family conflicts that appear to be normal. Child has a basic sense of safety and security.

C. Child has some conflicts with one or more family members that disrupt the child's feeling of safety or belonging.

D. Child experiences no security or belonging with family; child experiences persistent conflict with one or more family members that makes it extremely uncomfortable to be present in the family.

(7) Physical Health. Child is achieving and maintaining positive health status which includes physical, dental, audio and visual assessments and services. If the child has a serious or chronic health condition, the child is achieving the best attainable health status given the diagnosis and prognosis.

A. Child is demonstrating excellent overall health.

OR

If child has a chronic condition, he/she is attaining the best possible health status that can be expected given the health condition.

B. Child is demonstrating an adequate level of overall physical health status.

OR

If child has a chronic condition, it is responding adequately to medical treatment.

C. Child is demonstrating an inconsistent or inadequate level of overall physical health. The child's physical health may be outside normal limits for age, growth and weight range.

OR

If child has a chronic condition, the symptoms are becoming problematic.

D. The child is demonstrating a consistently poor level of overall physical health. The child's physical health is significantly outside normal limits for age, growth and weight range. Any chronic condition is becoming more uncontrolled, possibly with presentation of acute episodes.

(8) Cultural Identity. Important cultural factors such as race, ethnicity, religion, or other forms of culture are appropriately considered in the child's life. (NOTE: The goal of responding to a C or D would not be to change the cultural identity or belonging, but to resolve the conflict or help the child cope with the conflict.)

A. Child identifies with his/her culture, has a sense of cultural awareness, and/or is motivated to explore his/her culture. Child has an identified support network to assist in exploring and/or identifying with his/her culture.

OR

Child is of an age where they are not aware of their culture; however, they have a support network that will cultivate the child's sense of cultural identity.

B. Child identifies with his/her culture, has a sense of cultural awareness. Child shows some motivation to explore his/her culture.

OR

Child is of an age where they are not aware of their culture; however, their support network shows some motivation to cultivate the child's sense of cultural identity.

C. Child does not identify with his/her culture, but does have a sense of cultural awareness. Child does not have a support network to assist in exploring and/or identifying with his/her culture.

OR

Child is of an age where they are not aware of their culture and their support network shows little motivation to cultivate the child's sense of cultural identity.

D. Child does not identify with his/her culture, lacks a sense of cultural awareness, and expresses no motivation in exploring and/or identifying their culture. Child has minimal supports to assist with motivation, exploration, and/or identification of culture.

OR

Child is of an age where they are not aware of their culture and their support network shows no motivation and/or support for cultivation of the child's cultural identity.

(9) Substance Awareness. The assessment of substance awareness is multi-dimensional. First, the assessment includes the child/youth's awareness of alcohol and drugs, and their own use. Second, for children who have experienced the negative impacts of parent/caregiver substance misuse within their home, the assessment includes their awareness of alcohol and drugs and treatment/recovery for their parent(s).

A. Child can voice the dangers of alcohol and drugs and the negative effects on daily life choices and makes conscious decisions to refrain from use of drugs and alcohol.

OR

Child is aware of the effects of drugs and alcohol within the family dynamic, including treatment and recovery for their parent(s), and makes daily life choices to refrain from the use of drugs and alcohol.

OR

Child is of an age where it is not reasonable to understand any of the family dynamics related to drug and alcohol use within the family.

B. Child is somewhat aware of alcohol and drugs and their negative effects on daily life choices. Child has refrained from use of alcohol and drugs.

OR

Child is aware of the effect of drugs and alcohol with the family dynamic and is aware of some basic information regarding treatment and recovery for their parent(s).

C. Child is aware of alcohol and drugs. Child chooses to use alcohol on limited occasions. Alcohol use has not resulted in disruption to school and/or relationships.

OR

Child is partially aware of the effect of alcohol and drugs within the family dynamic and has no information regarding treatment and recovery for their parent(s).

D. Child uses drugs and/or alcohol on a regular basis and this has led to decreased school performance, disruption of social network, arrest, injury, or illness.

OR

Child is not aware of drugs or alcohol use within the family, including information regarding treatment and recovery for their parents.

(10) Preparation for Adult Living Skill Development (applies only to children 13 and over). Child, according to age and ability, is gaining skills, education, work experience, long-term relationships and connections, income, housing and other capacities necessary for functioning upon adulthood. Also includes adolescent sexual health and awareness.

A. Child excels with developing long-term life skills, supportive relationships and connections. Child is motivated in their life skill development and recognizes the significance of developing life skills. Child has an identified support network to assist in achieving life skill development. According to age and ability, child is developing necessary life skills for adult living.

B. Child is making adequate progress with developing long-term life skills, relationships and connections. Child displays motivation, however requires assistance with maintain their motivation. Child has a support network in place to assist in achieving life skill development and motivation. According to age and ability, child has gained adequate for adult living.

C. Child is making less than adequate progress with developing life skills, long-term supportive relationships and connections. Child is minimally engaged with life skill development, despite the level of support present. Child may or may not have a support network in place for life skill development. According to age and ability, child is beginning to gain life skill capacities that are not yet adequate.

D. Child is making very limited progress with developing life skills, long-term supportive relationships and connections.

OR

Child is not aware of the need for developing life skills, long term supportive relationships, and connections. Child may or may not have a support network in place for life skill development. According to age and ability, child is not gaining necessary life skill capacities.

2-10. Stages of Change.

a. Definition. The “Stages of Change” provide a way to understand the cognitive process for human change. The knowledge regarding how and why change occurs among individuals is important for understanding the rationale for the design of the ongoing family functioning assessment and has direct implications for how ongoing case managers should behave when intervening with caregivers. It is also known as “Trans-Theoretical Model (TTM)” developed by Prochaska & DiClemente, 1982; Prochaska, DiClemente, & Norcross, 1992. The specific stages of change are:

(1) Pre-Contemplation. Not currently considering change. Not ready to change.

(a) The parent/legal guardian or caregiver is yet to consider the possibility of change. The caregiver does not actively pursue help. Problems are often identified by others. Concerning their situation and change, caregivers are reluctant, resigned, rationalizing or rebelling. Denial and blaming are common.

(b) The parent/legal guardian or caregiver is communicating during ongoing family functioning assessment conversations that he does not acknowledge that there are problems and he does not consider the need to change. The parent/legal guardian or caregiver who is in the pre-contemplation stage of change tends to demonstrate some level of resistance. They are reluctant to participate in conversations during the ongoing family functioning assessment. They may express “fake cooperation” as a form of resistance and may even acknowledge that they are willing to complete services, but in reality they do not have intentions to change or they do not believe that change is possible. They may be rationalizing problems or blaming others; making excuses; or accusing the ongoing case manager of interfering in their lives. They could be actively rebelling against intervention by being overtly argumentative during conversations.

(c) The majority of parents/legal guardians or caregivers who begin the ongoing case management process do so as involuntary clients. These parents/legal guardians or caregivers tend to be in pre-contemplation about all, or some, of the problems that were identified during the investigation. They likely feel forced or coerced to be involved with case management and as a result, they feel a sense of powerlessness.

(2) Contemplation. Thinking about change. Ambivalent about change: “Sitting on the fence.”

(a) The parent/legal guardian/caregiver considers change, and rejects it. The parent/legal guardian/caregiver might bring up the issue or ask for consultation on his or her own. The parent/legal guardian/caregiver considers concerns and thoughts, but no commitment to change.

(b) Parents/legal guardians/caregivers may begin the ongoing family functioning process thinking about problems and considering the need to change but they have likely not made a decision that change is necessary. The conversations that occur during the ongoing family functioning assessment are intended to facilitate parents/legal guardians/caregivers to begin weighing the pros and cons for change. Parents/legal guardians/caregivers who are in the Contemplation stage for change are ambivalent. They consider the need for change, but they are hesitant to fully acknowledge problems, and they are not sure they want to give up negative patterns of behavior.

(c) When parents/legal guardians/caregivers begin the assessment as highly resistant, efforts to facilitate change should concentrate on moving caregivers from pre-contemplation to a mindset of contemplating the need for change. Simply getting parents/legal guardians/caregivers to minimally acknowledge problems and start thinking about the need for change is a realistic objective for intervention in the short term when parents/legal guardians/caregivers are very resistant to participating in the ongoing family functioning assessment much less open to thinking about change.

(3) Preparation. Getting ready to make a change. Parent/legal guardian/caregiver has some experience with change and is trying to change: "Testing the waters."

(a) This stage represents a period of time when a window of opportunity to move toward change opens. The parent/legal guardian/caregiver may be modifying current behavior in preparation for further change. A near-term plan to change begins to form.

(b) As a result of the raising of self-awareness that occurs during the ongoing family functioning assessment, many parents/legal guardians/caregivers will move toward taking increasing ownership for their problems (or at least some of their problems) and they will start talking about not only the need for change, but what specific behavioral change would look like. When conversations are productive and begin to elicit parent/legal guardian/caregiver feedback regarding what must change, there emerges a period of time when a window of opportunity opens for engaging parents/caregivers to commit to taking steps to change.

(4) Action. Ready to make a change. Parent/legal guardian/caregivers are practicing new behavior for 3-6 months. The parent/caregiver engages in particular actions intended to bring about change. There is continued commitment and effort.

(a) Parents/legal guardians/caregivers who are in the Action stage are not only taking steps to change, including participating in a change process with the ongoing case manager and other changed focused services, but they also express a belief and attitude that the actions taken to address problems will result in things being different.

(b) In effect, when a parent/legal guardian/caregiver completes the ongoing family functioning process and commits him/herself to participating in services and working toward achieving outcomes and case plan outcomes, s/he is moving into Action stage.

(c) If at the conclusion of the ongoing family functioning assessment or in the months following the implementation of the case plan, a parent/legal guardian/caregiver communicates that s/he is ready, willing and able to make change and then proceeds to take the steps to do so, s/he is in the Action stage.

(5) Maintenance. Continuing to support behavior change. Continued commitment to sustaining new behavior post-6 months to 5 years.

(a) The parent/legal guardian/caregiver has successfully changed behavior for at least 6 months. He or she may still be using active steps to sustain behavior change and may require different skills and strategies from those initially needed to change behavior. The parent/legal guardian/caregiver may begin resolving associated problems.

(b) A parent/legal guardian/caregiver does not reach the Maintenance Stage of change until she/he demonstrates sustained behavioral change for at least 6 months. Parents/legal guardians/caregivers may still be actively involved in completing their case plans and participating in services, but significant progress has been made toward the achievement of outcomes related to caregiver protective capacities and child well-being.

(c) It is important to note that a parent/caregiver is not likely to be in the Maintenance stage for all outcomes in the case plan at the same time. In most cases, it will be more likely that parents/caregivers could be in the Maintenance stage for one outcome related to caregiver protective capacities while still remaining in the Action stage or even Contemplation stage related to other outcomes.

(d) In ongoing case management, the change process is evaluated at least every 90 days, or at critical junctures during the ongoing case management and services to determine when sufficient change has occurred such that no intervention is required and the case can be closed.

(6) Relapse (Is the stage of change specific to substance use; adopted by the Substance Abuse and Mental Health Administration). Resumption of old behaviors:

(a) The assessment of stage of change has been incorporated into most substance abuse treatment programs, and treatment interventions should be thoughtfully matched to the stage of change in which the individual is currently. Addiction programs may use stages of change models that have been customized around addiction. The first five stages of change in this curriculum are appropriate for a range of challenges. The six stage of “relapse” has been added and is specific to addictions.

(b) Substance abuse is a complex and chronic disease that has biological and behavioral components. A comprehensive treatment program, tailored to the individual, is necessary for the treatment success. Recovery from drug addiction can be a long-term process and frequently requires multiple episodes of treatment. Most people working to overcome an addiction experience relapse. It is much more common to have at least one relapse than not.

(c) Relapse is not the same as treatment failure. Recurrence of substance use can happen at any point during recovery. When a parent relapses, it is important to help the parent recognize the difference between lapses (a period of substance use) and relapse (the return to problem behaviors associated with substance use), and to work with the parent to re-engage him or her in treatment as soon as possible.

(d) It also important to note that a urine toxicology screen will not tell you whether the individual has had a lapse versus a relapse. Part of effecting long-term change includes working with parents to identify the specific factors that preceded their substance use. What were the emotional, cognitive, environmental, situational, and behavioral precedents to the relapse?

(e) Child welfare professionals can help a parent/legal guardian/caregiver plan for the potential of relapse and for ensuring safety of the child. Parents who learn triggers can become empowered to plan proactively for the safety of their children and to seek healthy ways to neutralize or mitigate the trigger. One element in the process of recovery is to develop a relapse prevention plan.

b. The ongoing case manager is expected to seek to engage caregivers in conversations that promote problem recognition, if not acceptance, and reinforce a caregiver’s internal desire for change. Adopting the principle that change can be facilitated by influencing internal motivation, the conversations that occur with caregivers during the ongoing family functioning assessment attempt to raise self-awareness regarding the need for change, to instill hope for change and to elicit caregiver input.

2-11. Family Time/Family Visitation.

a. Definition. “Family time” is meaningful and regular contact which is intended to allow the parents the opportunity to see how their children are doing; gain confidence; demonstrate protective capacities; and practice what they are learning. Family time also allows children the opportunity to be with parents and other family members they care about. Family time includes opportunities for the parents to:

(1) Attend any type of school, sporting, or extracurricular activity;

(2) Attend (in person or by phone) a doctor's appointment, medication management, therapy sessions (such as family, speech, vocational, or physical), or special needs training (such as nebulizers); and,

(3) Participate in monitored telephone calls, face-time, skyping, e-mails, letters, exchange of photographs, etc.

b. Types of Family Connections. Chapter 39 addresses and encourages family time (also known as "visitation") on three family relationship levels:

(1) Family time between the parent and child (s. [39.402\(9\)\(a\)](#), F.S.);

(2) Family time among siblings who are separated in various placements (s. [39.402\(9\)\(b\)](#), F.S.); and,

(3) Grandparent visitation (s. [39.509](#), F.S.).

c. Family Time/Visitation Quality Ratings. An assessment of the overall "frequency" and "quality" of family time and other visitation opportunities is a required component of Judicial Reviews. In order to standardize the criteria used for frequency and quality, the following ratings have been developed.

(1) Visitation Frequency ("Compliance" with Case Plan). Update of the overall visitation frequency. Visits that are appreciably shortened by unreasonably late arrival/early departure should be considered missed. Ratings are as follows:

(a) Consistent. Caregiver regularly attends visits or calls in advance to reschedule (90-100% compliance).

(b) Routine. Caregiver may miss visits occasionally and rarely requests to reschedule visits (65-89% compliance).

(c) Sporadic. Caregiver misses or reschedules many scheduled visits (26-64% compliance).

(d) Rarely or Never. Caregiver does not visit or visits 25% or fewer of the allowed visits (0-25% compliance).

(2) Quality of Face-to-Face Visits. Quality of overall visits and other family time opportunities is based on case manager's direct observation whenever possible, supplemented by observation of child, reports of foster parents, etc. Ratings are as follows:

(a) Excellent. Parent/legal guardian/caregiver **consistently**:

1. Demonstrates parental role.
2. Demonstrates knowledge of child's development.
3. Responds appropriately to child's verbal/non-verbal signals.
4. Puts child's needs ahead of his/her own.
5. Shows empathy toward child.

(b) Adequate. Parent/legal guardian/caregiver **occasionally**:

1. Demonstrates parental role.
2. Demonstrates knowledge of child's development.
3. Responds appropriately to child's verbal/non-verbal signals.
4. Puts child's needs ahead of his/her own.
5. Shows empathy toward child.

(c) Not Adequate. Parent/legal guardian/caregiver **rarely**:

1. Demonstrates parental role.
2. Demonstrates knowledge of child's development.
3. Responds appropriately to child's verbal/non-verbal signals.
4. Puts child's needs ahead of his/her own.
5. Shows empathy toward child.

(d) Adverse. Parent/legal guardian/caregiver **never**:

1. Demonstrates parental role.
2. Demonstrates knowledge of child's development.
3. Responds appropriately to child's verbal/non-verbal signals.
4. Puts child's needs ahead of his/her own.
5. Shows empathy toward child.

2-12. Evaluation of Case Plan Outcomes.

a. Definition of Outcomes. An outcome in a case plan for a parent/legal guardian identifies specific behavior that is a demonstration of an enhanced caregiver protective capacity thus remediation of danger threat. An outcome is expected to be "S.M.A.R.T." which is an acronym that represents a best practice framework for creating effective goals to succeed with change. "SMART" outcomes reflect the following:

- (1) Specific;
- (2) Measurable;
- (3) Attainable;
- (4) Reasonable; and,
- (5) Timely.

b. The Ongoing Family Functioning Progress Update Criteria are used to evaluate outcome progress and change. Therefore, the criteria assess progress related to (1) that specific behavior and (2) parent(s) readiness to change. Related to progress assessment, the completion of the Progress Update occurs when the criteria have been applied to all outcomes in the case plan.

c. Terms Used in the Progress Evaluation Criteria. The following are every day terms, but to encourage reliable use of the criteria it is important that users understand how these terms are defined and applied as part of the criteria.

(1) Behavior means observable responses, actions, conduct, and manner as represented and identified in an outcome set in the case plan.

(2) Consistent means recurring as in a pattern or developing pattern.

(3) Criteria means for measuring behavior change, for judging the change of a behavior.

(4) Demonstrated means to show as a means of proof that a behavior is occurring.

(5) Diminished means lessened in usefulness or significance with respect to a personal characteristic's effect.

(6) Enhanced means already heightened and significant (with respect to a personal characteristic's effect).

(7) Evident means easy to see, clear, obvious, apparent.

(8) Outcome means specific behavior change that is supported, agreed to, and expected.

(9) Repeated means done again and again, done enough to represent a possible developing pattern.

(10) Sustained means to keep up for several weeks to months to years; to become habitual in manner.

d. Progress Toward Outcome Achievement Ratings. Note that use of the word "caregiver" in the ratings indicators refers to the parent/legal guardian.

(1) Indicators of Excellent Progress. Excellent Progress means that the caregiver is demonstrating actions that are evidence of significant progress towards achieving changes in one or more protective capacities. Caregiver is demonstrating considerable commitment of time and energy.

(a) The caregiver takes ever increasing responsibility for demonstrating behavior as an expression of self-sufficiency.

(b) The caregiver adjusts priorities in his or her life in relationship to parenting and protective responsibilities.

(c) The caregiver is more self-aware about the behavior and can explain it in relationship to the reason for Department/agency involvement.

(d) The caregiver is open about the value of the changed behavior, the need for the changed behavior, and the circumstances that required the changed behavior.

- values the effects.
- (e) The caregiver sees and accepts the effects of the changed behavior and
 - (f) The caregiver indicates satisfaction about the changed behavior.
 - (g) The caregiver prefers the changed behavior over previous ways of behaving.
 - (h) The caregiver recognizes the possibility of relapse and the inevitable consequences.
 - (i) The caregiver can reflect on the positive benefits resulting from the changed behavior.
 - (j) The caregiver is motivated to work on other changes and adjustments in his or her life.
 - (k) There is evidence of secondary gains such as changes in life circumstances, changes in child behavior, changes in relationships, and so on.

(2) Indicators of Acceptable Progress. Acceptable Progress means that the caregiver is demonstrating actions that are evidence of beginning progress towards achieving changes in one or more protective capacities. The caregiver is demonstrating an acceptable level of commitment and energy.

- (a) The caregiver is actively participating in planned services.
- (b) The caregiver acknowledges the need to change.
- (c) The caregiver is committed to addressing what must change.
- (d) The caregiver acknowledges his or her responsibility for child protection.
- (e) The caregiver makes the correlation between his or her diminished protective capacities and threats to child safety.
- (f) The caregiver assertively takes action to address what must change.
- (g) The caregiver is beginning to demonstrate enhanced protective capacities associated with what must change to create a safe environment.
- (h) The caregiver demonstrates change in perceptions, attitudes, motives, emotions, and behaviors that are associated with his or her protective capacities.
- (i) The caregiver is purposively using services (i.e., counseling, skill building, education) to enhance protective capacities

(3) Indicators of Not Adequate Progress. Not Adequate Progress means that the caregiver is demonstrating minimal actions that do not reflect a sufficient commitment of time or energy to achieve the necessary changes in one or more protective capacities; or, Caregiver is ready and willing to participate in services but progress is not being made based on service/treatment availability, service/treatment accessibility or service/treatment is not of sufficient intensity.

- (a) The caregiver seems to be contemplating the need to change (is moving from pre-contemplation to contemplation).

(b) The caregiver may not agree completely with what must change, but he or she is open to discussing issues.

(c) The caregiver vacillates back and forth between considering change and being motivated to maintain problematic behavior.

(d) The caregiver generally maintains appointments with the Department/agency.

(e) The caregiver is willing to participate in services related to enhancing a particular caregiver protective capacity.

(f) The caregiver's involvement at this point may be more related to compliance than change, but he or she generally follows through on participating in planned services.

(g) The caregiver is beginning to reflect how his or her actions/behavior is impacting his or her ability to adequately parent, to assure protection.

(h) The caregiver has a sense that things may need to change or at least that the current status quo is not working.

(i) The caregiver may not fully acknowledge and agree with what must change, but he or she can communicate the negative consequences of continuing with the way things are.

(j) The caregiver is open to discussing alternative ways of behaving, thinking, and/or feeling.

(k) The caregiver is somewhat receptive to seeking specific feedback, knowledge, skill regarding what must change.

(l) The caregiver is somewhat assertive in communicating needs.

(m) The caregiver appears to demonstrate increased problem solving related to the reasons that the Department/agency is involved.

(4) Indicators of No Progress. No Progress means that caregiver is demonstrating behaviors that are a significant indication that the caregiver has not made any commitment of time or energy to achieve the necessary changes in one or more protective capacity.

(a) The caregiver maintains that problems are separate from him or herself.

(b) The caregiver continues to blame his or her problems on others.

(c) The caregiver maintains that problems are unchangeable.

(d) The caregiver maintains that there is not a problem that needs to be addressed.

(e) The caregiver continues to have rigid beliefs about his or her right to behave how he or she wants.

(f) The caregiver refuses or avoids participation in services which enhance a particular caregiver protective capacity.

(g) The caregiver rejects discussion or feedback related to what must change.

(h) The caregiver is completely non-assertive and is withdrawn from engaging in intervention.

(i) The caregiver is completely closed off regarding the need to address what must change.

(j) The caregiver's current functioning makes it unlikely that he or she could benefit from change interventions.

(k) The caregiver is inflexible and avoids contact with the Department/agency and/or treatment service providers.

(l) The caregiver may verbalize commitment but does not follow through; interaction is characteristically passive aggressive or "fake cooperation."

2-13. Overall Case Plan Compliance Ratings for Judicial Cases. Judicial reviews require an overall assessment of the extent to which caregiver(s) are compliant with the overall goals of their case plan. These ratings apply to the progress being made on all case plan outcomes. It is an overall professional judgment made by the case manager.

a. Substantially Compliant.

(1) Caregiver is demonstrating actions that are evidence of significant progress towards achieving changes in one or more protective capacities.

(2) Caregiver is demonstrating considerable commitment of time and energy to accomplish all case plan outcomes.

(3) The circumstances which caused the creation of the case plan have been significantly remedied to the extent that the safety and well-being of the child will not be endangered upon the child's remaining with or being returned to the child's parent.

b. Partially Compliant.

(1) Caregiver is demonstrating actions that are evidence of beginning progress towards achieving changes in one or more protective capacities.

(2) Caregiver is demonstrating an acceptable level of commitment of time and energy to accomplish case plan outcomes.

c. Not Compliant. Though able to do so, the caregiver is demonstrating minimal actions that do not reflect a sufficient commitment of time or energy to achieve case plan outcomes.

Determining Household of Focus in Case Management: Two Household Scenarios									
Scenario Description		FFA Investigation	FFA Ongoing	Case Plan Worksheet	Case Plan	Progress Update	Judicial Review Worksheet	Judicial Review	Safety Plan
1	Parent 1: Investigation = child is unsafe	Yes	Yes	Yes	One	Yes	Yes	One	Yes
	Parent 2: Separate Investigation = child is unsafe	Yes	Yes	Yes		Yes	Yes		Yes
2	Parent 1: Investigation = child is unsafe	Yes	Yes	Yes	One	Yes	Yes	One	Yes
	Parent 2: Case Participant (child is safe) OPHA – No barriers to placement and No Case Plan Outcomes	No	No	No		No, assess safety and child needs on Parent 1's	No		No
3	Parent 1: Investigation = child is unsafe	Yes	Yes	Yes	One	Yes	Yes	One	Yes
	Parent 2: Case Participant (child is safe) OPHA – No barriers to placement or maltreatment, but Case Plan Outcomes required by Judge. Child placed with Parent 2.	No	No	No, add tasks to Parent 1's		No, assess safety, child needs and Case Plan Outcomes on Parent 1's	No, update on Parent 1's		No
4	Parent 1: Investigation = child is unsafe	Yes	Yes	Yes	One or two as required by the courts	Yes	Yes	One or two as required	Yes
	Parent 2: Case Participant OPHA – Alleged Maltreatment identified. Case Manager calls abuse hotline. New Investigation determines child is unsafe.	Yes	Yes	Yes		Yes	Yes		Yes
5	Parent 1: Investigation = child is unsafe	Yes	Yes	Yes	One or two as required by the courts	Yes	Yes	One or two as required by the court	Yes
	Parent 2: Case Participant OPHA – Barriers to placement identified with potential danger threats but no maltreatment. Child not placed with Parent 2.	No	Yes	Yes		Yes	Yes		Yes
6	Parent 1: Investigation = child is unsafe	Yes	Yes	Yes	One	Yes	Yes	One	Yes
	Parent 2: Case Participant (child is safe) OPHA - Barriers to placement identified without potential danger threats and no maltreatment. Child not placed with Parent 2.	No	No	No, add to Parent 1's		No, assess Case Plan Outcomes on Parent 1's Update Other Parent Home Assessment	No, update on Parent 1's		No

Two Household Scenario

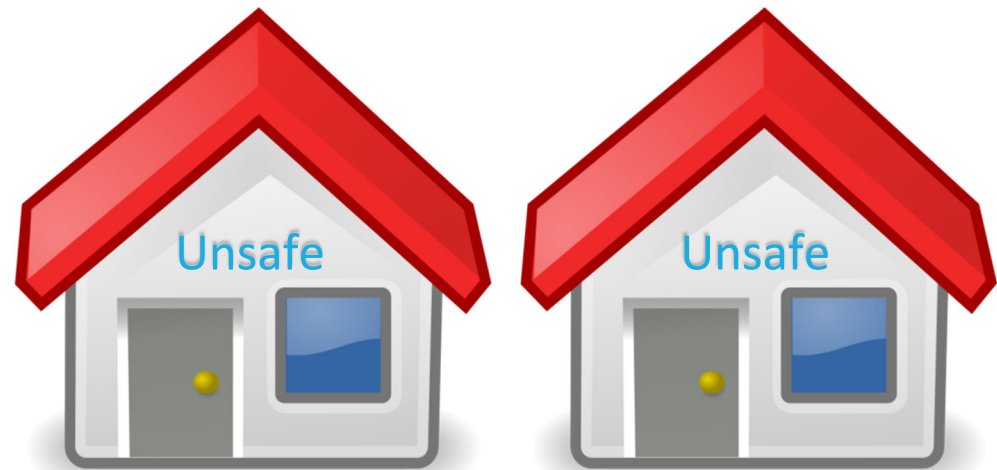
CREATING FFA-O, CASE PLAN WORKSHEET, PROGRESS UPDATES AND JUDICIAL REVIEW WORKSHEET WHEN THERE ARE TWO HOUSEHOLDS.

Scenario 1

The mother and father live in separate households and have children in common.

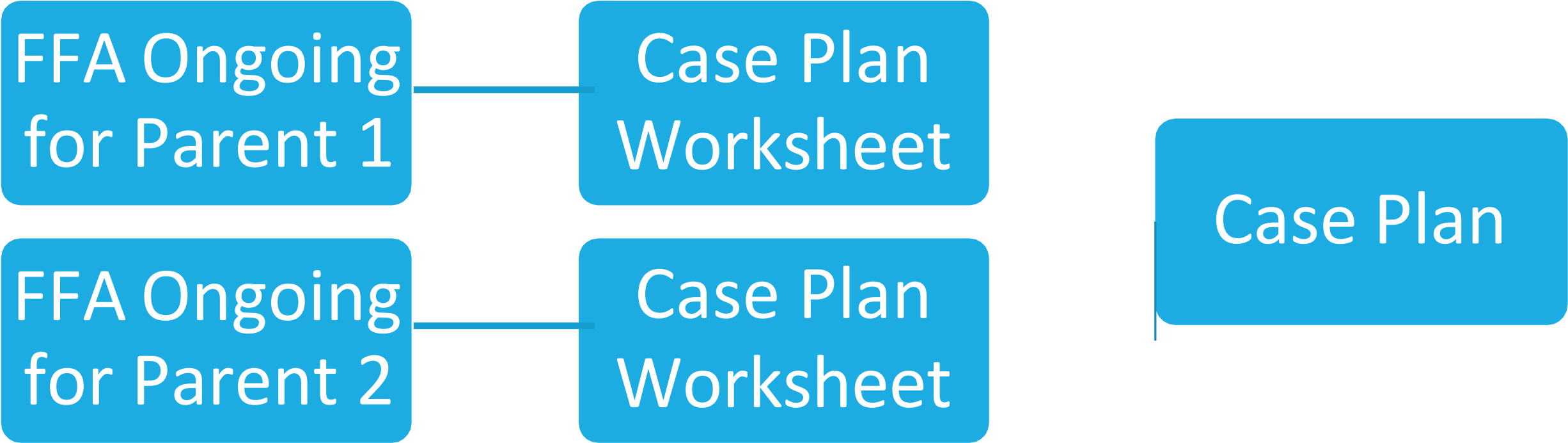
Alleged Maltreatment
has occurred at both
homes.

The child has been
deemed unsafe in both
homes.



Scenario 1

Methodology Flow



Scenario 1

Methodology Flow

Progress Update for Parent 1

Judicial Review Worksheet

Progress Update for Parent 2

Judicial Review Worksheet

Judicial Review

Scenario 2

The mother and father live in separate households and have children in common.

Maltreatment has occurred at one parent's home. The child has been deemed unsafe in that home.

Other Parent Home Assessment completed on non-maltreating parent.

No concerns found with parent 2 and the child is placed with parent 2.



Scenario 2

Methodology Flow

FFA Ongoing for
Parent 1

Case Plan
Worksheet

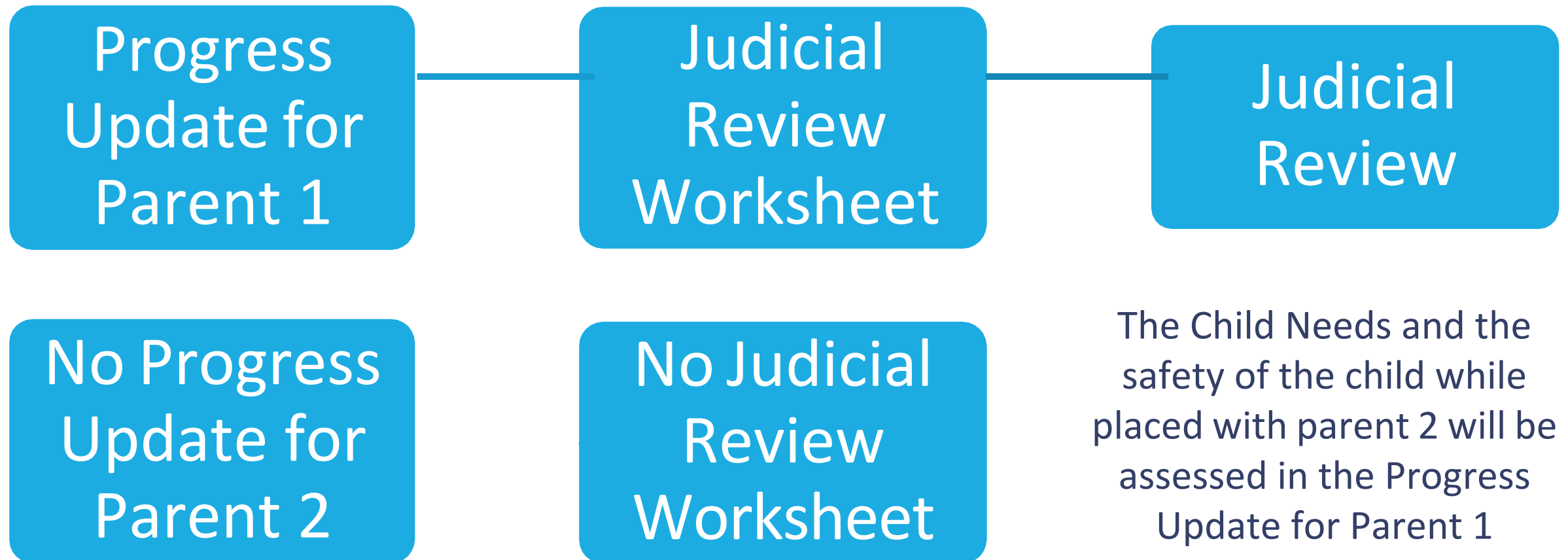
Case Plan

No FFA Ongoing
for Parent 2

No Case Plan
Worksheet

Scenario 2

Methodology Flow



Scenario 3

The mother and father live in separate households and have children in common.

Maltreatment has occurred at one parent's home. The child has been deemed unsafe in that home.

Other Parent Home Assessment completed on non-maltreating parent.

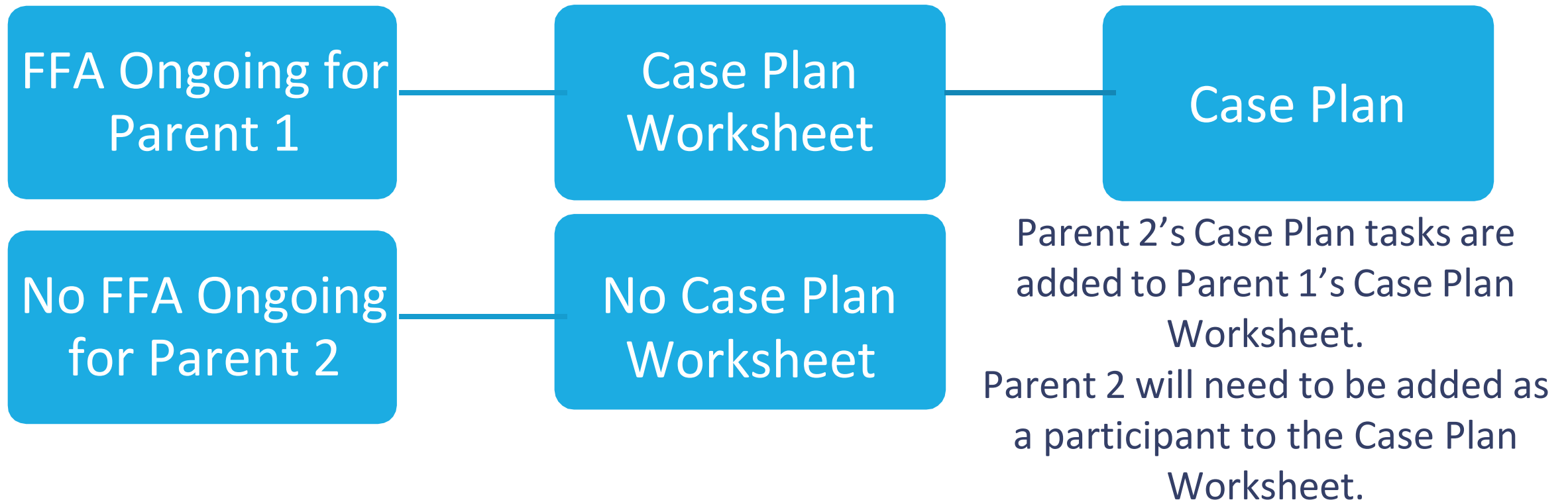
No concerns found with parent 2 and the child is placed with parent 2.

However it is determined that parent 2 needs case plan tasks. Example the judge required stable house/income for parent 2.



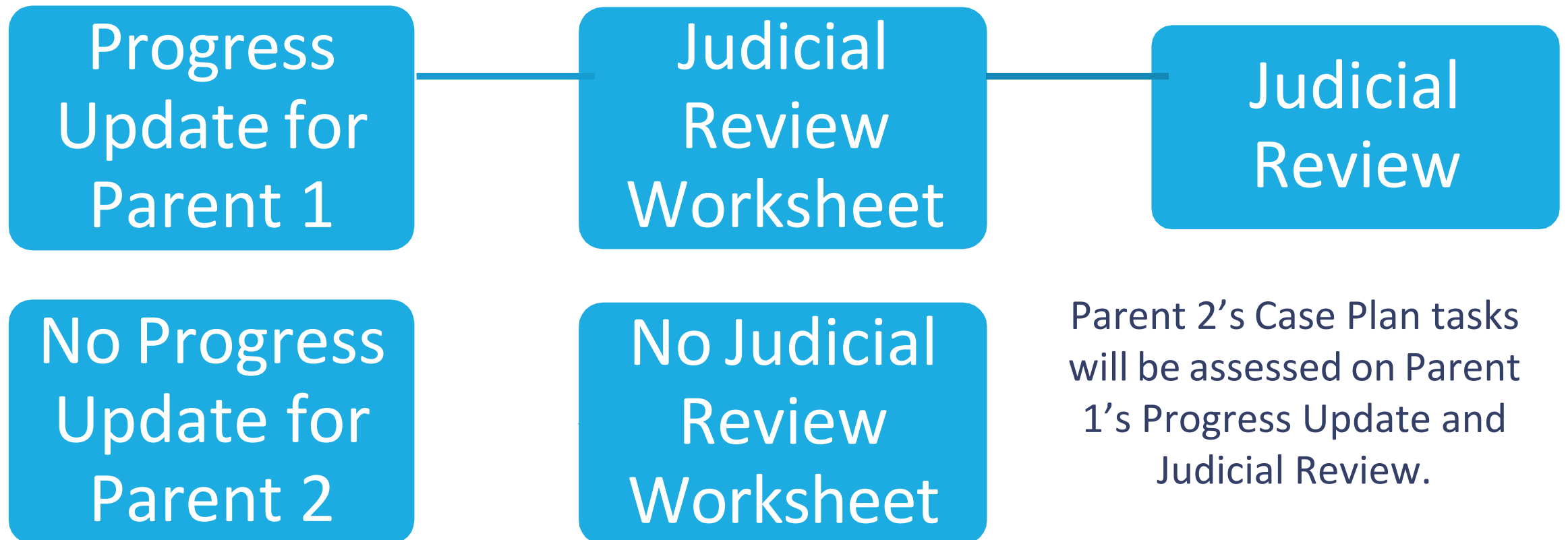
Scenario 3

Methodology Flow



Scenario 3

Methodology Flow



Scenario 4

The mother and father live in separate households and have children in common.

Maltreatment has occurred at one parent's home. The child has been deemed unsafe in that home.

Other Parent Home Assessment completed on non-maltreating parent.

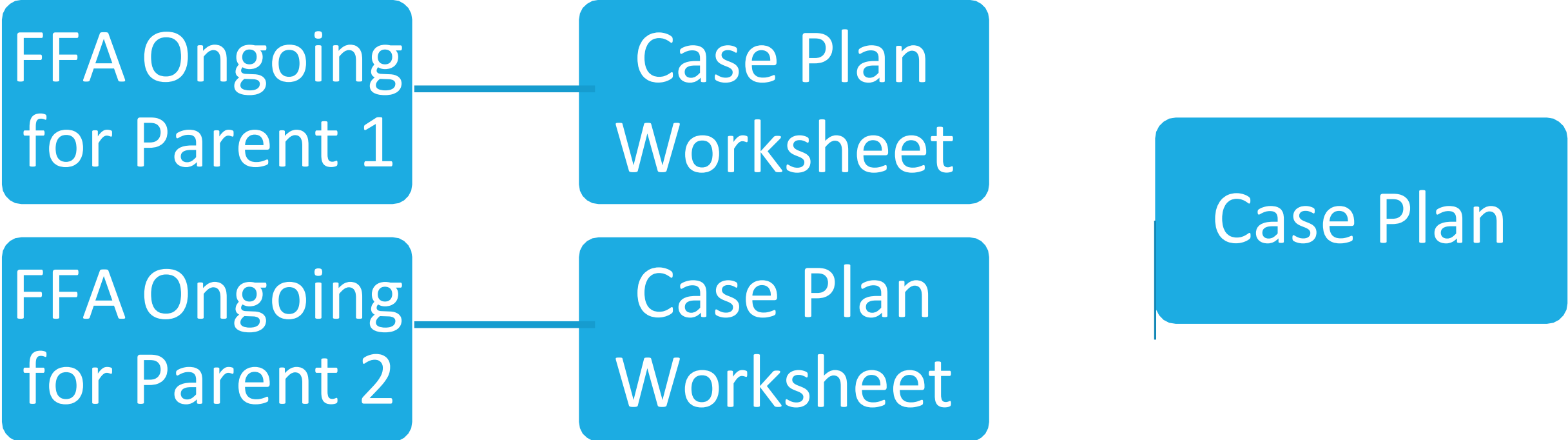
Maltreatment found with parent 2.

Abuse hotline is call and Investigator determines child is unsafe in parent 2's home.



Scenario 4

Methodology Flow



Scenario 4

Methodology Flow

Progress Update for Parent 1

Judicial Review Worksheet

Progress Update for Parent 2

Judicial Review Worksheet

Judicial Review

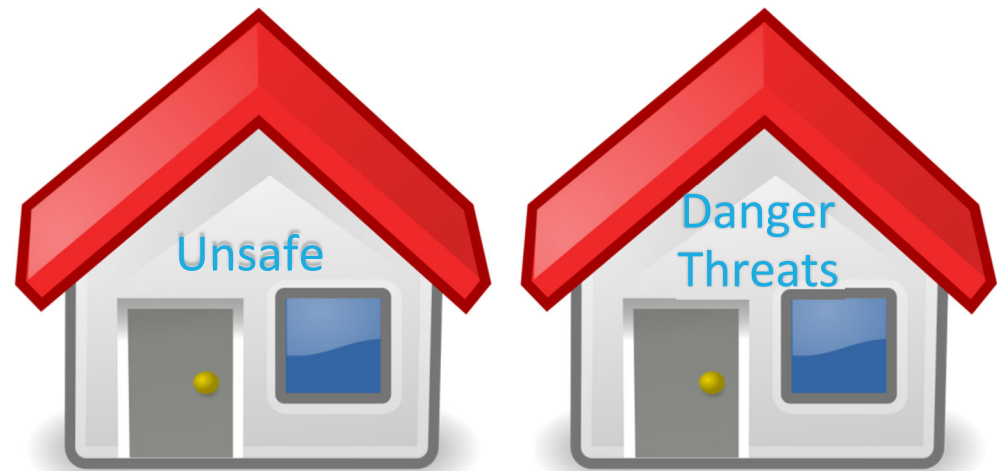
Scenario 5

The mother and father live in separate households and have children in common.

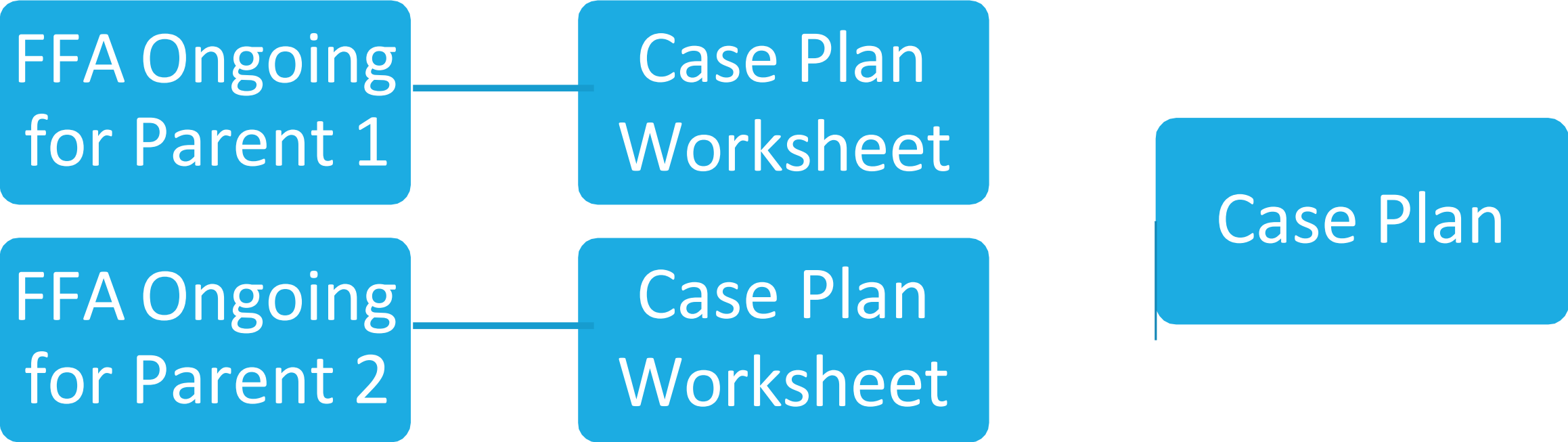
Maltreatment has occurred at one parent's home. The child has been deemed unsafe in that home.

Other Parent Home Assessment completed on non-maltreating parent. No maltreatment found however Danger Threats found in the home. Child is not placed with parent 2.

Case Manager initiates an FFA-Ongoing for parent 2's home.



Methodology Flow



Methodology Flow

Progress Update for Parent 1

Judicial Review Worksheet

Progress Update for Parent 2

Judicial Review Worksheet

Judicial Review

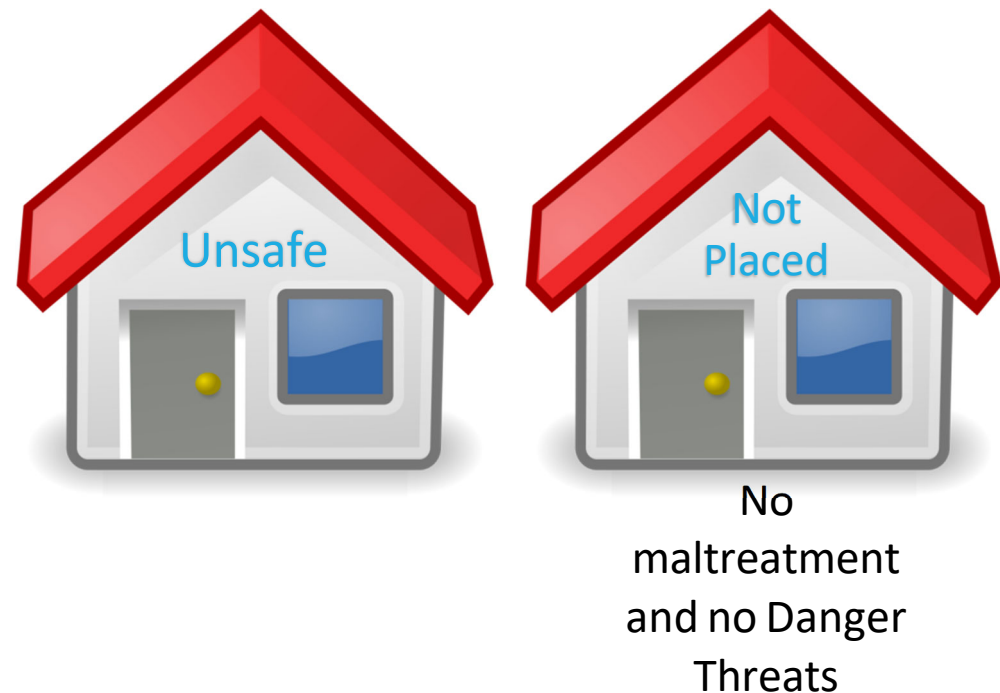
Scenario 6

The mother and father live in separate households and have children in common.

Maltreatment has occurred at one parent's home. The child has been deemed unsafe in that home.

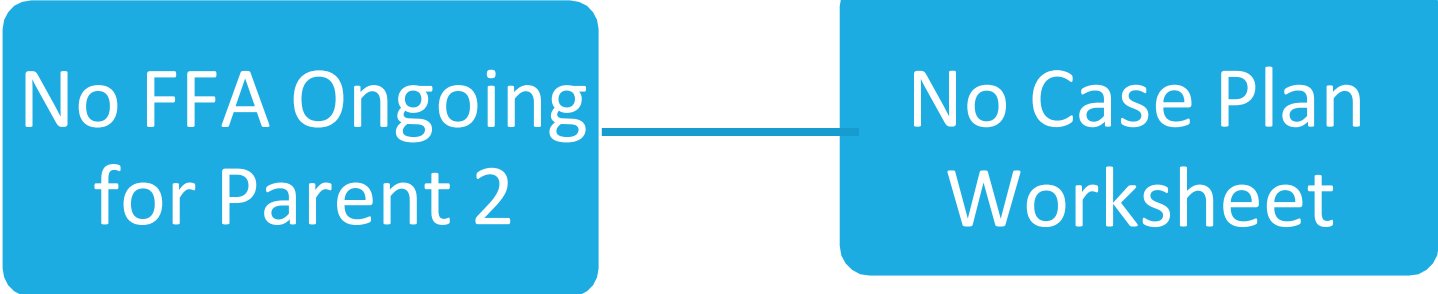
Other Parent Home Assessment completed on non-maltreating parent. No maltreatment and no Danger Threats found in the home.

Child is not placed with parent 2.
(example – parent 2 unable to care for child at this time)



Scenario 6

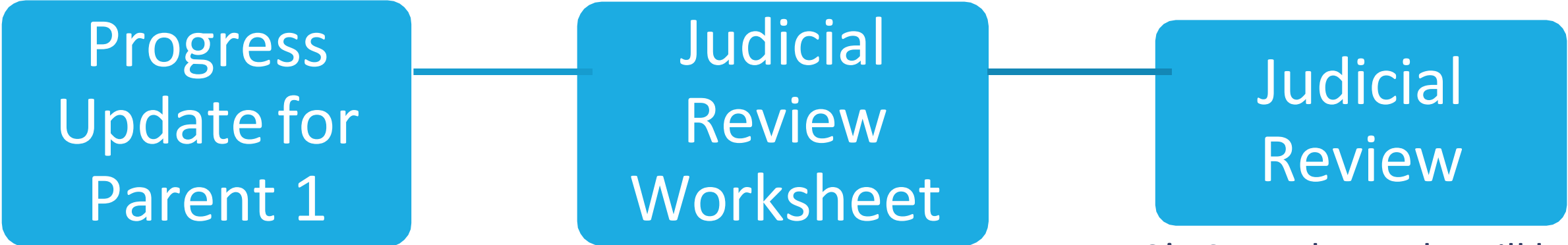
Methodology Flow



Parent 2's Case Plan tasks are added to Parent 1's Case Plan Worksheet.
Parent 2 will need to be added as a participant to the Case Plan Worksheet.

Scenario 6

Methodology Flow



No Progress Update for Parent 2

No Judicial Review Worksheet

Parent 2's Case Plan tasks will be assessed on Parent 1's Progress Update and Judicial Review.

An updated OPHA completed for Parent 2 when Progress Update is completed for Parent 1.

Chapter 3

PLANNING FOR CHILD WELFARE PROFESSIONAL SAFETY

3-1. Purpose. Each case has the potential for problematic interactions with parents because many individuals feel threatened simply by the child welfare professional showing up at their home. Even more challenging are the unavoidable conflicts that arise when the child welfare professional has to initiate an involuntary safety intervention as part of a protective action. Parents can verbally threaten or even attempt to assault the child welfare professional under these circumstances. The first step in ensuring safety is to evaluate the situation before the initial contact.

3-2. Preparation. In order to effectively evaluate personal safety prior to initial contact and subsequent home visits, the child welfare professional must consider the following information:

a. Be prepared for potentially volatile family dynamics:

(1) Is there a history of assaultive behavior by anyone in the family (i.e., aggravated assault, aggravated battery, battery on a law enforcement officer or other person of authority, or use of a weapon in the commission of a crime, etc.)?

(2) Is there a history of domestic violence?

(3) Does the report indicate the possibility of a family member with an unmanaged mental illness who is exhibiting violent or unpredictable behavior?

(4) Are there firearms or other weapons noted in the report?

(5) Is someone in the home abusing alcohol or drugs, likely to currently be under the influence of any substance, or selling and/or manufacturing drugs?

(6) Has the family reacted aggressively during prior investigations?

(7) Does the report describe any household members as potentially violent or hostile?

(8) Are the injuries to the child reportedly severe or life-threatening?

(9) Is it likely the child will be removed from the family situation on this visit?

(10) Does the family have potentially dangerous pets?

b. Consider site logistics, including:

(1) Is the family's geographic location extremely isolated or dangerous? Drive by and observe the house and neighborhood prior to initiating the visit.

(2) Is the home visit after normal working hours?

(3) Does the housing situation or neighborhood increase concerns for an investigator's personal safety?

(4) Are individuals in the household known gang members?

(5) Are there any animals in the home that may pose a threat to the child welfare professional?

(6) Learn the safest route to and from the family's home.

(7) Be sure the car is in good working order, and park it in a way that allows a quick exit, such as backing the vehicle in for a quick departure.

(8) Carry a cell phone with a charged battery.

(9) Plan to make initial contacts with another staff person or law enforcement when circumstances warrant.

c. Always inform the supervisor or other personnel of the child welfare professional's interview/visitation schedule and approximate return time when there is contact with the family.

3-3. On-site Precautions. The child welfare professional should always take the following precautions:

a. Place all personal items in the car trunk prior to leaving for the home visit.

b. Have access by telephone to a supervisor or designated staff person for consultation.

c. Memorize the address and home's location.

d. Closely observe each person in and around the area and watch for signs that may indicate the potential for personal violence.

e. Follow one's instincts. Any time the child welfare professional feels frightened or unsafe, he or she should assess the immediate situation and take whatever action is necessary to obtain protection.

f. When inside the home, the child welfare professional should:

(1) Ask who else is currently home or expected to return soon.

(2) Identify which rooms have closed doors (and possibly contain individuals).

(3) Identify how many exit points are in the home.

(4) Be aware of the best location within the home for the interview to be conducted.

(5) Avoid sitting with your back to a door or window.

(6) Avoid having to walk past someone to leave the home.

3-4. Supervisor.

a. The supervisor should ensure that all child welfare professionals in their unit know local safety planning protocols and expectations, including when law enforcement must be contacted to accompany a child welfare professional.

b. The supervisor will identify under what circumstances, if any, a supervisor consultation will be required to ensure personal safety planning is adequate.

Chapter 4

FAMILY SUPPORT SERVICES

4-1. Purpose. Florida's practice model includes the expectation that when children are safe but at high or very high risk for future maltreatment, affirmative outreach and efforts will be provided to engage families in family support services. Family Support services are intended to prevent the occurrence of a future child abuse investigation and/or child maltreatment by:

- a. Strengthening protective factors that will increase the ability of families to nurture their children successfully.
- b. Enhancing the social and emotional well-being of each child and the family.
- c. Enabling families to use other resources and opportunities available in the community.
- d. Assisting families with creating or strengthening family resource networks to enhance and support childrearing.

4-2. Description of Population to be Served.

- a. When the child protective investigator has determined that children in the family are safe however the family has a high or very high risk level as determined by the actuarial risk assessment.
- b. Victims of Human Trafficking who have been determined to be safe by the child protective investigator or have no safety determination ("Other" investigation or community children).
- c. Families with children who have been determined safe by the child protective investigator but at low to moderate risk of future maltreatment as determined by the actuarial risk assessment may be referred; however, they are not required to be served.
- d. If family support services are provided, including ongoing contact and case activities, those services must be captured in FSFN. Case coordination includes communication, information sharing, and collaboration with providers and staff serving the family as well as with the family being served. Coordination activities may include but are not limited to: reducing barriers to obtaining services; establishing linkages; face to face visits and home visits. Referrals to agencies in the community that typically involve a one-time only interaction with a family are not considered Family Support Services (e.g., food pantry, clothing closet, etc.) and documentation in the Family Support Module is not required. For cases requiring no ongoing case coordination the CBC will develop and/or approve local policy.
- e. When children have been determined to be safe by the child protective investigator regardless of risk level, Family Support Services are voluntary.

4-3. Local Family Support Services Array. The CBC will develop and/or approve local policy for Family Support Services for high and very high risk families that defines:

- a. The referral process(es);
- b. Service descriptions, to include at least monthly face to face home visits on Human Trafficking cases and cases with a high or very high risk level as determined by the actuarial risk assessment completed by the Child Protective Investigator;
- c. Duration of service;

- d. Staff qualifications, to include requirements of s. [409.1754\(2\)\(a\)1](#), F.S., specific to human trafficking;
- e. Expectations or conditions for family participation in Family Support Services; and,
- f. Methods for quality assurance and monitoring to ensure that policies are followed and services are of sufficient quality and effectiveness.

4-4. Provider Outreach and Family Engagement.

a. The Family Support Services provider will conduct follow-up outreach and engagement efforts with the family to collaboratively:

- (1) Review and discuss the family circumstances and the current risk level.
- (2) Identify barriers to sustained safety and intervention choices and options that would be effective ways to lower current risk.
- (3) Develop a plan to mitigate the identified barriers to the child(ren)'s future safety.
- (4) Establish a timeframe for completion of the plan.
- (5) Commit to follow and complete the plan.

b. The family has a right to request closure of their case at any time.

(1) While participation with Family Support Services is voluntary, it is expected that, should a family determined to be at high or very high risk become unwilling to engage and participate or if the family has been identified as not making progress in efforts to reduce risk, a "close the loop" staffing must occur and be documented in FSFN.

(2) Human trafficking cases in which the family is no longer participating or making progress in efforts to reduce risk will also require a "close the loop" staffing.

(3) During this "close the loop" staffing, the potential need for an in home report, additional service needs as well as ongoing risk will be discussed and the outcome documented in FSFN.

(a) At a minimum, those individuals included in the "close the loop" staffing must be the referring Child Protective Investigator, the referring Child Protective Investigator Supervisor, any service providers working with the family and the individual responsible for case coordination.

(b) Efforts should be made to complete the staffing with the referring Child Protective Investigator or Investigator Supervisor. However, if they are no longer employed in the same capacity or unable to participate despite reasonable notice, an individual who is knowledgeable regarding the family's prior investigations can suffice.

(c) During the "close the loop" staffing, discussion should include ongoing risk, services provided, unresolved service needs and benefit to the family as well as attempts to re-engage the family.

4-5. FSFN Documentation. Family Support functionality in FSFN will be used to document all “Family Support Services” provided to families. The following information must be documented in FSFN as indicated below:

a. The begin date and the date case is closed. The date the family agrees to engage in services as verified by the service provider is considered to be the begin date.

b. A brief summary of the reason for the family referral and the recommendations from the assessment will be described in the “Status Begin Comments” narrative field. The summary will include services to be provided and expected outcomes.

c. The Family Support Type will be “Prevention”.

d. The FSFN Family Support module requires the creation of a “Risk Factor” page which can be updated based on subsequent assessments. The initial risk level entered must be the risk level as determined by the actuarial risk tool completed at the conclusion of the investigation. Any subsequent risk levels determined by assessments completed by the service provider shall be documented using either the “Update” or “Closure” options, as appropriate.

(1) When a family has been referred for family support services due to Human Trafficking and there was no actuarial risk assessment completed by the child protective investigator, then the risk level will be entered as Very High.

(2) The FSFN Family Support module requires the creation of a “Risk Factor” page which can be updated based on subsequent assessments. “Risk factor” as used on this page in FSFN does not refer to the items that were marked on the actuarial risk assessment. Rather, the service provider should conduct an assessment of barriers to sustainable safety and, collaboratively with the family, identify areas of family life that will be addressed. The CBC will determine the policy for its case managers or contracted agents as to when the risk factor page must be completed.

e. Any additional assessments that the service provider refers the family to (such as mental health and substance abuse) shall be uploaded into case notes.

f. Status Ending Comments should include a summary of the reason for case closure including a family’s refusal to begin or continue receiving services offered. Summary must include the documentation of successful interventions. If there is a “close the loop” staffing, the outcome and efforts to reengage the family must be documented.

g. If a case remains open over 12 months, rationale for continuing Family Support Services must be captured in a case note.

h. Contact notes will summarize the essence of what happened during each contact as it related specifically to the Family Support Services being provided.

i. The Family Support Services Module will only be utilized as described in this chapter.

(1) The Family Support Module in FSFN will not be used to capture information regarding the utilization of Safety Management Services for children who have been determined to be unsafe by a child protective investigator.

(2) The Family Support Module in FSFN will not be utilized to capture information related to Post Adoption Services. Documentation of Post Adoption Services will be entered on the Post Adoption Services page beginning April 2016, following the release of a FSFN build.

Chapter 5

COMPLETING A UNIFIED HOME STUDY

5-1. Purpose. The “Unified Home Study (UHS)” provides for the assessment of a common set of requirements that must be met when the department places a child into someone’s home, whether a relative/non-relative, foster care or adoptive home. The Unified Home Study created and approved in FSFN provides the department’s formal assessment of any type of out-of-home provider. The requirements for home studies of non-maltreating parents are provided in CFOP 170-7, [Chapter 5](#).

a. Any type of home study assesses the following:

- (1) The caregiver(s) are able to provide a safe and nurturing environment for a child or siblings.
- (2) The physical environment provides for safe and reasonable accommodations for the child.
- (3) The caregiver(s) possess adequate financial resources to care for the child.
- (4) There is nothing in the background history of the caregiver(s) or household member(s) that is a current concern or disqualifies them from providing care.
- (5) Whether the caregiver(s) need further support or assistance.

b. This operating procedure applies to any child welfare professional responsible for investigations, case management, intake, placement, licensing or adoption. The procedures and timeframes also apply to child welfare professionals responding to home study requests from other counties.

5-2. Legal Authority.

- a. U.S. Department of Justice and U.S. Department of Health and Human Services [Joint Federal Guidance Letter](#), October 19, 2016, Title VI of the Civil Rights Act of 1964.
- b. Sections [39.401\(2\)\(a\)](#), [39.5085\(2\)\(o\)](#), [63.092](#), [409.175](#), F.S.
- c. Chapter [65C-13](#), F.A.C.
- d. Chapter [65C-16](#), F.A.C.
- e. Rules [65C-28.001](#), [65C-28.004](#), [65C-28.008](#), F.A.C.
- f. Rule [65C-30.011](#), F.A.C.

5-3. Definitions.

a. “Emergency Placement” means that a child must be placed due to exigent circumstances. Emergency Placement UHS may only be completed by Child Protective Investigators and Child Protective Investigator Supervisors.

b. “Exigent Circumstances” defined in Rule [65C-30.01\(42\)](#), F.A.C., means situations in which it is anticipated that a child will be placed with a relative or non-relative within 72 hours.

c. "Planned Placement" means that the child's placement will change, however, not immediately. The home study will be completed prior to the child's placement. A planned placement includes the following:

- (1) Placement with a relative/non-relative.
- (2) Pre-adoption with a relative/non-relative.

d. "Non-relative" means a person who is not defined as a relative pursuant to s. [39.01\(66\)](#), F.S. The term includes a stepparent.

e. "Relative" defined in s. [39.01\(66\)](#), F.S., means a grandparent, great-grandparent, sibling, first cousin, aunt, uncle, great-aunt, great-uncle, niece or nephew, whether related by the whole or half-blood, by affinity, or by adoption. The term does not include a stepparent.

f. "Unified Home Study (UHS)" is the method supported in FSFN for documenting the home study of a relative/non-relative caregiver, an applicant for a foster care license or a prospective adoption applicant.

5-4. General Requirements.

a. The child welfare professional will collect and assess information to determine if the potential caregiver(s) will be able to care for and protect a child placed in their care. Care and supervision includes meeting a child's education, medical, mental health and special needs.

b. The child welfare professional will complete a UHS for the following purposes:

- (1) Emergency Placement.
- (2) Relative/Non-Relative Placement.
- (3) Licensing for Foster Homes.
- (4) Adoption Placement.

c. The child welfare professional must ask if any of the persons to be interviewed have a need for communication assistance. If so, the child welfare professional must take the following actions:

(1) Ask the individuals what device(s) or interpreters are needed in order to participate in an interview.

(2) Inform the individual that they may provide an interpreter of their own choosing, or the child welfare professional's agency will provide one at no cost.

(3) If an individual would prefer to have a friend or family member serve as an interpreter, the individual should be advised that confidential and private information will be discussed during the interview, such as medical, mental health and financial details. The individual should also be advised to consider whether their friend or family member responsible for interpreting might have a possible conflict of interest.

(4) Take reasonable steps to ensure that communication assistance is provided. The child welfare professional may use the DCF web page on [Auxiliary Aids and Service Plan](#) to locate appropriate assistance.

d. If the child is of American Indian or Alaskan Native descent, the child welfare professional must refer to requirements in Rule [65C-28.013](#), F.A.C. These requirements ensure that the placement complies with the Indian Child Welfare Act, 25 U.S.C. §1901 et seq.

e. For all UHS types, the child welfare professional will obtain, assess and document background checks in accordance with [Chapter 6](#) of this operating procedure.

f. For the initial foster home license and re-license, the home study determines the number of children that the caregiver(s) will be able to care for and supervise.

g. Child-Specific Information. For all home study types except the initial foster home license, the child welfare professional will collect child-specific information to determine if the potential caregiver(s) will be able to care for and protect an identified child or sibling group. Child-specific information includes the following:

(1) What are the needs of the sibling group?

(2) What are the child's special medical and emotional needs? Are there any fears the child has? Does the child have any behaviors that the caregiver(s) should know about? Could the child harm other children or persons in a new setting? Does the child have any self-harm behaviors?

(3) Does the child have allergies or other medical conditions? Is the child taking any medications and what is the frequency and dosage? What is the purpose of the medication? What is the name of any treatment provider(s)?

(4) Is the child of American Indian or Alaskan Native descent? If yes, which tribe is the child associated with?

(5) Does the child receive child care? If yes, who is the child care provider?

(6) Where does the child attend school? What is the child's grade level? Does the child have any educational needs that will be important for the prospective caregiver(s) to address?

(7) How does the child feel about living with the prospective caregiver(s)? What is the strength of the current relationship that the child has with the prospective caregiver(s)? Has/have the prospective caregiver(s) protected the child in the past? How frequently has/have the caregiver(s) cared for the child in the caregiver(s)' home.

h. Caregiver Demographics. The child welfare professional must gather demographic information about all household members and others who provide care of the child outside of the parent's ability to provide sight and sound supervision. The child welfare professional will complete all fields in the "Demographics" Tab of the UHS.

i. Financial Security Resources and Child Care Arrangement. The child welfare professional must ask for details about the current financial situation of the caregiver(s). This information will be documented in the "Financial Security Resources and Child Care Arrangement" Tab of the UHS in FSFN. The child welfare professional must have a frank and open discussion with the caregiver(s) about the family's needs for financial assistance. The child welfare professional must discuss the following options so that the prospective caregiver(s) can make the best choice for the child:

(1) Is/are the caregiver(s) willing and able to care for the child without any financial assistance?

(2) If eligible, would the caregiver(s) be willing to apply for a TANF child-only grant or, if eligible, assistance under the Relative Caregiver Program or the Non-Relative Caregiver Program? If yes, would they be willing to cooperate with Child Support Enforcement Program?

(3) Will caregiver(s) need assistance with the costs of childcare?

(4) Other local resources and supports available for caregiver(s).

j. Assessment of Caregiver(s). The child welfare professional will document the assessment of the caregiver(s) in the "Narrative Family Assessment" Tab of the UHS. For all home study types except the initial foster home license, the assessment of the caregiver(s) will be based on the needs of a specific child or sibling group. The documentation of caregiver capacity must explain how the caregiver(s) will meet specific child needs.

(1) Explain any experiences with child abuse or neglect; alcohol and/or substance abuse treatment; or domestic violence. Describe whether the history, if any, involved either of the parent(s) of the child being placed or the child. Explain how experiences may positively or negatively impact the ability of the caregiver(s) to care for and protect the child(ren).

(2) Explain any caregiver health or mental health conditions that may interfere with the ability of the caregiver(s) to care for the child. Explain how the caregiver will address any challenges. For example, the caregiver takes medications that may result in drowsiness, causing restrictions in the caregiver's availability for driving a vehicle; or the caregiver has significant individual needs that might affect the safety of the child such as severe depression, lack of impulse control, medical needs, other current caregiving demands, etc.

(3) Explain the caregiver(s)' willingness to participate on a team to support the child's safety, permanency and well-being needs. Teamwork includes sharing information with team members. It includes, but is not limited to, participating in planning activities and court hearings.

(4) Explain how the caregiver(s) is(are) willing and able to commit to child safety and well-being, including but not limited to the following:

(a) Providing appropriate supervision and positive methods of discipline;

(b) Encouraging the child in his/her strengths; respecting the child's individuality and likes and dislikes;

(c) Providing opportunities to develop the child's interests and skills;

(d) Maintaining awareness of the impact of trauma on behavior;

(e) Involving the child in family and community activities;

(f) Providing transportation to school, child care, extracurricular activities, etc.;

and,

(g) Ensuring child safety by employing appropriate physical safety measures, including in the household, for transportation and with pets.

(5) Explain how the caregiver(s) is(are) willing and able to make a loving commitment to the child(ren)'s safety and well-being. This includes, but is not limited to:

(a) Respecting and honoring any child's culture, religion and ethnicity.

(b) Adapting to and supporting any child's individual situation, including and family relationships.

(6) Explain how the caregiver(s) is(are) willing and able to commit to maintaining any child they accept in their home until such time as it is in the child's best interest to leave the home.

(7) Explain how the caregiver(s) will address challenges in caring for the child or sibling group, including available supports and resources.

(a) These challenges may include, but are not limited to, behaviors that are a significant threat to others, juvenile sexual abuse, problematic sexual behavior, severe self-harm behavior, etc. If the caregiver is a relative/non-relative, identify whether the caregiver(s) is(are) willing to implement a Child Placement Agreement.

(b) The caregiver is caring for other children or adults which results in significant demands on their time.

(c) The caregiver is caring for family members with mental health or medical conditions that might result in harm to the child.

(8) Explain how the caregiver(s) is(are) willing and able, in appropriate circumstances, to participate in transition planning for any child, as well as maintaining a relationship with the child after he/she leaves the home. This item is not required for an Emergency Placement Home Study unless the placement involves an immediate change of school, separation of a sibling group or other major disruption of a child's current routines.

(9) Explain how the caregiver(s) is(are) willing and able to assist the biological caregivers in improving their ability to care for and protect their child(ren) and to provide continuity for the child(ren) after reunification.

(10) Explain how the caregiver(s) is(are) willing and able to assist the child(ren) in family time/visitation and other forms of communication with family members when appropriate. As appropriate at the time the home study is completed, this includes ongoing communication with family members after a child's permanency goal is achieved.

(11) Explain how the caregiver(s) will assist with maintaining child resource records, medical records, school records, photographs and records of special events and achievements. This item is not required for an Emergency Placement Home Study unless there are known circumstances that will involve specific documentation for a child's medical or educational record.

(12) Explain how the caregiver(s) is(are) willing and able to advocate for the child(ren) as needed with the child welfare system, the court and community agencies, including schools, child care, health and mental health providers, and employers. Describe previous parent experience, if applicable. This item is not required for an Emergency Placement Home Study unless there are known circumstances that require special advocacy; for example, a child needs an Individual Education Plan (IEP) established or a child needs a different treatment provider for a current condition that is not improving.

(13) Explain how the willingness and ability of the caregiver(s) to participate fully in any child's medical, educational, psychological and dental care. This includes providing transportation, attending appointments and communicating with professionals.

(14) Explain how the caregiver(s) is(are) willing and able to support the child(ren)'s school success. This includes, but is not limited to, the following:

(a) Participating in school activities and meetings including disciplinary and/or IEP meetings.

(b) Assisting with school assignments, supporting tutoring programs, meeting with teachers and working with an education surrogate if one has been appointed.

(c) Encouraging and supporting the child's participation in extra-curricular activities.

(d) For any child who has a disability or is suspected of having a disability, attending Educational Surrogate Parent training, if needed or recommended by the court; and thereafter advocating for the child(ren) in the school system.

(e) Maintaining the child(ren) in the school of origin, if it is in the child(ren)'s best interest to do so.

(f) If age appropriate, maintaining the child(ren) in the school of origin until an appropriate grading break in the academic year, if not possible or not in the child(ren)'s best interest to remain in the school of origin for the remainders of the school year.

(g) If age appropriate, maintaining the child(ren) in the child care setting until an appropriate break in the year, if not possible or not in the child(ren)'s best interest to remain in the child care setting.

k. Overall Functioning of Family and Capacity to Provide a Safe, Stable and Appropriate Placement. This includes a description of the following areas:

(1) Caregiver Motivation. Assess the motivation and ability of the caregiver(s) to protect the child(ren). This will be documented in the "Motivation" group box of the Narrative Family Assessment Tab of the UHS. If the home study is for a specific child, this includes but is not limited to the following:

(a) What is the alignment of the caregiver(s) with the child?

(b) What is the understanding of the caregiver(s) of the danger threats that make the child unsafe?

(c) What is the commitment of the caregiver(s) to implement and adhere to the safety plan?

(d) What is the willingness of the caregiver(s) to help the child achieve permanency?

(2) Education and Employment. The child welfare professional must describe how the caregiver(s)' education, special training or employment history helps prepare them to care for a child. Discuss whether the caregiver may have any challenges including, but not limited to, the caregiver(s)' past difficulties in school, a specific learning disability or his/her current work schedule. This will be documented in the "Education and Employment" group box of the Narrative Family Assessment Tab of the UHS.

(3) Family Life. The child welfare professional must describe relationships between household members, extended family and friends. Identify the family's formal and informal support systems, including planned childcare arrangements. Briefly discuss the children who already live in the home in terms of grade level, any special needs or behavioral challenges. This will be documented in the "Family Life" group box of the Narrative Family Assessment Tab of the UHS. This item is not required for an Emergency Placement Home Study.

(4) Physical Environment. Discuss the physical environment, including a description of the home; address the interior, exterior, number of rooms, bathrooms, etc., sleeping arrangements and accommodations for child(ren)'s personal belongings. This will be documented in the "Physical Environment" group box of the Narrative Family Assessment Tab of the UHS. The home study must identify any changes needed to accommodate the child(ren).

(5) Reference and Reviews. The Child Welfare Professional will complete a minimum of two references regarding the family's ability to meet the needs of the child.

5-5. Providing Information on Firearms Safety, Water Safety and Safe Sleep. For any type of home study, the child welfare professional must review and discuss the following safety information with the caregiver(s):

a. "Firearms Safety Requirements," form CF-FSP [5343](#) (available in DCF Forms). This is based on s. [790.174](#), F.S., which requires anyone who owns or stores a loaded firearm to keep it in a locked place secure from any minor who could gain access to it without lawful permission.

(1) The child welfare professional must discuss any specific observations or information learned about safety issues associated with firearms owned by the caregiver. The discussion should be documented in Case Notes.

(2) If there are no concerns about firearms safety, the child welfare professional must not document any information that the caregiver(s) owns firearms. This will ensure compliance with s. [790.335](#), F.S.

b. "Water Safety" practices for the supervision of children when they have access to a pool, lake or other body of water. Resources are available on the department's internet page under [Water Safety for Kids](#).

c. "Safe Sleep" practices for infants. The child welfare professional will share written information whenever applicable. Resources are available on the department's internet page as follows:

(1) [Safe Sleep Practices for Caregivers](#).

(2) The brochure "[Keep Your Kids Safe](#)".

5-6. Caregiver(s) Review of Home Study Information and Signatures. This paragraph applies to all home study types.

a. The child welfare professional must provide the caregiver(s) with an opportunity to review the information that the child welfare professional has documented in the home study. The caregiver(s)' signature(s) provides attestation that the information shared by the caregiver(s) is accurate as of the date that their signature is provided. The caregiver(s) will also indicate on the copy of the home study they sign that the information in paragraph 5-5 of this operating procedure has been provided to them.

(1) If communication assistance was necessary for the interviews conducted, the child welfare professional will provide the caregiver(s) with a translated copy of the home study to sign, if appropriate.

(2) For all home study types, the child welfare professional will complete all required fields on the UHS pages in FSFN and launch and print a copy for the caregiver(s) to review and sign.

b. The child welfare professional should advise the caregiver(s) of the following:

(1) Any concerns that might affect the anticipated outcome of the home study if known at the time.

(2) If the child is not already in the household where the home study was completed and the proposed out-of-home caregiver is not selected, the proposed caregiver will be verbally advised by the child welfare professional within three (3) business days of the supervisor's decision.

c. The child welfare professional will upload a copy of the home study signature page with the caregiver(s) signature(s) to the UHS page in FSFN within two business days of receiving the signature(s).

5-7. Child Welfare Professional's Recommended Outcomes.

a. After caregiver signatures have been obtained to attest to the information provided, the child welfare professional will use the FSFN UHS page to recommend the outcome of the home study. The child welfare professional's recommended outcome will not be final until a supervisor reviews and approves the home study in FSFN per paragraph 5-8 of this operating procedure.

(1) The recommended outcome must be based upon the information gathered by the child welfare professional and whether the caregiver(s) will be able to provide the care, nurturing and protection that a child will need.

(2) When the home study is for a specific child, the child welfare professional must determine if the placement is the best, individualized placement available for the child.

(3) The child welfare professional must not recommend a denial of any individual on the basis of race, color or national origin of the relative/non-relative, foster or adoptive parent, or the child involved.

b. The child welfare professional will select a recommended outcome.

(1) "Denied" based on one or more of the following:

(a) "Criminal Disqualifier" means that, based upon criminal history, the child welfare professional does not recommend placement of the child(ren) with the caregiver(s); this

includes automatic and 5 year disqualifiers as defined in s. [39.0138](#), F.S. See paragraph 5-9 of this operating procedure, Emergency Placement Home Studies, or paragraph 5-10 of this operating procedure, Planned Placements and Updating Home Studies.

(b) "FSFN Disqualifier" means the child welfare professional has determined that, based upon information reviewed in FSFN, placement in this home is not in the best interest of the child(ren).

(c) "Review Comments" means that there are other reasons which are the basis for the child welfare professional's determination that placement in this home is not in the best interest of the child(ren).

(2) "Recommended" means that the child welfare professional has determined that both of the following conditions exist:

(a) The caregiver(s) meet home study requirements.

(b) Placement in this home is in the best interest of the child(ren) (all home study types except the initial foster home license).

c. After the child welfare professional has selected the recommended outcome on the FSFN page, he/she must launch the UHS and submit it for supervisory approval. All of the fields on the home study pages must have information entered in order to submit a "completed" home study to a supervisor for approval.

5-8. Supervisor Second Level of Approval or Denial of Home Study.

a. The supervisor or designee will review the home study in FSFN to determine that appropriate interviews, background checks and analysis, and assessment of caregiver(s) to provide adequate care and supervision have been completed. The supervisor or designee shall not be the same individual who completes the initial child welfare home study recommendation.

b. The supervisor has the authority to approve or deny a completed home study. The supervisor must use the FSFN UHS module to record the final decision and completion date for all home study types. In the General Information group box on the FSFN UHS page, the supervisor will select an appropriate conclusion from the Outcome drop down choices:

(1) "Application Withdrawn" means that the caregiver(s) decided to not continue with the home study process.

(2) "Approved – Meets Requirements" means that the child welfare professional has determined that the caregiver(s) meet all requirements without the need for any support or assistance at this time.

(3) "Approved – Review Comments" means that the child welfare professional has determined that the caregiver(s) meet the requirements based on specific services or resources that must be available to care for the child.

(4) "Denied – Review Comments" means that the child welfare professional has determined that the caregiver does NOT meet the requirements needed to care for the child. If a supervisor denies a home study, he/she will document the reason in a FSFN UHS Outcome Box.

c. After the supervisor has approved or denied the home study in FSFN, the child welfare professional will complete the following actions:

(1) For an initial foster home license or renewal follow procedures in Chapter [65C-13](#), F.A.C., to obtain caregiver signatures on the final copy.

(2) For an adoption home study, follow procedures in Chapter [65C-16](#), F.A.C., to obtain caregiver signatures on the final copy.

(3) For all home study types, the child welfare professional and the supervisor must sign the home study.

(4) A Licensing Agency executive director or their designee will sign any home study for initial and re-licensing foster care or adoption.

(5) Submit a copy of the signed home study to Children Legal Services (CLS) to file with the court.

(6) Regardless of the supervisor's decision, provide a copy of the signed home study to the caregiver(s) within five business days.

5-9. Emergency Placement Home Studies.

a. The child protective investigator must complete an Emergency Placement home study when a child needs an emergency placement with a relative/non-relative. Prior to placing the child(ren) in the home, the child welfare professional must perform the following tasks:

(1) Obtain and assess background checks per requirements in [Chapter 6](#) of this operating procedure.

(2) Gather child information to the extent possible per paragraph 5-4 of this operating procedure.

(3) Interview the prospective caregiver(s) to discuss the following:

(a) The danger threats creating the child(ren)'s need for out-of-home care.

(b) Any special medical needs the child has, including current medications.

(c) The ability and willingness of the caregiver(s) to protect and care for the child.

(d) The shelter process.

(e) Conduct a walk-through of the home and discuss the child's sleeping arrangements.

(4) Prior to the child's placement, obtain the supervisor's verbal approval for the emergency placement home study.

b. The child protective investigator must complete the following within two business days of the child's placement:

(1) Record information gathered from the prospective caregiver(s) on the FSFN "Emergency Placement Unified Home Study."

(2) The child protective investigator will enter the words "Not required" in the fields not required per this operating procedure.

(3) After all information is documented on the UHS page, the child welfare protective investigator will launch and print the completed UHS and obtain signatures from the prospective caregiver(s) per paragraph 5-6 of this operating procedure.

(4) The child welfare professional will develop the recommended outcome of the home study per paragraph 5-7 of this operating procedure.

(5) The child welfare professional will submit the home study to his/her supervisor for final approval in FSFN. The child welfare professional will submit a copy of the signed home study to CLS to file with the court. CLS will also be provided with a copy of any criminal records obtained. All home study information will be submitted to CLS per paragraph 5-13 of this operating procedure.

c. The supervisor will approve or deny the home study per paragraph 5-8 of this operating procedure and record their approval decision on the UHS page in FSFN.

d. The child protective investigator and the supervisor will sign the final approved home study. New signatures from the caregiver(s) are not required unless there is new information in the home study that is different from the version signed by the caregiver(s).

5-10. Planned Placements: Relative/Non-Relative Home Studies.

a. The child welfare professional will complete a relative/non-relative home study in the following situations:

(1) Within 45 calendar days of the case transfer of an Emergency Placement home study for a relative/non-relative if a licensing home study has not already been completed. The child welfare professional responsible may use the copy feature in FSFN to add and edit as necessary to the emergency placement information.

(2) Prior to any new planned child placement with a relative/non-relative.

(3) To update the home study when:

(a) There are changes in the composition of the household. This includes placement of additional child(ren). The child welfare professional must complete background checks per requirements in Chapter 6 of this operating procedure.

(b) The household location changes.

(c) There is a change observed by the case manager in the physical environment that is a significant safety concern.

(d) There are significant changes or circumstances that affect the ability of the caregivers to care for or protect the child(ren).

(e) To re-screen household members every 12 months per requirements in Chapter 6 of this operating procedure.

b. The child welfare professional will conduct interviews with the caregiver(s), the child(ren) and other persons as necessary to complete and/or update the information in paragraphs 5-4 of this operating procedure.

c. The child welfare professional must advise the caregiver(s) of supports available, their rights and responsibilities as follows:

(1) Relative caregiver information per CFOP 170-10, [Chapter 8](#).

(2) Non-relative caregiver information per CFOP 170-10, [Chapter 9](#).

d. The child welfare professional will document their assessment of all information gathered on the FSFN UHS page.

e. The child welfare professional will launch and print the completed UHS in FSFN to obtain signatures from the caregiver(s) per paragraph 5-6 of this operating procedure.

f. The child welfare professional will follow the procedures in paragraph 5-7 of this operating procedure to determine the recommended outcome of the home study and submit it to his/her supervisor for final approval.

g. The supervisor will approve or deny the home study per paragraph 5-8 of this operating procedure.

h. The updated home study with all signatures must be uploaded to the UHS page in FSFN.

5-11. Initial License or Relicense for Foster Home.

a. The UHS must be completed by a child welfare professional employed by the CBC, subcontracted agency, or other licensed child-placing agency per requirements in Rule [65C-13.025](#), F.A.C., for an applicant who wants to be initially licensed or Rule [65C-13.028](#), F.A.C., to be relicensed for providing out-of-home care for children placed by the child welfare system.

b. The child welfare professional will enter the information gathered and assessed in the FSFN UHS for an Initial License or a Re-license Home Study.

(1) The child welfare professional will follow the procedures in paragraph 5-7 of this operating procedure to determine the recommended outcome of the home study and submit it to his/her supervisor for final approval.

(2) The supervisor will follow the procedures in paragraph 5-8 of this operating procedure to approve or deny the home study.

(3) The child welfare professional will obtain signatures per paragraph 5-6 of this operating procedure on the FSFN printed UHS.

(4) The child welfare professional will attach required documents per Rule [65C-13.025](#), F.A.C., to the FSFN-UHS home study page.

c. To obtain the license, the supervisor will follow the attestation procedures in Rule [65C-13.025](#), F.A.C., for initial licensure and Rule [65C-13.028](#), F.A.C., for re-licensure.

5-12. Adoption Home Study.

a. The UHS must be completed by a child welfare professional employed by the CBC, subcontracted agency, or other licensed child-placing agency. The child welfare professional will complete the home study per requirements in Rule [65C-16.005](#), F.A.C., to evaluate the adoptive parent(s)' capacity for adoptive parenthood.

b. The child welfare professional will enter the information gathered and assessed in the FSFN UHS for an Adoption Home Study.

(1) The child welfare professional will follow the procedures in paragraph 5-7 of this operating procedure to determine the recommended outcome of the home study and submit it to his/her supervisor for final approval.

(2) The supervisor will follow the procedures in paragraph 5-8 of this operating procedure to approve or deny the home study.

(3) The child welfare professional will obtain signatures per paragraph 5-6 of this operating procedure on the FSFN printed UHS.

(4) The child welfare professional will attach required documents per Rule [65C-16.005](#), F.A.C., to the FSFN-UHS home study page.

c. Adoption home studies are valid for one year after the approval date.

5-13. CLS and Judicial Requirements.

a. The child welfare professional will submit a copy of the signed home study to CLS to file with the court. CLS will also be provided with a copy of any criminal records obtained. The following time frames are required:

(1) Emergency Placement.

(a) This home study must be provided to CLS in conjunction with the shelter or emergency removal hearing documents.

(b) If for any reason the home study is not available in time for the shelter or emergency removal hearing, it must be provided to CLS no later than the next business day after the shelter or emergency removal hearing.

(2) Relative/Non-Relative Placement.

(a) This home study must be provided to CLS in conjunction with any request for placement with the relative/non-relative.

(b) If a relative/non-relative home study is needed for a hearing that is not an emergency, it must be provided to CLS for review and filing with the court five (5) business days prior to the hearing, unless the hearing is set within a period of less than five (5) business days, in which case the home study must be provided no later than 72 hours prior to the hearing.

(c) Per s. [39.521\(2\)\(o\)](#), F.S., a current home study must be submitted to the court when a child will be remaining with a relative/non-relative at the time of the disposition hearing.

(3) Adoption.

(a) An Adoption home study is generally filed with the petition for adoption under its own case number; however, if the court has ordered the filing of the adoption home study on a prospective adoptive home, the adoption home study must be redacted to remove identifying information.

(b) The home study must be provided to CLS for review and filing with the court five (5) business days prior to the hearing, unless the hearing is set within a period of less than five (5)

business days, in which case the home study must be provided no later than 72 hours prior to the hearing.

b. If the supervisor does not approve the home study and the child is in the placement, the department or contracted service provider will request an emergency hearing to inform the court of the findings and make a recommendation for another placement.

c. Other than for an emergency wherein a child protective investigator removes a child, at no time shall the placement of a child be changed prior to receiving a new court order approving the new placement. Irrespective of the timeframes noted above, there must be full compliance with all court orders regarding home studies.

d. When a child has been placed in an Emergency or Planned Placement by the court against the recommendation of the department or contracted service provider, the department or agency responsible for the case will:

(1) Notify the appropriate supervisor of the court's determination.

(2) The supervisor will schedule a staffing with CLS to be held within three (3) business days of the court decision to discuss the reasons for the denied home study.

(3) The purpose of the staffing will be to develop a plan of action that includes identifying services and/or safety management actions for the family with whom the child is placed.

e. When the court has ordered a placement despite the department's recommendation for denial of the home study, the information will be recorded in the Provider record in FSFN. A copy of department's home study with the department's recommendation for denial must remain in the FSFN record.

5-14. FSFN Documentation.

a. The child welfare professional must document the child's placement in FSFN within 24 hours of the child's placement. This includes all of the following tasks:

(1) The child welfare professional must check FSFN to ensure that the provider has not already been created.

(2) If the provider does not already exist in FSFN, the child welfare professional creating the FSFN UHS will create a new provider.

b. The child welfare professional will create the home study page in FSFN, selecting the provider and the appropriate type of home study per paragraph 5-4b of this operating procedure.

c. The child welfare professional will complete documentation of required information in all fields of the UHS in FSFN.

d. After selecting the recommended outcome of the UHS, the child welfare professional will launch the UHS before submitting it for supervisory approval.

e. The supervisor must document their approval or denial of a home study using the FSFN UHS page per paragraph 5-8 of this operating procedure.

f. The Completed Date of the UHS pre-fills with the system date of the supervisor's approval. Upon final approval, the UHS page becomes disabled and non-modifiable.

g. The child welfare professional will upload a copy of the signed home study signature page to the UHS page in FSFN. National and state criminal background records received are not to be attached to the UHS.

h. When the child welfare professional updates an approved home study and a previous UHS page exists in FSFN, the information can be copied-over using the FSFN Copy hyperlink. The child welfare professional will edit the information as necessary to provide current information.

i. The following FSFN resources are located on the [Center for Child Welfare](#) website:

- (1) [Organization Provider How Do I Guide.](#)
- (2) [Person Provider Inquiry How Do I Guide.](#)
- (3) [Provider Merge, Split, Deter How Do I Guide.](#)
- (4) [Person Provider How Do I Guide.](#)
- (5) [Unified Home Study User Guide.](#)
- (6) [Unified Home Study How Do I Guide.](#)

Chapter 6

REQUESTING AND ANALYZING BACKGROUND RECORDS

6-1. Purpose. This chapter provides an overview of requirements that all child welfare professionals must follow when obtaining, using and sharing background history information. Background history includes information obtained from criminal justice information sources and child welfare information from Florida Safe Families Network (FSFN).

6-2. Authority. The following authorities and references apply throughout this chapter:

a. Florida Department of Law Enforcement (FDLE) Criminal Justice Agency User Agreement with the Department of Children and Families (DCF).

b. Florida Department of Law Enforcement (FDLE) Non-criminal Justice Agency User Agreement with the Department of Children and Families (DCF).

c. 28 Code of Federal Regulations (CFR), Subparts 20 (28CFR20), 901 (28CFR901), and 50 (28CFR50).

d. Public Law 109-248, The Adam Walsh Child Protection and Safety Act of 2006.

e. Sections [39.0138](#), [39.202](#), [39.301\(9\)\(a\)1-\(a\)5](#), [39.401\(3\)](#), [39.402](#), and [39.521\(2\)\(k\)](#), Florida Statutes (F.S.).

f. Sections [985.045\(1\)](#), [943.045\(11\)](#) and [943.056](#), F.S.

g. Rule [11C-6](#), Florida Administrative Code (F.A.C.).

h. Rule [65C-16.007](#), F.A.C.

i. Rule [65C-28.011](#), F.A.C.

j. Rule [65C-28.020](#), F.A.C.

k. Rule [65C-29.003\(2\)\(e\)](#), F.A.C.

l. Rule [65C-30.015](#), F.A.C.

6-3. Definitions. For the purposes of this chapter, the following definitions shall apply:

a. "Criminal Intelligence Unit (CIU)" means the crime intelligence staff, located at the Florida Abuse Hotline, responsible for providing results of name based checks of FCIC and/or NCIC for protective investigations and emergency background checks.

b. "Criminal Justice Information Services (CJIS)" means related systems including:

(1) Department of Corrections (DOC).

(2) Department of Juvenile Justice (JJIS).

(3) Florida Criminal Information Center (FCIC).

(4) Jail Booking System (APPRISS).

- (5) Judicial Inquiry System (JIS).
- (6) National Criminal Information Center (NCIC).
- (7) DHSMV Driver and Vehicle Information System (DAVID).

c. “Emergency Background Check” means that a child must be placed within 72 hours due to exigent circumstances. Emergency background checks include the following situations:

- (1) Release to a non-maltreating parent.
- (2) Placement with a relative/non-relative.

(3) A child in shelter status is in a placement that has disrupted and there is a need to place in a non-licensed household within 72 hours.

d. “Focus household” as described in CFOP 170-1, [Chapter 2](#), paragraph 2-3c, is the household in which the alleged child victim’s parent/legal guardian or paramour (frequenting or residing in the home) or caregiver with significant caregiver responsibility is the alleged person responsible for the maltreatment.

e. “Planned Background Check” means that the child does not need a placement within 72 hours.

f. “Subjects” as defined in Rule [65C-30.001\(114\)](#), F.A.C., means any person named in a report of abuse, neglect or abandonment.

g. “Computerized Criminal History (CCH)” is a term used to describe criminal history records, more commonly known as rap sheets, which are maintained by the state where the offense occurred and contain identifying information on the individual as well as arrest, disposition, and incarceration information.

h. Additional terminology and definitions for Criminal Justice Information Services (CJIS) are located in CFOP [50-1](#), Criminal Justice Information Services (CJIS).

6-4. When Background Record Checks Are Required.

a. The following activities require the child welfare professional to conduct a background history check and analysis:

- (1) Investigation Initial, Additional (if qualifying participants are added) and Rechecks.
- (2) Institutional Investigation.
- (3) Approving a Family-Made Arrangement or Informal Safety Plan Providers.
- (4) Other Parent Home Assessment.
- (5) Initial and updated Unified Home Study, all types.
- (6) Progress Update for Reunification.

b. Investigators employed by the Department are not authorized to conduct State or Federal criminal history record checks for the following "Special Conditions" intakes:

- (1) Child on Child sexual abuse;
- (2) Foster Care Referrals;
- (3) Caregiver Unavailable;
- (4) Parent in Need of Assistance; and,
- (5) Other Service Referrals.

6-5. Analyzing Background Record Results.

a. The child welfare professional will obtain and analyze the results of all required criminal records and child abuse history. The child welfare professional must assess for patterns of criminal behavior that may impact the child's safety, permanency, and wellbeing. This includes but is not limited to:

- (1) Patterns of assault, battery, and other criminal behaviors.
- (2) Domestic and/or Family violence.
- (3) Substance abuse.
- (4) Sexual assault.
- (5) Crimes against children.
- (6) Resisting arrest with violence.
- (7) Other crimes involving violence.
- (8) Open arrest warrants.
- (9) A household member on probation or parole.

b. The child welfare professional shall review criminal background information to assess for worker safety. This includes:

- (1) History of assault and battery on other persons.
- (2) Any record responses such as wanted person and/or any Status File records such as Sexual Predator/Offender and/or Probation or Supervised Release file.
- (3) Determination if law enforcement should be contacted to accompany the child welfare professional to the home.
- (4) Determination if the probation officer should be contacted for assistance when information indicates a participant is on probation.

c. Child welfare history in FSFN will be reviewed for information about past family conditions and dynamics that may be present currently. Factors to be considered by the child welfare professional include the severity of the action resulting in the report, the circumstances surrounding the report, how

much time has elapsed and, and whether records indicate an ongoing pattern of family conditions or behaviors. This includes, but is not limited to:

(1) Patterns of domestic violence, substance abuse or an unmanaged mental illness. In particular, substance abuse and domestic violence tend to escalate over time in terms of severity. Domestic violence is a pattern that occurs across many different relationships, and can also actively occur after separation in different ways (visitation with children, withholding of support, using children as “pawns,” etc.).

(2) Any special needs of a child.

(3) Cultural considerations, including language barriers.

(4) Effectiveness of services provided in the past? Factors to consider when assessing prior service history:

(a) The family may not have needed the service as the underlying problem may have been misdiagnosed.

(b) The service may have been the “right” type of service but was not a good match to the level of intensity needed, or family culture, or other accessibility issue.

(c) The service may have been an excellent match to family needs and was successful at the time; however, there might be a relapse currently occurring (e.g., a relapse involving alcohol or drugs).

(5) Indicators that there may be a need for worker safety strategies:

(a) Has anyone in this family shown violence towards a worker in the past?

(b) Do they have pets that have been aggressive towards a worker in the past?

6-6. Information Provided by the Criminal Intelligence Unit (CIU).

a. The hotline CIU was created to assist child welfare professionals in obtaining criminal and other background information to support investigation, emergency and planned background checks. The Department must ensure that information is accessed and used in accordance with a user agreement that the Department has executed with the agency responsible for the data base.

b. The CIU obtains information from data bases for specific purposes. The data bases include:

(1) National Crime Information Center (NCIC), administered by the Federal Bureau of Investigation (FBI). Information includes computerized criminal history (CCH) that contains identifying information on individuals and arrest, disposition, and incarceration information for all 50 states and U.S. territories.

(2) Florida Crime Information Center (FCIC), administered by the Florida Department of Law Enforcement (FDLE). Information includes computerized criminal history (CCH) that contains identifying information on individuals as well as Florida arrest, disposition, and incarceration information. Records may additionally include Person or Status files, such as missing person, outstanding warrant, protection order, and sexual offender/predator files.

(3) Driver and Vehicle Information Data Base (DAVID), administered by the Florida Department of Highway Safety and Motor Vehicles (DHSMV). Information includes current license

information, status of driver's license including suspended, disqualified or revoked. DAVID can be used to verify identity and to assist in locating a subject.

(4) Department of Corrections (DOC) data source, administered by the Florida Department of Corrections (DOC), provides information on persons under the supervision of the Florida DOC. In addition to criminal background information, this can also assist in locating a person.

(5) Juvenile Justice Information System (JJIS), administered by the Florida Department of Juvenile Justice (DJJ), provides delinquency records and is obtained for household members 12 to 26 years old.

(6) Jail Booking System (APPRISS) provides information on recent jail bookings for 42 states including Florida. This can assist in locating a person.

6-7. Other Record Resources. Child welfare professionals have access to other data sources that may assist with providing additional background information for child welfare purposes. These are not required but may be useful given individual case dynamics. Examples include:

a. Parent Locator Service.

b. Florida Vital Statistics records.

c. ACCESS Florida information.

d. Comprehensive Case Information System (CCIS) which provides Florida Clerk of Courts case information. CCIS Access Request Forms are located on the Department's intranet under [Security Forms](#).

e. Individuals under DOC supervision can be searched on the Florida DOC website for [Offender Information Search](#).

f. FDLE Sexual Offender and Predator Public Website which provides public information and photos on individuals registered as [Sexual Offenders or Predators in Florida](#).

g. Dru Sjordin [National Sexual Offender Public Website](#) which provides public information and photos on individuals registered as Sexual Offenders or Predators nationwide including U.S. Territories and Indian Tribes and Territories.

h. Child welfare professionals may have access to Accurint, a system that searches multiple data sources for public information that may be helpful with locating persons to include collateral contacts and/or verifying identity and personal information. Availability of the Accurint system for Department investigative staff may vary by location. Circuit Administration should be contacted for additional information.

i. Child welfare professionals may also request access to the DHSMV DAVID system for use in protective investigations. DAVID Access Request Forms are located on the Department's intranet under [Security Forms](#). Additional information specific to the DAVID system and DHSMV usage, to include misuse, is located in CFOP [50-1](#), Chapter 7, Driver and Vehicle Information System.

NOTE: Additional information on these data sources and the access request process (when applicable) can be found on the Department's [Criminal Justice Information Services](#) intranet page.

NOTE: A Child Welfare Dissemination Job Aid is available on the Department's [Criminal Justice Information Services](#) intranet page.

6-8. Child Protective Investigations.

a. For each report received, per requirements in Rule [65C-29.009](#), F.A.C., the investigator is required to obtain and analyze records for all subjects of the report, household members, and any adult visitor to the home.

(1) When there is sufficient demographic information on household members at the time the hotline creates the intake, the hotline's CIU will provide computerized criminal history (CCH) from FCIC, NCIC and other information sources detailed in paragraph 6-6 of this operating procedure.

(2) The investigator shall submit a "Recheck" to the hotline's CIU via functionality available in FSFN within 24 hours of the following:

(a) When additional subjects are identified.

(b) When a subject's demographic information becomes known or has been updated and the investigator determines a need for a new record check to ensure accuracy or to obtain updated results.

(3) The investigator will request and assess local law enforcement records including calls for service to the home. The child welfare investigator will follow local protocols to request the local history and calls for service. As an alternative to requesting local records when unavailable via designated protocols, the investigator may conduct a search of the Comprehensive Case Information System (CCIS).

(4) The investigator will review and assess information in FSFN for prior and/or current child protective investigations and ongoing services.

(5) If the family has moved to Florida from another state in the last 5 years, the investigator shall:

(a) Request an abuse and neglect history check from the other state.

(b) Review national criminal history record provided by the hotline's CIU and all other background information received to determine if additional information is needed from another state.

(c) When additional information is needed, contact the appropriate law enforcement and/or child protection agency in the state where the family resided to make a formal request for additional information on all subjects and household members of the report.

1. A listing for each state's contact and the request processes for child welfare records can be located on the Department's [Background Screening](#) internet website.

2. The Clerk of the Court in the appropriate jurisdiction may also be able to assist with providing additional information such as dispositions when missing from a criminal history record.

(6) A Child Welfare Background Check Job Aid that further explains each required record and information type by each screening purpose is available on the Department's [Criminal Justice Information Services](#) intranet page.

b. Information provided by the hotline's CIU for investigations is made available to the investigator via a hyperlink in FSFN. Each document type contains information from different data

sources detailed in paragraph 6-6 of this operating procedure. Documents provided by the hotline's CIU for purposes of investigations include:

(1) Q Document. Contains CCH obtained from the Florida Crime Information Center (FCIC) for subjects/participants who are age 12 and older. This includes a summary alerting the CPI to any data sources not checked. When there are no sealed or expunged information in the record, the investigator will only receive the Q document.

(2) C Document. Contains CCH obtained from the Florida Crime Information Center (FCIC) for subjects/participants who are age 12 and older. This document is provided **only if** sealed/expunged or Status/Person file information is located during the FCIC Query.

(3) N Document. Contains CCH obtained from the National Crime Information Center (NCIC) for subjects/participants who are age 12 and older. This document also contains Status/Person file information that is located during the NCIC Query

(4) J Document. Contains CCH obtained from:

(a) Delinquency history from the Juvenile Justice Information System (JJIS) for subjects/participants who are age 12 to 26.

(b) Department of Corrections (DOC) information for subjects/participants who are ages 12 and older.

(c) Driver license or State ID information from the Department of Highway Safety Driver and Vehicle Information DAVID Database for subjects/participants who are ages 12 and older.

(d) APPRISS jail booking information for subjects/participants who are ages 12 to 26.

6-9. Investigation Documentation and Information Sharing with On-Going Services. The investigator will provide documentation in the Family Functioning Assessment (FFA)-Investigation of records reviewed and analyzed. The following limitations apply:

a. Hotline CIU documents have security protections to ensure compliance with the FDLE User Agreement to include a 72-hour availability for viewing.

b. The Q document is the only document that can be printed or shared with case managers if the case is transferred for ongoing services.

(1) Information in a "Q" document may be summarized in case notes as to dates, the charge and disposition.

(2) Records may only be retained in an on-site physical case record, in an envelope marked "Confidential", and shall not be scanned into FSFN or stored off-site. Additional requirements specific to information security are located in CFOP [50-1](#), Chapter 4.

(3) The dissemination of Criminal Justice Information, to include state and national criminal history records, must be logged. When the criminal history records or information is released to other authorized agencies, such as during case transfer from investigations to services, the information released must be recorded in a Secondary Dissemination log.

(a) Secondary dissemination logging is detailed in CFOP [50-1](#), Chapter 4.

(b) A secondary dissemination log template can be located on the Department's [Criminal Justice Information Services](#) intranet page.

c. The investigator may share specific information obtained from hotline CIU documents with a supervisor, program manager or Children's Legal Services (CLS) professional as these persons work directly for the Department and have been designated as protective investigations.

d. The investigator **may not share**, to include verbally, specific record details of CCH that contain Florida sealed/expunged or national criminal history with any other persons, including case managers and placement professionals working for Community-Based Care (CBC) Lead Agencies. The following standardized wording is recommended when documenting results of C and/or N documents provided by the hotline's CIU:

"The appropriate background checks were conducted on (date) for (individual's name). The child protective investigator has evaluated the information and reviewed for patterns of behavior or family violence that may pose a potential safety concern or elevated risk to a (child or vulnerable adult). At this time, (there appears to be) or (there does not appear to be) an immediate negative impact on the victim's safety."

e. Charges and dispositions from criminal history records obtained directly from a local law enforcement agency in or outside of Florida may be documented in the FFA-Investigations. The investigator must document the specific law enforcement agency that provided the information.

6-10. Institutional Investigations. The only persons required to have criminal history checks are the alleged victims who are 12 years of age or older and the alleged perpetrator/alleged caregiver responsible. Even when the facility is a foster home, group home or assisted living facility, the only participants/subjects of the intake/report are the alleged victim(s) and alleged perpetrator(s).

a. If the alleged perpetrator on the intake/report is unknown and the investigator identifies a small number of staff who could reasonably be the alleged perpetrator, the investigator shall request criminal history checks on those individuals.

b. The protective investigator should not contact the CIU for criminal history checks on all employees of a facility, unless the employees are alleged perpetrators.

6-11. Approving a Family-Made Arrangement or Informal Safety Plan Providers. Per requirements in CFOP 170-7, [Chapter 6](#), and CFOP 170-7, [Chapter 7](#), the child welfare professional will initiate a national and state Sexual Offenders and Predators registration check and a local background check on all household members over the age of 12.

6-12. Other Parent Home Assessment. When a child needs out-of-home care and placement with a parent who was not residing in the focus household at the time of the investigation, the child welfare professional must complete an Other Parent Home Assessment per requirements in CFOP 170-7, [Chapter 5](#). The child welfare professional will follow procedures in paragraphs 6-12 and 6-13 of this operating procedure for conducting background checks of a parent. Results and analysis will be documented in the Other Parent Home Assessment.

a. For placement with a non-maltreating parent, there are no offenses that automatically disqualify the parent regardless of whether the offense was committed by the parent, a household member, another visitor, or a paramour of a household member.

b. The child welfare professional must request a CLS staffing when a parent, household member, another visitor, or a paramour of a household member has had verified findings of sexual abuse or has been found guilty of any of the serious crimes listed in s. [39.0138](#), F.S., as detailed in CFOP 170-1, [Chapter 3](#).

c. Prior to placement with a non-maltreating parent, information obtained from the background checks shall be provided by the child welfare professional or CLS attorney to the court which shall make the final decision regarding the placement decision when the results of the checks raise concerns about the safety of the child.

6-13. Emergency and Planned Background Checks for Placements.

a. The child welfare professional must obtain and analyze background information prior to placing a child per Rule [65C-28.011](#), F.A.C. Background information will be obtained and assessed in the UHS (Unified Home Study) in FSFN when there are new household members, visitors, or paramours of household members, if they have not received the checks within the previous twelve months and there has been no break in the placement for over ninety days. This includes any new child age 12 and older. This includes following information types:

(1) Computerized criminal history (CCH) from the hotline's CIU. For Emergency placement background checks, CCH will include national criminal history record information from the National Crime Information Center (NCIC). For Planned placement background checks, CCH will only include Florida criminal history record information from the Florida Crime Information Center (FCIC)

(2) Local law enforcement records including call-outs to the home.

(3) FSFN for prior and/or current child protective investigations and ongoing services.

(4) If the family has moved to Florida from another state in the last 5 years:

(a) Request an abuse and neglect history check from the other state.

(b) The child welfare professional shall review the national criminal history record provided by the hotline's CIU and all other background information received to determine if additional information is needed from another state. When the child welfare professional determines that additional information is needed, he/she will contact the appropriate law enforcement and child protection agency in the state where the family resided to request local criminal history and abuse history on all subjects and household members of the report.

1. A listing for each state's contact and the request processes for child welfare records can be located on the Department's [Background Screening](#) website.

2. The Clerk of the Court in the appropriate jurisdiction may also be able to assist with providing additional information such as dispositions when missing from a criminal history record.

(5) Florida and national criminal history records via the submission of fingerprints to the Florida Department of Law Enforcement (FDLE) and Federal Bureau of Investigations (FBI).

b. Information provided by the hotline's CIU for placements is made available to the child welfare professional via a hyperlink in FSFN. Each document type contains information obtained from different data sources. Documents provided by the hotline's CIU for purposes of placements include:

(1) Q Document. Contains CCH obtained from the Florida Crime Information Center (FCIC) for household members age 12 or older and adult visitors. For placements, the Q Document will also include:

(a) Delinquency history from the Juvenile Justice Information System (JJIS) for household members who are 12-26 years of age.

(b) Results from the Florida Department of Corrections for household members who are age 18 or older.

(c) Florida Sexual Predator results for household members who are age 14 or older.

(2) X Document. Contains CCH obtained from the National Crime Information Center (NCIC) for household members and visitors age 18 or older. This information is only provided for emergency background checks.

(3) P Document. For those requests initiated by a Case Manager, the hotline's CIU will conduct a review of both the Florida and national criminal history record results and provide a Criminal History Record Review Letter for the Purpose of Emergency Background Check indicating if there is an offense that prohibits an individual from being considered for placement per s. [39.0138](#), F.S. This information is only provided for emergency background checks.

(4) Criminal history record results from fingerprint submissions are obtained by the Background Screening Program's Placement Unit for planned background checks and by the Circuit Point of Contact for emergency background checks. The Background Screening Placement Unit or the Circuit Point of Contact will conduct a review of both the Florida and national criminal history record results and provide a Criminal History Record Review Letter for the Purpose of Placement indicating if there is an offense that prohibits an individual from being considered for placement per s. [39.0138](#), F.S.

c. Updates. Persons who are approved relative/non-relative caregivers and any adult household members 18 years old or older shall be re-screened through fingerprints every 12 months. For household members 12 years old and older, annual screening shall be limited to a local criminal records check, an abuse record check, and national and state Sexual Offenders and Predators registration check. This may include records of any responses to the home by law enforcement that did not result in criminal charges, and any calls for service to the home.

d. Background Assessment Documentation. The child welfare professional will document the records obtained and his/her analysis of the results in FSFN on the UHS page.

(1) The child welfare professional will document that based on a review of the CCH information, whether he/she has specific concerns related to child safety. The following is an example of correct documentation for results received from the CIU: *"The appropriate background checks were conducted on (date) for (individual's name). The child protective investigator has evaluated the information and reviewed for patterns of behavior or family violence that may pose a potential safety concern or elevated risk to a (child or vulnerable adult). At this time, (there appears to be) or (there does not appear to be) an immediate negative impact on the victim's safety."*

(2) Charges and dispositions from criminal history records obtained directly from a local law enforcement agency in or outside of Florida and the analysis must be documented. The child welfare professional must also document the specific law enforcement agency that provided the information.

(3) Information in a "Q" document may be summarized in the UHS as to dates, the charge and disposition.

(4) The child welfare professional must summarize information about child welfare history obtained from FSFN and explain whether or not the history is relevant given the person's current situation and status.

6-14. Fingerprint Submission and Screening Procedures.

a. A fingerprint submission is the best method for obtaining all available criminal history records maintained by FDLE and the FBI. This is due to the following factors:

(1) Some states will not provide specific records via CCH in NCIC for an emergency background check query. However, states will normally provide the information based upon a fingerprint submission.

(2) Several factors may impact the accuracy of a search for FCIC/NCIC CCH to include the availability and/or the accuracy of demographic information; for example, misspelled names, incorrect dates of birth or address, and possible use of an alias. Fingerprints provide the most accurate and reliable results.

b. It is best practice to verify a person's identity prior to submitting fingerprints. Recommendations for acceptable primary and secondary identification(s) can be located in the Identify Verification Program Guide on the [Criminal Justice Information Services](#) intranet page.

c. The child welfare professional must receive and assess Florida and national criminal history record results from fingerprint submissions of those persons in the household of the prospective caregiver who are age 18 and older prior to approving the placement.

d. The National Crime Prevention and Privacy Compact Council and the Department's agreement with the FDLE recognizes that there are situations in which a child must be placed but there is insufficient time to complete fingerprinting of the prospective caregiver and household members prior to the placement.

(1) The hotline's CIU may obtain CCH from NCIC and fingerprint submission may be delayed if the placement must be made within 72 hours and is in exigent circumstances.

(2) This includes release/placement with a non-maltreating parent, relative or non-relative while the child is in shelter status and the placement has disrupted and it is anticipated that the new placement will occur within 72 hours.

e. When a child is removed due to exigent circumstances and is in need for emergency background checks to be placed, the child welfare professional placing the child(ren) must advise the adult household members in the placement household that fingerprints should be submitted the next business day. The emergency background check process provides for a delay in fingerprint submissions, not an exception to the requirement.

f. Fingerprints must be submitted no later than ten calendar days following the emergency background checks conducted by the hotline's CIU.

(1) The child welfare professional who requested the emergency background checks is responsible for ensuring that the household members submit fingerprints within ten calendar days.

(2) When placement occurs before or as the case is transitioning from investigations to a contracted provider, the CPI that requested the emergency background checks from the CIU is responsible for ensuring fingerprints are submitted within the ten calendar days.

g. For placements with a relative/non-relative, the child welfare professional will assess the criminal record per the guidance in paragraph 6-5 of this chapter and the following criteria specific to placement assessments:

(1) If the criminal records checks reveal that the applicant has been found guilty or entered a plea of guilty or nolo contendere for crimes other than those listed in ss. [39.0138\(2\) or \(3\)](#), F.S., the applicant shall be evaluated as to the extent of his or her rehabilitation. Factors to be considered will include the severity of the action resulting in the record, how much time has elapsed since the offense, circumstances surrounding the incident, and whether records indicate single or repeated offenses.

(2) A child welfare professional is prohibited from placing a child with a relative or non-relative who has offenses listed in s. [39.0138](#), F.S., and Rule [65C-28.011](#), F.A.C. Rule [65C-28.011](#), F.A.C., lists specific charges and references in the statutes that define those charges. Per s. [39.0138](#), F.S., the Department may not place a child with a person other than a parent if the criminal history records check reveals that the person has been convicted of any felony that falls within any of the following categories:

- (a) Child abuse, abandonment, or neglect;
- (b) Domestic violence;
- (c) Child pornography or other felony in which a child was a victim of the offense;

or,

(d) Homicide, sexual battery, or other felony involving violence, other than felony assault or felony battery when an adult was the victim of the assault or battery.

(3) The Department may not place a child with a person other than a parent if the criminal history records check reveals that the person has, within the previous 5 years, been convicted of a felony that falls within any of the following categories:

- (a) Assault;
- (b) Battery;
- (c) A drug-related offense; or,
- (d) Resisting with violence

h. The child welfare professional must request a CLS staffing when a parent, household member, another visitor, or a paramour of a household member has had verified findings of sexual abuse or has been found guilty of any of the serious crimes listed in s. [39.0138](#), F.S., as detailed in CFOP 170-1, [Chapter 3](#).

i. The court has the authority to approve a placement regardless of the Department's recommendation.

6-15. Initial Foster Home License, Relicense for Foster Home and Adoption Unified Home Study. The following procedures provide guidance for conducting background screening in accordance with Rule [65C-13.023](#), F.A.C., for foster care licensing and Rule [65C-16.007](#), F.A.C., for adoption home studies.

a. Prior to placing a child in a foster home, the home must be licensed or relicensed in accordance with Rule [65C-13](#), F.A.C. This includes background screening requirements in Rule [65C-13.023](#), F.A.C.

b. Prior to placing a child in an adoptive household, there must be an approved Adoption Home Study in FSFN that documents the evaluation required in Rule [65C-16.005](#), F.A.C. This includes background screening of the adoptive parent(s), household members and other visitors to the home per requirements in Rule [65C-16.007](#), F.A.C. Fingerprints must be completed in order to receive background check results. The results must be received before the child is placed.

c. The following record information will be obtained for household members in a prospective foster home or adoptive household:

(1) Florida and national criminal history record results from fingerprint submissions for all prospective adoptive parents, household members, and other visitors to the home aged 18 and older.

(a) For foster parents, relative, and non-relative caregivers who are the current caregivers adopting a child in the custody of the Department, national criminal record checks must be current within 5 years of the adoptive placement.

(b) For relative and non-relative caregivers or potential adoptive parents who are not the current caregivers of the child, national criminal record checks must be current within one year of the date of the adoptive placement.

(2) Delinquency history from the Juvenile Justice Information System (JJIS) for household members who are 12-26 years of age.

(3) Local criminal history checks for all potential adoptive parents and household members age 12 or older.

(4) A records check of FSFN for all potential foster care or adoptive parents, household members, and other visitors to the home. Abuse and neglect history checks must be current within 30 calendar days of placement. A listing for each state's contact and the request processes for child welfare records can be located on the Department's [Background Screening](#) website.

d. All potential adoptive parents must have state and local background checks that are current within 90 days of the date of the adoption placement.

e. No child shall be placed with a relative or non-relative who has felony convictions for offenses listed in s. [39.0138](#), F.S.

(1) If the records reveal that the applicant has been convicted of crimes specified in s. [39.0138\(2\)](#), F.S., the application must be denied. These are detailed as felony convictions that fall within any of the following categories:

(a) Child abuse, abandonment, or neglect;

(b) Domestic violence;

(c) Child pornography or other felony in which a child was a victim of the offense;
or,

(d) Homicide, sexual battery, or other felony involving violence, other than felony assault or felony battery when an adult was the victim of the assault or battery.

(2) If the criminal record reveals that the applicant has been convicted of a crime specified in s. [39.0138\(3\)](#), F.S., the applicant cannot be considered for adoption until five years after the date of conviction. These are detailed as felony convictions that fall within any of the following categories:

- (a) Assault;
- (b) Battery;
- (c) A drug-related offense; or,
- (d) Resisting with violence.

(3) For convictions specified in s. [39.0138\(3\)](#), F.S., after five years have passed, the applicant shall be referred to the Adoption Applicant Review Committee if the applicant submits a new Adoptive Home Application.

(4) If the criminal record checks reveal that the applicant has been found guilty or entered a plea of guilty or nolo contendere for crimes other than those listed in ss. [39.0138\(2\)](#) or [\(3\)](#), F.S., the applicant shall be evaluated as to the extent of his or her rehabilitation. Factors to be considered will include:

- (a) Severity of the offense.
- (b) How much time has elapsed since the offense.
- (c) Circumstances surrounding the incident.
- (d) Whether records indicate single or repeated offenses.

(5) If the juvenile records check reveals a record, this information must be addressed in the home study and a determination must be made regarding possible impact to the adopted child.

6-16. Progress Updates for Reunification.

a. The child welfare professional will obtain and assess the following background checks as indicated in Rule [65C-30.007](#), F.A.C., for the Progress Update when there are new household members, visitors, or paramours of household members, if they have not received the checks within the previous 60 days.

b. If case information supports the need for a Florida criminal history check, the request may be submitted to the hotline's CIU, with follow-up fingerprint submission per paragraph 6-13 of this operating procedure.

c. When assessing the background history of parents, the child welfare professional will follow procedures in CFOP 170-7, [Chapter 12](#), to implement reunification and post-placement supervision.

d. The child welfare professional will update local criminal background checks of all household members 12 years of age and older prior to a reunification. If the child welfare professional has any

concern that any of the individuals in the home engaged in criminal activity since the closure of the investigation, and such activity was outside of the local jurisdiction, an FCIC check through the CIU must be completed as a planned background check with subsequent fingerprint submission to obtain both Florida and national criminal history records.

e. The identification of records collected and analysis of the results will be documented in the Progress Update.

6-17. Fingerprint Exemptions for Household Members.

a. The fingerprint exemption process is intended for rare or extenuating circumstances in which the adult household member cannot safely submit fingerprints due to a physical, developmental or cognitive disability.

b. Adult household members, excluding current and potential caregivers, are eligible to request an exemption from fingerprinting.

c. Individuals not eligible for a fingerprint exemption must attempt to submit fingerprints through an approved vendor. Individuals who provide babysitting and overnight care of children shall follow the screening provisions set forth in CFOP 170-11, [Chapter 7](#), titled “Babysitting and Overnight Care.”

d. Individuals who receive two rejected fingerprint submissions shall follow the FDLE guidelines for processing criminal record checks.

e. Agencies seeking fingerprint exemptions for an adult household member shall seek to eliminate barriers to fingerprint submission that do not pose a safety concern for the individual due to a physical, developmental or cognitive disability (i.e., use of mobile fingerprint vendors, assisting with transportation needs).

f. Requests for fingerprint exemptions for adult household members shall be submitted on the *Fingerprint Exemption Request Form* referenced in Rule [65C-28.020](#), F.A.C. Requests shall be submitted within 72 hours of receiving supporting documentation. Documentation from a licensed health professional is required and shall address the following:

(1) Justification that the individual is unable to submit fingerprints safely due to a disability; and,

(2) The disability does not pose a safety concern for any children in the home.

g. DCF regional managing directors or designees receiving fingerprint exemption requests shall ensure that the individual meets the criteria for an exemption as outlined in Rule [65C-28.020](#), F.A.C. A determination of approval or denial shall be made within 10 days of receiving the request and the requesting agency shall be notified of the determination. The DCF regional managing director or designee shall upload the form into the Caretaker Screening Information System (CSIS) within five (5) business days of the determination.

h. Upon receipt, the requesting agency shall upload the determination into the state’s official system of record. To ensure clarity and consistency, the following naming conventions shall be used for fingerprint exemption request forms:

Last Name, First Initial. Requesting Agency. Fingerprint Exemption. Status. Year

Ex: Smith, J. CBC. Fingerprint Exemption. Approved. 2019

Jane, M. CBC of FI. Fingerprint Exemption. Denied. 2019

i. Adult household members who are granted a fingerprint exemption must obtain a Level I screening as outlined in s. [435.03](#), F.S. Agencies shall follow protocol to request a criminal history search through the Florida Department of Law Enforcement (FDLE).

j. If the department determines that the individual does not qualify for an exemption, the individual shall be notified in writing within 10 business days of the determination, identifying the reasons for the denial, the statutory authority for the denial and the individual's right of appeal pursuant to Chapter 120, F.S.

Chapter 7

CASE TRANSFER FROM INVESTIGATIONS TO CASE MANAGEMENT

7-1. Purpose. To ensure that the transfer of primary responsibility for a case involving an unsafe child is based on sufficient information and understanding as to the impending danger threats that must be managed with a safety plan and remediated with a case plan. To the fullest extent possible, this will be achieved through face-to-face discussion(s) between the child welfare professionals responsible for current and future safety management.

7-2. Procedures.

a. A case transfer conference shall occur for each child transferred per requirements in Rule [65C-30.002](#), F.A.C.

b. Prior to the case transfer conference, the investigator shall ensure that the child's record in FSFN provides:

(1) Up-to-date documentation of investigative activities.

(2) A completed family functioning assessment containing sufficient, reconciled and corroborated assessment information.

(3) The name and location of child's school and/or child care provider, if available.

(4) The name and location of child's medical provider(s) and copies of any health or medical information, if available.

(5) If the child is in out-of-home care, any documented diligent efforts to identify and locate all relatives of the child, to include:

(a) All adult grandparents.

(b) All parents of siblings of the child where such parent has legal custody.

(c) Other adult relatives of the child including relatives suggested by the parent(s).

(6) The child's date and location of birth if the child is under court ordered supervision, if available.

(7) A photograph of the child who was removed, if available.

(8) Fingerprints of the child placed in out-of-home care, if available.

(9) The status of the inquiry into whether the child may have Native American heritage.

(10) Any court or other documents related to shelter.

(11) Any other documentation or actions agreed upon between the department staff and the contracted service provider.

c. Investigators are responsible for scheduling case transfer conferences with case management staff as soon as the family functioning assessment is complete and a child is determined

to be unsafe. Given local protocols for case transfer, the conference may be scheduled by the CBC/Lead Agency.

(1) The primary case manager who will be assigned to the case should attend the conference whenever possible.

(2) Parents or legal guardians and the family's support network will be included in the case transfer meeting whenever possible and appropriate.

d. The Lead Agency/CBC will ensure that case transfer preparation activities per requirements in CFOP 170-9, [Chapter 1](#), paragraph 1-2 are completed.

e. Investigators are responsible for following the local process established to schedule case transfer conferences with case management staff as soon as the Family Functioning Assessment-Investigation (FFA-I) is complete and a child is determined to be unsafe.

f. When safe and appropriate, the use of a family team meeting/conference model is the preferred method for engaging families at case transfer.

g. During the case transfer conference, the investigator will summarize the information collected on:

(1) Identified danger threats.

(2) Caregiver protective capacity.

(3) Safety actions put in place as a result of safety planning.

(4) Conditions for return if child has been relocated or removed.

(5) The level of parental cooperation in complying with the safety actions to date.

(6) The risk level established by investigator.

(7) All other critical information needed regarding the child and family including assessment information provided by the Child Protection Team or any other professional evaluation obtained during the investigation.

h. Participants at the conference will review and discuss the current safety plan and develop modifications as needed.

i. If there is any additional information needed, an agreement will be reached as to when such information will be provided by the investigator.

j. Once the case transfer conference has been completed, full responsibility for the case by the case management conference will begin.

7-3. Supervisor. Supervisors will ensure that sufficient information is available for the case transfer conference by reviewing the thoroughness of the Family Functioning Investigation (FFA-Investigation) in providing adequate documentation of how the danger threat is manifested in the home and the capacity of the safety plan to adequately manage the identified threat(s). The following questions will help determine if the information reviewed provides sufficient rationale or justification for safety and case management services:

- a. Can the investigator describe and does the FFA-Investigation documentation support sufficient information on the maltreatment, circumstances accompanying the maltreatment, child functioning, adult functioning, general parenting, and disciplinary and behavior management?
- b. What additional information, if any, may be needed on the family in order for the case manager to begin the FFA-Ongoing?
- c. Is it clear how impending danger is manifested in the family?
- d. Are the current safety actions adequately controlling and managing the danger threats in the household?
- e. Does the safety planning analysis provide sufficient rationale for the type of safety plan selected (i.e., in-home vs. out-of-home)?
- f. Are the current safety management providers demonstrating a sufficient level of effort and diligence to ensure child safety? How are these behaviors or actions being measured?
- g. What is the risk of subsequent maltreatment?
- h. Are there any indications that the safety plan may need to be adjusted? Is there a need to schedule a safety planning conference immediately to update the plan prior to holding the case transfer conference?

7-4. FSFN Documentation.

a. The investigator will ensure that closure activities per CFOP 170-5, [Chapter 25](#), have been completed and documented including any follow-up information agreed upon at the case transfer staffing. The investigation closure reason for all unsafe children will be "Closing Open to Ongoing Case Management." This date may be later than the date the case was accepted by the CBC/Lead Agency based on investigation activities not completed at the time of the case transfer meeting.

b. The supervisor will document the case transfer review with the investigator using the Supervisor Consultation page and "Closure" as the type of consultation.

c. The CBC/Lead Agency is responsible for ensuring that the following information is documented accurately in FSFN:

(1) Record the case transfer conference using "Meetings" functionality in FSFN, selecting Case Transfer Meeting (ESI) to document that the meeting has been completed and any follow-up information to be provided by the investigator that was agreed upon.

(2) The actual date and time that the case has been accepted by using the "Case Accepted" box on the Case Transfer meeting page.

Chapter 8

CHILD WELFARE PROFESSIONAL MANADATED REPORTING IN OPEN CASES

8-1. Mandated Reporting. Section [39.201\(1\)\(a\)](#), F.S., requires “any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned or neglected by a parent, legal custodian, caregiver, or other person responsible for the child’s welfare, as defined in this chapter, or that a child is need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care shall report such knowledge or suspicion.” All child welfare professionals shall make reports to the Hotline using any of the reporting means available (via telephone, facsimile, Florida Relay Services or on-line reporting).

a. During an investigation or ongoing services, any new incident of abuse, neglect, abandonment or exploitation of a child that occurs must be reported. An insufficient safety plan or a continuation of family conditions associated with the danger threats are not a basis for a call to the hotline

b. During an investigation or ongoing services, when it is learned that a non-maltreating parent in a separate household is known or suspected to be responsible for maltreatment the child welfare professional must make a report to the hotline. When the hotline intake is accepted, separate FFA-Investigations will be developed by the CPI.

c. During ongoing services, when a non-maltreating parent is assessed and it is determined that they meet the criteria for abandonment, an FFA-Ongoing will be developed by the case manager unless the child is suspected to be in present or impending danger. If the child is suspected to be in present or impending danger, a report to the hotline will be made.

d. If a child is suspected to be in present danger, the case manager must take immediate actions to determine if safety plan modifications are needed to manage the danger threats. Requirements in CFOP [170-7](#), paragraph 2-3 must be followed. A situation involving present danger does not in-and-of itself necessitate a report to the hotline. When the case manager resolves a situation involving present danger and determines that there is not a new incident of child abuse, neglect, abandonment or exploitation, a Present Danger Assessment will be documented per CFOP [170-7](#), paragraph 2-3h.

8-2. Providing Name of Reporter. The child welfare professional must provide their name when they are a social worker as defined in s. [39.01\(71\)](#), F.S., “any person who has a bachelor’s, master’s or doctoral degree in social work.”

a. When the professional making a report provides their name as required or by choice, it will afford the investigator assigned to conduct the investigation an opportunity to conduct a more thorough follow-up interview.

b. The name of any person reporting child abuse, abandonment, or neglect may not be released to any person other than employees of the department responsible for child protective services, the Florida Abuse Hotline, law enforcement, the child protection team, or the appropriate state attorney, without the written consent of the person reporting.

8-3. Safety Planning. A child welfare professional making a report on a family they are investigating or responsible for in ongoing case management shall act immediately to create or modify any existing safety plan as needed to protect the child per safety planning requirements in CFOP 170-7, [Chapter 11](#).

8-4. Present Danger Assessment. When a case manager has assessed a present danger situation and as a result does not suspect that a new incident of child maltreatment has occurred, a Present

Danger Assessment should be documented. The case manager's assessment of present danger is further described in CFOP 170-7, [Chapter 2](#), paragraph 2-3.

Chapter 9

NEWBORNS OR OTHER NEW CHILDREN IN HOUSEHOLDS WITH
ACTIVE INVESTIGATION OR ONGOING SERVICES

9-1. Purpose. This chapter provides guidance to the child welfare professional on requirements to assess any child joining a household that is involved in an active investigation or ongoing services case. This includes the birth of a new child in any focus household. This chapter provides guidance on the assessment as part of the Family Functioning Assessment-Initial (FFA), Family Functioning Assessment-Ongoing (FFA-O) or Progress Update.

9-2. Legal Authority.

- a. Section 39.301(23), Florida Statutes.
- b. Section 39.701(1)(h)(1-3), Florida Statutes.
- c. Rule [65C-30.015](#), Florida Administrative Code (F.A.C.).

9-3. Required Assessment. The child welfare professional must complete an assessment in any of the following circumstances:

a. A child joins a focus household that is under investigation for allegations of abuse, neglect or abandonment or receiving ongoing services. The child welfare professional will follow requirements in CFOP 170-1, [Chapter 2](#), paragraph 2-3c(3) to determine if the child is a member of the focus household.

b. A child will be residing in the home of the parent/significant caregiver receiving ongoing case management services. "Resides" means that the child will live in a home on a permanent basis including any timesharing custody agreements.

9-4. Conduct Family Functioning Assessment – Initial. If a child joins a focus household under investigation for allegations of abuse, neglect or abandonment the Child Protective Investigator (CPI) must:

- a. Add the name and demographics of the child to the investigation and the FFA.
- b. Assess the child as a part of the FFA. Include information as outlined in CFOP 170-1, [Chapter 2](#), paragraph 2-4 about the child and the impact on family dynamics in each of the domains.
- c. The CPI must re-evaluate and update any safety plan already in place.

9-5. Conduct Pre-Birth Assessment During Ongoing Services.

a. When a parent/significant caregiver or a minor in a focus household is pregnant, the case manager responsible will conduct a pre-birth assessment. The case manager's supervisor should provide active collaboration and guidance. The case manager must complete the pre-birth assessment whether the current safety plan for the siblings is in-home or out-of-home.

b. The case manager will complete the pre-birth assessment as part of the FFA-O or Progress Update, whichever is due after learning of the pregnancy. Per s. [39.701\(1\)\(h\)1](#), F.S., the case manager must complete the assessment as follows:

- (1) At least 30 days before a child is expected to be born; or,

(2) Within 72 hours after learning of the pregnancy, if the child is expected to be born in less than 30 days.

c. The case manager must convene a multidisciplinary staffing or family team meeting to plan for the newborn's care and supervision. The case planning conference should inform the development of the FFA-Ongoing or Progress Update. Participants must include the following persons:

(1) The mother and father, whether in the same or separate households.

(a) The case manager and supervisor will determine whether there should be separate case planning conferences when one or both parents are responsible for family or intimate partner violence. Please see CFOP 170-7, [Chapter 4](#), for additional information on handling cases involving intimate partner violence.

(b) The case manager must complete a home study and obtain home study approval prior to a non-maltreating parent's participation in a case planning conference.

(2) When the conference involves a minor parent(s), the minor parent's birth parents (unless termination of parental rights has occurred or it is not in the best interest of the mother).

(3) The Guardian ad litem (GAL)/Attorney ad litem (AAL) if appointed for a sibling. If a GAL attorney or AAL participate in the case planning conference, the counsel for mother and father must also be permitted to participate.

(4) Any current caregivers.

(5) Any other parties deemed appropriate by the case manager or invited by the parent(s) may also participate.

d. Participants in the case planning conference will:

(1) Determine prenatal care and pre-birth needs.

(2) Identify the anticipated needs of both mother and father to care for the child when born.

(a) If mother had to stop taking medications during pregnancy, when can she resume taking her medications?

(b) Will the parent(s) have access to mental health or substance abuse treatment services, including Medication Assisted Treatment?

(3) Identify the services and supports to address family needs when the child is born.

e. The case manager will document pre-birth assessment information in the FFA-O or Progress Update, whichever is due. The FFA-O or Progress Update will document the following pre-birth assessment information in addition to the standard requirements in CFOP 170-1, [Chapter 2](#), paragraph 2-4, Information Domains:

(1) Child Functioning. As age appropriate, what are the feelings expressed by the child(ren) about having a new baby in the home?

(2) Adult Functioning.

(a) Who are the new child's parents? Do they reside together?

(b) Was this a planned pregnancy? If not, how does each parent feel about the pregnancy? What are the parent(s) concerns, if any?

(c) What is the plan for the mother's pre-natal care? Are there any barriers to accessing pre-natal care?

(d) If the mother had prior births, did she experience post-partum depression?

(e) If the parents do not reside together, how much time will the new child spend in the focus household?

(f) How is the care of the new baby expected to affect daily household routines and responsibilities of significant caregivers in the home?

(g) Will adults be able to provide or access necessary housing and resources to care for the new child?

(h) Does the parent/significant caregiver have any history that is of concern regarding the safety of the mother or the new child? Is there any history of family or intimate partner violence? If yes, are there any current indicators of intimate partner violence or a perpetrator's pattern of coercive control?

(i) Does the parent/significant caregiver have a current or past history of mental illness or substance use disorder?

1. Is she/he currently in substance abuse treatment?

2. Is she/he being drug-tested by a substance abuse treatment provider?

(j) Is either parent/significant caregiver taking prescribed medications for a substance use disorder or other mental health disorder? If the parent who is pregnant is taking prescribed medications, the following must be ascertained:

1. What are the prescribing physician's recommendation for taking the medication during pregnancy?

2. If it is not safe to continue with current medications, what needs to happen to stabilize the mother's mental health while pregnant?

3. Is it possible that the new child will be born substance-exposed?

(3) Parenting/Behavior Management.

(a) What are the expectations of each parent/significant caregiver, if any, for the shared care and financial support of the new child?

1. If a parent is facing incarceration or for other reasons will not be able to care for the newborn, who will care for the child?

2. If a non-maltreating parent is going to care for the newborn, when will the child welfare professional complete an Other Parent Home Assessment (OPHA)?

(b) Are there others residing in the household who will have significant responsibilities for the care of the new child? Is there a shared agreement and understanding among

all household members as to how the new child will be cared for and what, if any, supports will be needed?

(c) How might care of the new child affect the current family conditions that resulted in the investigation or the need for ongoing services?

9-6. Conduct Newborn or New Child Assessment During Ongoing Services.

a. When a baby is born or a new child enters the home, the case manager will immediately re-evaluate the current safety plan to determine if new safety plan actions or tasks are needed to protect the new child. The case manager must modify or create a safety plan for a newborn prior to the child's release from the hospital.

(1) The case manager should generate a new report to the Hotline only if he/she suspects the new child was abused, abandoned, or neglected.

(2) The case manager will notify the circuit GAL program, if currently involved with a sibling, of the new child and any related safety plan actions.

(3) The case manager will follow requirements in CFOP 170-7, [Chapter 5](#), Safety Plan Involving Release of a Child with Non-Maltreating Parent/Legal Guardian, if a newborn will receive care from a non-maltreating parent/legal guardian, including background checks.

b. The case manager must add any new child to the FSFN case shell.

c. The case manager will include the new child as a participant in the FFA-O or Progress Update, whichever is due next. Per s. [39.701\(1\)\(h\)1](#), F.S., the assessment must be completed as follows:

(1) At least 30 days before a newborn or new child moves into the home; or,

(2) Within 72 hours after learning the child will be moving into the home in less than 30 days.

d. The case manager will complete the information domains for adult functioning, parenting and discipline and identify the parent's protective capacities. The case manager will provide information about the newborn in a separate "child functioning" information domain.

e. The FFA-O or Progress Update will provide the following information in addition to the standard requirements in CFOP 170-1, [Chapter 2](#), paragraph 2-4, Information Domains; and CFOP 170-9, [Chapter 6](#), Evaluating Family Progress. The case manager should not repeat any information already provided in the FFA-O or a prior Progress Update.

(1) Child Functioning.

(a) The case manager will provide the following information when the new child is a newborn:

1. Was the child born full-term?

2. Was the newborn within a healthy weight range?

3. Was the child substance-exposed at birth? If so, what were the effects?

4. What are the ongoing possible effects that the newborn's parent(s) or significant caregivers should monitor?

(b) The case manager will provide the following information for any new child:

1. Who are the new child's parents? Why is the new child in the home? How much time is the new child spending in the focus household?

2. Has the new child been diagnosed with any special needs or conditions that require special care and/or ongoing medical monitoring?

3. Does the child have any behaviors that require a Child Placement Agreement per CFOP 170-11, [Chapter 4](#)?

(2) Adult Functioning. The child welfare professional will provide the following information unless it has already been provided in the previous FFA-O or a Progress Update as the result of a pre-birth assessment:

(a) The case manager will provide the following information when the child is a newborn:

1. What are the parent(s)' current concerns, if any?

2. What is the plan for the mother's post-natal care? Are there any barriers to accessing post-natal care?

3. Does mother have any symptoms of "baby blues" or post-partum depression?

(b) The case manager will provide the following information for any new child:

1. How has the care of the new child affected daily household routines and responsibilities of significant caregivers in the home?

2. Are adults able to provide or access necessary housing and resources to care for the new child?

3. Do the parent/significant caregiver have any history that is of concern regarding the safety of the mother or the new child? Is there any history of family or intimate partner violence? If yes, are there any current indicators of Intimate partner violence or a perpetrator's pattern of coercive control?

4. Does the parent/significant caregiver have a current or past history of mental illness or substance use disorder?

5. Is either parent/significant caregiver taking prescribed medications for a substance use disorder or other mental health disorder? If yes, who prescribes the medication?

6. Is a parent/significant caregiver with a prior substance abuse history currently prescribed with pain medication (e.g., mother prescribed Oxycodone because of a C-Section)?

7. Is a parent currently receiving mental health or substance abuse treatment?

8. Is a parent being drug-tested by a substance abuse treatment provider?

(3) Parenting/Behavior Management.

(a) If the child is a newborn, were there any concerns raised by hospital staff about the infant and mother-child interactions? Were any concerns raised about siblings or other persons visiting?

(b) Is there shared agreement among all household members as to how to care for the new child?

(c) If there is a parent in a separate household, what are the visitation or shared custody arrangements? If the parent is a non-maltreating parent, has a home study been completed and approved?

(d) How has the care of the new child affected the care and supervision of other children in the home?

(e) If the new child has special needs, is the parent/caregiver able to address those needs?

(f) How has care of the new child affected family dynamics or conditions?

(g) Do the parent/significant caregivers need additional services or supports?

f. The case manager will update the Safety Analysis to determine whether the criteria for an in-home safety plan are met. The Safety Analysis will provide sufficient information about family conditions to determine whether any changes are necessary to the existing safety plan. As appropriate, the case manager will review and update, or create, Conditions for Return.

g. For Progress Updates, the case manager will be responsible for the following:

(1) Provide information in the domains that describes whether the parent/significant caregiver is making progress towards achieving the outcomes in the case plan.

(2) Assess the impact of care of the new child on parent/significant caregiver's ability to continue participation in services.

(3) Describe any changes in the family's change strategies.

(4) Determine whether any modifications to case plan outcomes, tasks, and services are necessary.

9-7 CLS Staffings.

a. All staffings with CLS will be conducted and documented per the requirements in CFOP 170-7, [Chapter 1](#), paragraph 1-8.

b. CLS staffings must be requested after the case manager completes an FFA-O or Progress Update in the following situations:

(1) In a non-judicial case, a CLS staffing for judicial action must be requested if there are concerns that the criteria for an in-home safety plan are not met per [65C-30.007\(9\)\(d\)](#), F.A.C.

(2) In a judicial case, a CLS staffing must be requested as follows:

- (a) Prior to the birth of a child.
- (b) After the birth of a child or a new child entering the home.

(3) Documentation must be provided to the CLS attorney prior to the staffing including, but not limited to, the FFA-O or Progress Update. Documentation must include an OPHA if the non-maltreating parent of a new baby is not currently a part of the case.

(4) Participants at the staffing will discuss the following:

- (a) The completed FFA-O or Progress Update.
- (b) The OPHA if there is a new father involved.
- (c) Recommended case plan modifications.
- (d) Whether there is a need to seek or continue a shelter of the new child.
- (e) Whether there is a legal basis to amend any pending dependency petition if there has not yet been an adjudication of dependency.
- (f) In the case of a dependent minor parent, the requirements in [65C-28.010](#), F.A.C. and whether a petition for adjudication of the new born baby would be legally sufficient.
- (g) Whether to file a supplemental or new dependency petition, whichever is legally appropriate.

(5) Regardless of the outcome of the staffing conducted, in a judicial case CLS must file the FFA-O or Progress Update completed before a child is expected to be born or to move into a home with the court within 14 days of receipt of the document, and must file the FFA-O or Progress Update completed after the birth of a child or a new child entering the home within 14 days of receipt of the document in accordance with s. [39.701\(1\)\(h\)1](#), F.S.

9-8. Supervisor Consultation and Approval.

a. A supervisor consultation will be conducted prior to the approval of the FFA-O or Progress Update to determine if a pre-birth assessment, newborn child assessment, or new child assessment is incorporated.

b. The supervisor consultation will determine the following:

- (1) There was sufficient information collection and assessment.
- (2) The case manager engaged the parent(s) and other family members as appropriate in identifying family needs and planning for care of the newborn.
- (3) The case manager identified needed services or other actions including any CLS actions.

9-9. FSFN Documentation. The case manager will provide documentation of a pre-birth or new child assessment per requirements in CFOP 170-9, [Chapter 4](#), paragraph 4-11.

Chapter 10

NEW ADULTS IN HOUSEHOLDS WITH ACTIVE INVESTIGATION OR ONGOING SERVICES

10-1. During an Investigation.

a. When it is learned that a new adult is in the home **before** sufficient information has been gathered to determine that a child is safe, the investigator must add the adult to the investigation and conduct assessment activities as required in CFOP [170-5](#).

b. When it is learned that a new adult is in the home **after** sufficient information has been gathered to determine that a child is safe, the investigator will determine whether the new information represents a significant change in family circumstances to warrant additional investigative or assessment activities.

10-2. During Ongoing Services.

a. There must be prompt action to assess a new adult in the home in any of the following circumstances:

(1) Household where child resides with an in-home safety plan, regardless of the focus household as defined in this operating procedure, paragraph 2-3c.

(2) Non-maltreating parent household that child has been released to.

(3) Non-maltreating parent with a concurrent permanency goal, whether or not child currently visits home.

(4) Household which provides care to child under a family-made arrangement.

(5) Relative/non-relative caregiver's household.

b. Background screening of any new adult in the home must be conducted to review and assess any criminal, child abuse or other child welfare services history.

(1) Prior abuse reports.

(2) NCIC, FCIC and local criminal histories including local law enforcement arrests and call out history.

(3) Clerk of Court records (CCIS) and Department of Corrections (DOC) records.

c. The child welfare professional with primary or secondary responsibility for the household will collect and assess and information to determine:

(1) Whether the new adult is a paramour and has significant caregiver responsibility as defined in Chapter 2, paragraph 2-3 of this operating procedure.

(2) How the family dynamics and conditions are likely to change as a result of the new adult.

(3) Whether the new adult may contribute to new danger threats.

10-3. Supervisor Consultations and CLS Staffings. In cases involving a new paramour or adult with significant caregiving responsibility, the child welfare professional will engage in a supervisor case

consultation to discuss their assessment and the interventions necessary, including any safety plan or case plan modifications that are necessary.

10-4. Required FSFN Documentation.

a. Case notes will be used by the primary and/or secondary worker to document any new information learned about a new adult.

b. When the adult is a member of the focus household with significant caregiver responsibility the primary worker responsible will add the adult to the FSFN case and will develop the adult functioning.

c. When the adult is not part of the focus household, the assessment of the adult will be included in the most relevant information domain.

d. The primary worker will update any assessment which is currently under development including the:

- (1) FFA-Investigation.
- (2) FFA-Ongoing.
- (3) Progress Update.
- (4) Any type of home study.

e. The case manager will incorporate new assessment information into the next required Progress Update per CFOP 170-9, [Chapter 6](#).

Chapter 11

INVESTIGATIONS INVOLVING AN ONGOING CASE

11-1. Coordination with Case Management. In an ongoing services case, a new investigation must be thoughtfully coordinated between the case manager assigned to work with the family and Children's Legal Services (CLS).

a. While the Child Protective Investigator (CPI) will be fully responsible for information collection analysis, and safety determinations, there must be collaboration and teamwork with the case manager. There must be concerted efforts by the CPI and case manager to ensure that information already known is shared and that new information is collected and assessed.

b. The CPI must **immediately** contact the case manager when a new report comes in on an ongoing services case. To the extent practical, the CPI will contact the assigned case manager prior to commencement and attempt to schedule a joint home visit to conduct face-to-face interviews with the parents and children.

c. The CPI shall immediately notify the assigned CLS attorney when a new intake is received on a child over whom the court has jurisdiction. The Department shall promptly notify the court of any report to the Florida Abuse Hotline that is accepted for protective investigation and involves a child over whom the court has jurisdiction. The notification will be completed through a notice of filing within 2 business days.

d. When protective supervision has been terminated and the court has retained jurisdiction, the CPI shall immediately notify the managing attorney for the circuit. CLS will make notification to the courts through a notice of filing within three business days.

e. When the CPI determines that the children are in present danger, the CPI will enact a Present Danger Plan with the family, coordinating with the case manager to the fullest extent possible. The CPI will document the Present Danger Assessment regardless of the determination as to whether present danger exists.

f. The CPI and case manager will communicate through-out the investigation to discuss information learned and any action(s) required due to the new investigation.

g. A multidisciplinary team (MDT) staffing must occur within two business days when information has been collected to support an immediate danger threat to child safety or when a safety action is needed. The safety action includes, but is not limited to, modification of a safety plan, case plan, removal, etc. When no additional safety actions are identified, the MDT must occur within 10 business days from receipt of the new intake. The child welfare professionals will communicate and schedule the MDT and document the outcome in the meetings module as referenced in paragraph [12-4](#) of CFOP 170-1.

h. At minimum, the MDT staffing should include: CPI, CPI Supervisor, Dependency Case Manager, Dependency Case Manager Supervisor, CLS attorney (if there is court ordered supervision or legal action is warranted), Guardian ad Litem(if appointed), Attorney ad Litem (if appointed), Child Protection Team (if involved), law enforcement (if involved), and providers working with the family.

11-2. Safety Plan Modifications.

a. If there are concerns for the current safety plan, the case manager is responsible for coordinating with the CPI to schedule a safety planning conference no later than two business days for

the family's safety management team to review the sufficiency of the current impending danger safety plan and make any changes needed.

(1) During the safety planning conference the team will review the agreed upon responsibilities and current safety actions in place and make recommendations for changes in the ongoing monitoring, modification and management of the plan.

(2) If the existing case is in-home non-judicial or in-home judicial, consideration should be given to require additional accountability of the parents to sufficiently increase protective capacities through dependency proceedings (i.e., from non-judicial to judicial safety and case planning) and/or the need for an out-of-home safety plan to replace an in-home safety plan. The department may file a petition for shelter or dependency without a new investigation or the concurrence of a child protective investigator if the parents have not made sufficient efforts and progress towards case plan goals to increase capacities within 90 days after the transfer of the safety plan to the CBC. Although the concurrence of a CPI is not required, the CPI must be the one to conduct the removal of a child from a home.

b. The investigator is required to complete a new FFA-Investigation if the initial services case which resulted in ongoing services has been closed.

c. The case manager will complete a Progress Update when the new investigation has been completed when there are any maltreatment findings or when substantial changes to the safety plan must be made.

Chapter 12

CASE NOTE AND MEETINGS DOCUMENTATION

12-1. Purpose. Each child record in FSFN must contain a specific record of all case activities provided by the investigator, case manager or other child welfare professionals working on the case who have FSFN access. Notes create a point-in-time log of the child welfare professional's activities. Case notes and documentation of meetings create an audit trail for compliance with federal and state requirements. Case notes are a vitally important record of activities pertaining to any given case and are used to transfer information about a case within the Department, among case managers and service providers and in court. Up-to-date notes ensure that information known and activities that have been occurred are known to any other person who needs to access immediate and relevant information about a case or provider. A child welfare professional's notes may be subpoenaed and used as evidence in legal proceedings.

12-2. Individual Contacts with Children, Parents and Other Team Members.

a. All case activities, including contacts and attempted contacts with a child, the child's parent or caregiver and collaterals must be entered in FSFN no later than two business days after the actual contact or other event.

b. Notes are automatically date and time stamped with the date and time that the note was entered. The worker responsible for the note entry will enter the actual contact begin and end date and time. The worker will also complete the note category, type and participants that the note pertains to.

c. When a face-to-face contact is required, the "Face to Face" hyperlink on the FSFN case note page should be completed in order to document for each participant selected whether a face to face contact was completed, attempted or not attempted. A "Reason Not Seen" will be provided for face-to-face contacts that were attempted or not completed.

d. Case notes will provide the most pertinent facts gathered and observations about the child or family that will be used in developing or updating a family assessment or FFA-O, Progress Update, Other Parent Home Assessment, any type of home study or other case record documentation.

(1) Case notes will contain cohesive information that provides a summary of what was learned as a result of the contact or effort to achieve the contact.

(2) Notes can be brief, capturing the most important facts learned including behaviors/conditions observed. Notes do not have to be in a formal sentence or paragraph structure or provide a flowing narrative.

(3) Case notes shall not contain a specific reference to the child's or any other family member's HIV infection or AIDS. A general term such as child's "chronic illness" will be used.

(4) Conclusions, opinions or analyses that are gathered from persons contacted must be labeled as such and attributed to the person making them. Notes may only reflect phrases, quotes, sentence fragments, lists. Examples may include:

(a) Discussed school attendance, grades, child's friends and activities.

(b) Explored possible ways to help child (parent, caregiver, etc.).

(c) Mother stated her worries about child's hitting and biting behaviors in child care; concerns about husband's abusive and controlling behaviors (won't allow her to work outside

home; inadequate weekly allowance for household expenses; not allowed to have cell phone; not allowed to use car).

e. When a child makes a disclosure of maltreatment to an investigator or a case manager that is likely to result in a criminal investigation, more detailed documentation should be provided as follows:

(1) To the extent possible, document the questions that the child welfare professional asked to elicit the child's response.

(2) Document as closely as possible the child's statements.

f. Any time an investigator completes a sequence or duplicate merge, the affected report numbers and the rationale for the merge must be documented in the case notes.

g. A FSFN user may create a chronological note for another user provided he or she logs into FSFN using his or her unique and assigned User ID and password. Under no circumstances should a FSFN user ever log into the system using another person's User ID and password.

(1) If the "Worker Making Contact" is not the same as the person for whom the FSFN user is creating the note, this should be clearly documented and explained in the chronological note narrative section.

(2) The FSFN user for whom the note was created is responsible for validating the accuracy of the information.

12-3. Handwritten Field Notes. Contact notes may be handwritten in the field and scanned into the case note page in FSFN as long as the child welfare professional's supervisor considers them to be legible.

a. The child welfare professional is required to create a note in FSFN to capture the note type, date, time, persons contacted and a summary of the important facts gathered. The note should include a statement to see the associated scanned note.

b. A word document may be created and the contents copied to the Contact Note text field. It should be noted that use of the following two characters "< the symbol for less than" and ">the symbol for greater than" will result in text being deleted in FSFN when narrative from a word document is copied.

c. Supervisors of child welfare professionals will work with staff to ensure that handwritten case notes are:

(1) Legible;

(2) Succinct; and,

(3) Relevant.

12-4. Team Meetings, Hearings, Staffings, etc. The FSFN Meeting page will be used to formally document meetings, participants and meeting outcomes. The Meeting page may also be used to schedule a meeting and notify intended participants.

a. The Meeting page will be used to document the following:

(1) Administrative Review.

- (2) Adoption Applicant Review Committee.
- (3) Adoption Match Staffing.
- (4) Adoption Meeting.
- (5) Adoption Quarterly Staffing.
- (6) Case Plan Conference.
- (7) Case Staffing.
- (8) Case Transfer Staffing.
- (9) Child Protection Team Staffing.
- (10) Children's Medical Services Staffing.
- (11) Comprehensive Medical Assessment Team Staffing (CMAT).
- (12) Human Trafficking Staffings.
- (13) Department of Juvenile Justice Staffing.
- (14) Educational Meeting.
- (15) Family Team Conference.
- (16) High Risk Staffing.
- (17) Independent Living Staffing.
- (18) Investigations Meeting.
- (19) Legal Consultation.
- (20) Legal Meeting.
- (21) Legal Staffing.
- (22) Mediation.
- (23) Medical Staffing.
- (24) Mental Health Staffing.
- (25) Multi-Disciplinary Staffing.
- (26) Other Meeting.
- (27) Other Staffing.
- (28) Peer Review Meeting.
- (29) Permanency Planning.

- (30) Permanency Staffing.
- (31) Placement Meeting.
- (32) Pre-Trial Conference.
- (33) Reunification Staffing.
- (34) Safety Management Staffing.
- (35) Safety Planning Meeting.
- (36) Separated Sibling Staffing – Adoption.
- (37) Separated Sibling Staffing – Placement.
- (38) Service Staffing.
- (39) Supervisory Meeting.
- (40) Transfer Staffing (Between Programs).
- (41) Transition Planning – Initial.
- (42) Transition Planning – Ongoing.
- (43) Transition Planning – Closure.

b. The following information about meetings will be recorded:

- (1) Date and time of meeting.
- (2) Brief statement as to reason for meeting and outcomes, in particular any decisions made.
- (3) Participants.
- (4) Meeting type as listed above.

c. When a required monthly face-to-face contact with a parent/legal guardian occurs during a meeting, in addition to the meeting documentation the contact should be documented in Case Notes. The face-to-face contact note should describe any conversation with the parent that is not reflected in the Meeting note. A cross reference to the Meeting note should also be provided.

d. Other than face-to-face contacts, there should not be a duplicate entry in Case Notes about a meeting documented in the meetings page.

12-5. FSFN Documentation.

a. The FSFN Supervisor Consultation page will be used to document all of the following:

- (1) All consultations with investigators associated with any type of investigation, including pre-commencement activities, Present and Impending Danger Assessments, safety planning and management activities such as emergency placement approvals, 2nd Tier Consultations, other secondary case reviews and any Rapid Safety Feedback.

(2) All required consultations with case managers associated with FFA-O or Progress Updates.

b. The FSFN Case Note page will be used to document ongoing case management activities as follows:

(1) When a case note is about a face-to-face or other type of contact with a case participant, the participants must be selected using the FSFN functionality for all note types to document specifically who was seen or interviewed.

(2) The Note type of “Review, Supervisor” should be used for required monthly or quarterly case reviews.

(a) Supervisory review notes will document which case participants were included in the review.

(b) When the review also serves the dual purpose of a required supervisor consultation, a cross reference should be entered in Supervisor Case Consultation page to ensure credit for required consultation (do not enter same details or “cut and paste;” only enter a brief cross-reference).

(3) The Note type of “Supervisor Consultation” should be used for consultations associated with including any required safety plan management activities such as approval of a Family-Made Arrangement, Judicial Reviews and other case planning/monitoring activities.

c. The CBC/Lead Agency will ensure that the FSFN Meeting page is used to document the following activities:

(1) Record the case transfer conference using “Meetings” functionality in FSFN, selecting Case Transfer Meeting (ESI) to document that the meeting has been completed and any follow-up information that is necessary to complete the transfer.

(2) The actual date and time that the case has been accepted by using the “Case Accepted” box on the Case Transfer meeting page.

(3) The Meeting type “Supervisor Meeting” should be used when the supervisor, child welfare professional and another program manager and/or specialist meet and there is not an existing meeting value for a required purpose (e.g., CPT staffing, permanency staffing, reunification staffing, etc.).

(4) The Meeting type “Supervisor Staffing” should be used when the meeting is for the purpose of assigning or transferring the case after it has been accepted for ongoing services.

d. The following FSFN resources are located on the [Center for Child Welfare](#) FSFN “How Do I Guide” page:

(1) [Supervisor Consultation – How Do I Guide](#).

(2) [Case Notes – How Do I Guide](#).

(3) [Meetings – How Do I Guide](#).

Chapter 13

CONFIDENTIALITY OF RECORDS

13-1. Purpose. Federal regulations limit the use of confidential information regarding Title IV-E funded services for purposes directly related to the administration of the program. Section [39.202](#), F.S., provides confidentiality of reports and records in cases involving child abuse and neglect. Other privacy and security requirements apply to individually identifiable information about children and families, such as the Healthcare Portability and Accountability Act (HIPAA) and CFOP [50-2](#), Security of Data and Information Technology Resources.

13-2. Requirements.

a. All child welfare employees, authorized agents and volunteers must receive a copy of CFOP [50-2](#) upon employment or service with the Department. Receipt of this information shall be documented in the employee's or volunteer's personnel file. Pre-service entry-level training shall include current revisions to confidentiality laws and shall be available on an ongoing basis.

b. Information in case records generated as a result of child abuse and neglect investigations is confidential and shall be released only under the specific circumstances provided in s. [39.0132](#), F.S., s. [39.202](#), F.S. and s. [39.2021](#), F.S. Child welfare professionals must become familiar with these statutes and must consult with the region legal counsel or the Children's Legal Services attorney prior to responding to requests for information.

c. An oral request from the public shall be reduced to a written memo reciting the records requested and the date of the request. Any written requests shall be dated to indicate when it was received. When the requested information is provided, the original request will be dated to show how and when the requested material was sent. The name(s) of the employee(s) who gathered the information and the attorney who reviewed the documents will also be recorded. Such records of compliance with the requests for materials/records shall be maintained by regions in the case file or, if the request extends to records in more than one case file, in a separate file entitled "Public Records Requests."

d. Pursuant to s. [39.202\(8\)](#), F.S., the Department shall affix a stamped notice on the first sheet of all documents released pursuant to that section, stating:

"Pursuant to section 39.202(8), Florida Statutes, a person who knowingly or willfully makes public or discloses to any unauthorized person any confidential information contained in the central abuse hotline is subject to the penalty provisions of section [39.205](#), Florida Statutes."

e. The name of any person reporting child abuse, abandonment or neglect shall not be released to any person other than employees of the Department responsible for child protective investigations, the Florida Abuse Hotline, the child protection team, law enforcement, or the appropriate state attorney, without the written consent of the person reporting.

f. The name and all information identifying the reporter must be blacked out (redacted) before allowing access by persons otherwise authorized by law to examine copies of records. Final reports of investigations shall be printed without reporter information. Reports made public after petitioning the court pursuant to section [119.07\(7\)](#), F.S., must have all reporter names and identifying information removed or blacked out prior to release. This redaction process must be reviewed by the region general counsel or Children's Legal Services attorney prior to releasing the information.

g. Any information in the case record that pertains to the adoption of a child or a child's sibling shall not be released without first consulting with the region general counsel or Children's Legal

Services attorney. Disclosure of adoption records is governed by the provisions of section [63.162](#), F.S., and usually requires a court order.

h. If a case record contains non-department procured or funded medical, psychological, or psychiatric reports, school records, or information about clients received from domestic violence centers, which the Department has obtained through consent of the subject, the information must not be released without written authorization of that person which shall include the gathering and release of information for treatment purposes. The person requesting access to the record shall be told of the existence of any such report and referred to the generating source. These reports are confidential and cannot be shared without the consent of the subject.

(1) A limited exception exists if the report, record, or other information has been filed in the official court record. Section [39.0132\(3\)](#), F.S., allows access to documents in the official court record, subject to the provisions of section [63.162](#), F.S., to the child, parents or legal custodians of the child and their attorneys, law enforcement agencies, and the Department and its designees.

(2) Also, section [39.0132\(3\)](#), F.S., does not apply to reports or opinions which form the basis for a dependency petition and which may be discoverable under the Rules of Juvenile Procedure. When a discovery request pertaining to a case in dependency litigation is received, the region general counsel or Children's Legal Services attorney must be consulted prior to the release of any information.

i. Pursuant to section [39.202\(6\)](#), F.S. all records and reports of the child protection team (CPT) are confidential and exempt from the provisions of section [119.07\(1\)](#), F.S. and section [456.057](#), F.S. and shall not be disclosed, except, upon request, to the state attorney, law enforcement, the Department, and necessary professionals in furtherance of the treatment or additional evaluative needs of the child, or by order of the court.

j. Anyone authorized to receive copies of an abuse report and related case material is subject to the same requirements to maintain confidentiality as is the Department employee releasing the information.

(1) For this reason, recipients of case material, other than those authorized Department staff and others authorized in section [39.00145\(4\)](#), F.S., must be asked to sign a statement acknowledging they have received a written notice warning them as to the confidential nature of the records they are receiving, that they understand their responsibility to maintain confidentiality and the penalty for violations.

(2) In addition, confidentiality requirements must be explained to all participants at a case plan conference conducted per requirements in CFOP 170-9, [paragraph 5-2](#).

k. Child welfare staff who utilize laptop computers are reminded that this operating procedure and the security requirements of CFOP [50-2](#) are applicable to such usage.

13-3. Access to Child Abuse Investigative and Related Case Records. Pursuant to section [39.202](#), F.S., the following persons or entities have access to Department records (excluding the name of the reporter except as provided in paragraph 13-2e of this operating procedure) concerning child abuse, neglect or abandonment:

a. The Public. Except for information identifying persons reporting abuse, abandonment or neglect, all records involving the death of a child determined to be a result of abuse, abandonment, or neglect shall be released to the public [s. [39.202\(2\)\(o\)](#), F.S.]. In addition, section [39.00145\(4\)](#), F.S., allows access to Department records to others entitled under this chapter to receive that information.

b. State and County.

(1) Employees, authorized agents, or contract providers of the Department, the Department of Health, or county agencies responsible for carrying out s. [39.202](#), F.S.:

(a) Child or adult protective investigations;

(b) Ongoing child or adult protective services;

(c) Healthy Start services; and,

(d) Licensure or approval of adoptive homes, foster family homes, child care facilities, family child care homes, informal child care providers who receive subsidized child care funding, or other homes used to provide for the care and welfare of children.

(2) Employees or agents of the Department of Juvenile Justice responsible for the provision of services to children pursuant to Chapter [985](#), F.S.

c. Law Enforcement. Criminal justice agencies of appropriate jurisdiction [s. [39.202\(2\)\(b\)](#), F.S.] and the state attorney of the judicial circuit in which the child resides or in which the alleged abuse or neglect occurred [s. [39.202\(2\)\(c\)](#), F.S.].

d. Family of the Child. The parent, or legal custodian of any child who is alleged to have been abused, neglected, or abandoned, and the child, and their attorneys. Access must be granted no later than 60 days after the Department receives the initial report of abuse, neglect or abandonment. However, any information otherwise made confidential or exempt by law (such as SNAP (food stamp) records, independent medical, psychological, psychiatric reports, CPT records, and HIV information) shall only be released in accordance with the federal or state statute, rule, or regulation access provisions applicable to the particular information. Investigators and case managers shall seek the advice of the region legal counsel or Children's Legal Services attorney prior to releasing such information.

e. Alleged Perpetrator. Any person alleged in the report as having caused the abuse, abandonment, or neglect of a child. Access shall be made available no later than 60 days after the receipt of the initial report. When the alleged perpetrator is not a parent, the access shall be limited to information involving the protective investigation only and shall not include any information relating to subsequent dependency proceedings. Further, any information otherwise made confidential (see paragraph d above) shall not be released. [s. [39.202\(2\)\(e\)](#), F.S.]

f. Court. A court upon its finding that access to such records may be necessary for the determination of an issue before the court; however, such access shall be limited to inspection in camera [in the judge's chambers rather than the courtroom] unless the court determines that public disclosure of the information is necessary for the resolution of an issue then pending before the court. [s. [39.202\(2\)\(f\)](#), F.S.]

g. Grand Jury. A grand jury, by subpoena, upon its determination that access to such records is necessary in the conduct of its official business. [s. [39.202\(2\)\(g\)](#), F.S.]

h. Department Officials. Any appropriate official of the Department responsible for:

(1) Administration or supervision of the Department's program for the prevention, investigation, or treatment of child abuse, abandonment, or neglect, or abuse, neglect, or exploitation of a vulnerable adult, when carrying out his or her official function; or,

(2) Taking appropriate administrative action concerning an employee of the Department alleged to have perpetrated child abuse, abandonment, or neglect, or abuse, neglect or exploitation of a vulnerable adult; or,

(3) Employing and continuing employment of personnel of the Department or Agency for Persons with Disabilities. [s. [39.202\(2\)\(h\)](#), F.S.]

NOTE: Legislators are not officials of the Department. A legislator's request for case-specific information must go through the chairman of the committee, which has oversight responsibility for Department programs. The region general counsel or Children's Legal Services managing attorney must review such requests.

i. Auditors and Researchers. Any person engaged in the use of such records or information for bona fide research, statistical, or audit purposes. However, no information identifying the subjects of the report shall be made available to the researcher. [s. [39.202\(2\)\(i\)](#), F.S.]

j. Administrative Hearings. The Division of Administrative Hearings (DOAH) for purposes of any administrative challenge. [s. [39.202\(2\)\(j\)](#), F.S.]

k. Florida Advocacy Council (FAC). Any appropriate official of the FAC investigating a report of known or suspected child abuse, abandonment, or neglect, the Auditor General or the Office of Program Policy Analysis and Government Accountability (OPPAGA) for the purpose of conducting audits or compliance reviews pursuant to law, or the guardian ad litem for the child. [s. [39.202\(2\)\(k\)](#), F.S.]

l. State Child Welfare Agencies. Employees or agents of an agency of another state that has comparable jurisdiction to the jurisdiction described in paragraph 13-3b of this operating procedure. [s. [39.202\(2\)\(l\)](#), F.S.]

m. Public Employees Relations Commission (PERC). PERC for the sole purpose of obtaining evidence for appeals filed pursuant to s. [447.207](#), F.S. Records may be released only after deletion of all information which specifically identifies persons other than the employee. [s. [39.202\(2\)\(m\)](#), F.S.]

n. Department of Revenue. Employees or agents of the Department of Revenue responsible for child support enforcement activities. [s. [39.202\(2\)\(n\)](#), F.S.]

o. Other Professionals. The Department may release to professional persons such information as is necessary for the diagnosis and treatment of the child or the person perpetrating the abuse, neglect or abandonment [s. [39.202\(3\)](#), F.S.].

13-4. HIV/AIDS Information. The following procedures apply to information about HIV/AIDS in the child's FSFN record and information access:

a. Case notes shall not contain any reference to the child's or any other family member's HIV infection or AIDS. A general reference may be used such as the child's "chronic illness."

b. The Department shall disclose to adopting or out-of-home care parents the medical condition, but not the name, of an HIV/AIDS positive child prior to the decision being made to adopt or accept the child into the caregiver's home. Only after the out-of-home care parents have made the commitment to adopt or accept the child into the home shall the name of the child be provided.

c. The out-of-home care parents shall be provided with documentation of the complete medical history and condition of a child placed in their care, including HIV/AIDS status. This documentation must be maintained by the out-of-home care parents and held as confidential information with access

strictly limited to the child's physician(s) and other providers of medical and dental care when treatment is required.

d. Medical documentation needed for school enrollment, child care or similar purpose must be acquired from the physician and may not contain any reference to the child's HIV/AIDS status.

e. With the exception of the child's medical records provided to out-of-home care parents (and to the child's natural parents or other legal guardian), all case material which discloses that the child or any other family member has HIV infection or AIDS must be kept within the FSFN Medical and Mental Health File Cabinet and the hard copy file in a designated "Confidential Information" section used to safeguard sensitive case information.

f. The child and family case records shall not be segregated or flagged in any way which would permit their identification as case records of HIV/AIDS infected children or family members.

13-5. Domestic Violence Information.

a. Child welfare case records shall not contain any reference to the location of a domestic violence shelter, or information indicating that any named individual(s) (e.g., mother and children) are currently residing in a domestic violence shelter. If absolutely necessary, current address information shall state only that the individual is currently residing in a "safe location". See s. [39.908](#), F.S. (location confidential); and s. [90.5036](#), F.S. (domestic violence advocates who are employed or who volunteer at a domestic violence center may claim a privilege to refuse to disclose a confidential communication with a victim).

b. Per s. [39.301\(9\)\(a\)6a](#), F.S., the safety plan for the parent who is a victim of domestic violence may not be shared with the perpetrator. This includes the sharing of any information in the Confidential Child Safety Plan.

13-6. Foster Family Home Licensing Files. Public records law exempts all identifying information (except name) in the foster family home licensing file regarding foster parents (including those who became adoptive parents), their spouses and their children, unless otherwise ordered by the court. Such exempted information includes: the home, business, work, child care, or school addresses; telephone numbers; social security numbers; birth dates; photographs of licensees, their family and other adult household members; identifying information about such persons in neighbor references; the floor plan of the foster family home, and identifying information about such persons contained in similar sensitive personal information that is provided to the Department or CBC lead agency by such persons.

13-7. Penalties.

a. A person who knowingly and willfully makes public or discloses to any unauthorized person any confidential information contained in the central abuse registry is subject to the penalty provisions of section [39.205\(6\)](#), F.S. (second degree misdemeanor).

b. A person who unlawfully discloses HIV/AIDS information is subject to the penalty provisions of section [384.34](#), F.S. (second degree misdemeanor).

13-8. Sharing Records with Children.

a. Subsection [39.00145\(2\)](#), Florida Statutes, allows a child who is subject of the record, the child's caregiver, guardian ad litem, or attorney the right to "inspect and copy any official record pertaining to the child," subject only to the provisions of section [63.162](#), F.S., pertaining to adoption records. The following sections of Chapter 39, F.S., are examples of where the law specifically allows a child access to his or her dependency records:

(1) Section [39.504\(5\)](#), F.S., copy of injunction order shall be delivered to the protected party.

(2) Section [39.01\(51\)](#), F.S., includes child in the definition of party.

b. No document shall be released without review and approval of Children's Legal Services attorney. See also, C.E.B. v. Birkin, 566 So.2d 907 (Fla. 4th DCA 1990) [child has clear right under s. [39.0132\(3\)](#), F.S. (1998), to inspection of the official record; "official record" includes any documents that were considered by the judge in reaching the court's determination].

c. Care, concern, and sensitivity should guide sharing of records with children. Investigators and case managers must be aware that some records could be disturbing to the child and be prepared to appropriately respond to the child's reaction. Considering the child's maturity and chronological age, it is recommended that the record sharing take place during a face-to-face meeting with the child and an adult the child knows and trusts. In no case should copies of records simply be handed over to the child.

d. The child is entitled to copies of any official court records, except adoption records, pertaining to his or her case. Therefore, copies of any documents which have been filed with the court and which are also in the Department's case record may be provided to the child. This would include petitions, orders, predisposition reports, judicial review social studies, psychological reports, child protection team reports, medical reports, and any other report or record which has been filed in the official court record. The region general counsel or Children's Legal Services attorney shall be consulted prior to release of any information (other statutory confidentiality provisions may be applicable so as to require referral of the requesting party to the originating source). In addition, the child may be given unredacted copies of notes or minutes of case planning meetings.

e. The client is entitled to one free copy of the client file to which he or she has statutory access. The Department may charge a fee for subsequent copies based upon CFOP [15-9, Chapter 2](#), Charges for Providing Copies of DCF Records or Publications.

13-9. Medical/Mental Health Information/Criminal Records in FSFN.

a. Information protected by the Health Insurance Portability and Accountability Act (HIPPA) has special requirements for scanning and viewing.

(1) Medical and mental health records, whether written text or photographs, must be scanned into the Medical and Mental Health section of the File Cabinet only. Such information is protected by the same security used with the Medical and Mental Health screens in FSFN.

(2) Access to information stored in the Medical and Mental Health File Cabinet requires a special security profile for FSFN users assigned to the case, his or her supervisor and certain other designated child welfare personnel.

b. Any criminal records obtained from the Hotline's Criminal Intelligence unit OR national records obtained as a result of a fingerprint check **MUST NEVER** be scanned and uploaded to FSFN.

Chapter 14

COMPLETING A DILIGENT SEARCH FOR PARENT OR
DILIGENT EFFORTS TO LOCATE RELATIVES

14-1. Purpose. This chapter provides the operating procedures for child welfare professionals responsible for locating parents, relatives, and fictive kin when a child must be placed in out-of-home care.

a. The Department must conduct a diligent search to provide notice to the parents of dependency and termination of parental rights proceedings before the court can enter final orders impacting the parents' rights to their child.

b. The failure to conduct a diligent search or conducting a legally insufficient diligent search will cause significant delays to the permanency of the children.

c. Also, locating parents, relatives, and fictive kin is important for maintaining and strengthening the child's long-term or permanent family connections and developing a visitation plan. These persons are possible placement resources for concurrent planning. They also have specific rights for notice and participation in the child's dependency case.

d. These family connections should not only be used for placement purposes but to also establish long-term emotional support networks with other adults who may not be able to have the child placed into their home but want to remain connected to the child.

e. Delays in locating absent parents are a barrier that may lengthen the time to achieve permanency. A child has the best prospects for achieving stability and timely permanency when child welfare professionals follow the procedures for diligent searches and diligent efforts.

f. Diligent searches and diligent efforts begin during the investigation phase and intensify after case transfer to ongoing services. Both the child protective investigator (CPI) and case manager share the responsibility for obtaining and documenting diligent search efforts. Diligent searches are also required when necessary to locate a perpetrator in cases involving intimate partner violence (refer to CFOP 170-7, [Chapter 4](#), Safety Plans When There is Intimate Partner Violence).

14-2. Legal Authority.

- a. Section [39.01\(24\)](#), Florida Statutes (F.S.).
- b. Section [39.502](#), F.S.
- c. Section [39.503](#), F.S.
- d. Section [39.803](#), F.S.
- e. Section [63.054](#), F.S.
- f. Rule 8.210, Florida Rules of Juvenile Procedure.
- g. Rules 8.225(b), (c), (d), and (f), Florida Rules of Juvenile Procedure.
- h. Rule [65C-30.008](#), Florida Administrative Code (F.A.C.).

14-3. Definition of Absent Parent. "Absent parent" as used in this chapter means a mother, legal father, or prospective parent whose identity or location is unknown.

14-4. Initiating a Search to Locate Parents, Prospective Parent, Relatives, and Fictive Kin.

a. When the parents of an alleged child victim reside in separate households, the CPI must interview the non-maltreating legal or prospective parent as a collateral contact per CFOP 170-5, [Chapter 16](#), paragraph 16-2e. The CPI must also provide the non-maltreating parent with information about the outcome of the investigation.

b. If the CPI seeks to shelter a child, the CPI must show due diligence to identify and notify the child's mother, legal father, or prospective parent and relatives who may be a placement resource. If the child is a member or is eligible for membership in a tribe, obtain the child's tribal membership information including the name and location of the tribe. If the child is a member or eligible for membership, the tribe may provide placement alternatives.

c. The CPI shall notify Children's Legal Services (CLS) of any identified parents or prospective parent and any placement alternatives to foster care which include relatives or fictive kin.

d. To identify and locate the mother, legal father, or prospective parent the CPI will:

(1) Ask the parent(s) and child, as age appropriate, and other collaterals as necessary to identify the child's mother, legal father or prospective parent, and placement alternatives to foster care. If there is agreement as to the identity and location of the child's mother, legal father or prospective parent, diligent search activities are not required. The CPI must complete an Other Parent Home Assessment per CFOP 170-7, [Chapter 5](#), if the CPI releases the child to, or seeks to shelter the child with, a mother or legal father who is not part of the focus household, or anytime an out of home safety plan is initiated with the parent/legal guardian responsible for the conditions that led to the child being unsafe. Placement with a prospective parent is considered a non-relative placement until paternity is established and requires a Unified Home Study be completed.

(2) Initiate a diligent search prior to the shelter hearing when there is an absent parent. To the extent possible, the CPI will ask the known parent, the child, and collaterals for the information required on the "Affidavit of Diligent Search" (available in FSFN under the Legal drop-down), "Sworn Statement by Person Who Knew the Child's Mother Regarding Identity or Location of Parent" (form CF-FSP [5424](#), available in DCF Forms), and/or "Sworn Statement by the Child's Mother Regarding Identity or Location of Parent" (form CF-FSP [5423](#), available in DCF Forms).

e. If the mother and prospective father did not legally establish paternity prior to shelter, the mother and prospective father can execute affidavits of paternity in dependency court when permitted by law. The mother and prospective father must be in agreement as to the paternity of the child.

f. If the court establishes paternity, the child welfare professional must comply with CFOP 170-13, [Chapter 2](#), paragraph 2-7b, so the father's name can be placed on the child's birth certificate.

g. If the mother contests the recognition of the prospective father, the prospective father must comply with proceedings under Chapter [742](#), F.S. The prospective father is entitled to receive continued notice of dependency proceedings as a participant.

h. Upon the child's removal, the child welfare professional or designee is responsible for:

(1) Continuing diligent search efforts to identify and locate any absent or prospective parent; and,

(2) Performing diligent efforts to locate and provide notice to immediate and extended family members, and fictive kin suggested by the parents. Diligent Effort Activities include, but are not limited to:

(a) Complying with s. [39.4015\(2\)\(a\)](#), F.S.

(b) If the child is an American Indian or Alaskan Native, sending written correspondence to the child's tribe per the requirements in Rule [65C-30.003\(2\)\(b\)](#), F.A.C.

14-5. Continued Diligent Search and Diligent Efforts Activities.

a. Until case transfer, the CPI will continue the diligent search and efforts to locate absent parents, relatives, and fictive kin. The CPI must also continue the diligent search and efforts to locate a perpetrator of domestic violence if the CPI seeks to implement a safety plan against the perpetrator. The CPI's activities, information learned, and next steps should be discussed at the case transfer meeting. The case manager must continue diligent search and diligent effort activities until the absent parent, relatives, or fictive kin are found, or the dependency court excuses further search activities.

b. The child welfare professional or designee responsible must document all of the attempts, results or responses, and any records obtained for each activity in FSFN.

c. Diligent efforts to locate relatives and fictive kin should continue when a child is in a relative or non-relative placement for the purpose of providing additional support. The child welfare professional must document and explain the goal to preserve both family and community connections as it is essential to the child's stability and successful transition to adulthood. These connections are automatically presumed at birth.

(1) Review Child Welfare Record in FSFN. The child's record must be reviewed for information already known:

(a) Child's birth certificate to see if both parents are identified. The birth certificate will also provide the birthdate and birthplace of the parent(s). This information may be used to obtain birth certificates for the parent(s) in order to determine the names of grandparent(s) if not already known.

(b) Information in past assessments, evaluations, family team meetings or case notes about an absent parent, relative, fictive kin, or other persons who demonstrated a commitment to the child in the past.

(c) Persons identified who know the child or family and their contact information. This might include a child welfare professional, Guardian ad Litem or provider who has past experience with the child or their family.

(d) Information about past family violence. If there is information in the child's record that indicates that contacting an absent parent or relative might place the family in danger, consult with a supervisor before completing the search.

(2) Conduct Interviews. The child welfare professional must conduct interviews with the child, siblings, parents and all known relatives (as practicable) of the parent or prospective parent. The child welfare professional will attempt to learn the following:

(a) Information to identify and locate the absent parent, relatives, or fictive kin about the parent's location, date of birth, social security number, aliases, veteran status, employment, driver's license number, criminal charges or convictions, hospitalizations, incarcerations, and other

state and federal agencies with which the parent may have been dealing or which could have information about the parents.

(b) Information about the person's established relationship with the child.

(c) Paternity information required in "Sworn Statement by Person Who Knew the Child's Mother Regarding Identity or Location of Parent" (form CF-FSP [5424](#), available in DCF Forms) and/or "Sworn Statement by the Child's Mother Regarding Identity or Location of Parent" (form CF-FSP [5423](#), available in DCF Forms).

(d) With respect to relatives and fictive kin who may be a placement resource, the child welfare professional must inquire about contact information and the following:

1. Whether the relative or other person has demonstrated a commitment to or an interest in establishing a relationship with the child, or becoming a placement resource.

2. What would be the potential benefits for the child of placement in this home?

3. What would be any potential challenges in caring for the child?

4. What does the child express regarding placement with this individual?

5. What is in the best interest of the child?

(3) Conduct Inquiries of Information Resources and Complete Affidavit of Diligent Search (available in FSFN under the Legal drop-down). The use of information resources will be tailored based on the individual person and information already known. Per s. [39.503\(7\)](#), F.S., any agency contacted with a request for information pursuant to subsection (6) shall release the requested information to the petitioner without the necessity of a subpoena or court order. Per s. [39.503\(6\)](#), F.S., the diligent search must include: inquiries of all relatives of the parent or prospective parent made known to the petitioner, inquiries of all program areas of the department likely to have information about the parent or prospective parent, inquiries of other state and federal agencies likely to have information about the parent or prospective parent, inquiries of appropriate utility and postal providers, a thorough search of at least one electronic database specifically designed for locating persons, a search of the Florida Putative Father Registry, and inquiries of appropriate law enforcement agencies. Pursuant to section 453 of the Social Security Act, 42 U.S.C. s. 653(c)(4), the department, as the state agency administering Titles IV-B and IV-E of the act, shall be provided access to the federal and state parent locator services for diligent search activities.

(a) Inquiries of Other State And Federal Agencies Likely To Have Information about the Parent or Prospective Parent. This requirement will be met by using the Parent Locator Service managed by the Florida Department of Revenue. Per s. [409.2577](#), F.S., use of this service is a method available to any child welfare professional attempting to locate a parent, a prospective parent, or information about relatives for potential child placement. Appendix B of this operating procedure provides brief information as to the searches and information results provided.

(b) A child welfare professional or designee should complete the Request for Authorization to Use the State and Federal Parent Locator Service (form [CS-AP 80](#), available in DCF Forms). This form includes directions for submitting the request.

(c) If information received from the Parent Locator Search does not help locate the individual, repeat the process in 3 weeks or more as the data bases are continuously updated.

(4) A Thorough Search of Multiple Electronic Databases Specifically Designed for Locating Persons. This requirement will be met with any of the following options:

(a) Child welfare professionals or designee may have access to Accurant or other person locator data systems that search multiple data sources for public information that may be helpful with locating persons to include collateral contacts and/or verifying identity and personal information. Availability of Accurant and other systems varies by DCF circuit and CBC Lead Agency. Region administration or local CMO management should be contacted for information about local access and use of search resources.

(b) There are many free person location sites on the internet. The child welfare professional should check local telephone directories and online directories. The following web sites can perform free basic people searches by name. They charge a fee for a full report. The data base used will generally be noted. If it is clearly noted, it is useful to search more than one database for any search being conducted.

1. www.whitepages.com

2. www.anywho.com

3. www.infospace.com

(5) A search of the Florida Putative Father Registry. The Florida Putative Father Registry is managed by the Bureau of Vital Statistics within the Department of Health. Per s. [63.054](#), F.S., this registry provides an unmarried biological father with a method to file a notarized claim of paternity form.

(a) Information on filing an application for a search is provided on the [Florida Putative Father Registry](#) web page.

(b) The child welfare professional or designee must request a “Putative Father Registry Certificate.”

(c) The child welfare professional or designee will follow local procedures for obtaining the required filing fee.

(6) Inquiries of Appropriate Utility and Postal Providers. When necessary, the child welfare professional or designee can request forwarding or change of address information from the U.S. Postal Service (USPS). Specific instructions for submitting a “Request for Change of Address Needed for Service of Legal Process” or “Address Information Request” can be found on the [USPS](#) web site.

(7) Inquiries of Appropriate Law Enforcement Agencies. Information on access to criminal justice data sources can be found on the department’s [Criminal Justice Information Services](#) intranet page. These resources include, but are not limited to, the following:

(a) Comprehensive Case Information System (CCIS) which provides Florida Clerk of Courts case information. CCIS Access Request Forms are located on the department’s intranet website for [Security Forms](#).

(b) Individuals under supervision by the Department of Corrections (DOC) can be searched on the DOC website for [Offender Information Search](#).

(c) FDLE Sexual Offender and Predator Public Website provides public information and photos on individuals registered as [Sexual Offenders or Predators in Florida](#).

(d) Dru Sjordin [National Sexual Offender Public Website](#) which provides public information and photos on individuals registered as Sexual Offenders or Predators in states in addition to Florida.

(8) Inquiries of all program areas of the department likely to have information about the parent or prospective parent.

(9) When necessary, there are many other public records available online. The availability of court records online from state or county varies from state to state. There are various county courts that have implemented their own online systems. More states and counties are putting their public records on line each day. Most state websites have links to county records.

14-6. Requirements When Parent, Perpetrator of Domestic Violence, or Relatives Are Located. If the child welfare professional or designee's diligent search locates a parent or identifies a prospective parent, the following activities must be completed:

a. Notify CLS immediately when a perpetrator of domestic violence has been located so that CLS can decide to seek issuance of an injunction per s. [39.504](#), F.S., if an injunction is required under s. [39.301](#), F.S. If the perpetrator is a parent, CLS can also determine whether to file a shelter or dependency petition if a petition has not been previously filed. The child welfare professional must establish a separate safety plan with the perpetrator per requirements in CFOP 170-7, [Chapter 4](#).

b. Establish contact with the absent parent or relative and schedule an interview. Interviews of parents or relatives who reside outside of the child welfare professional's jurisdiction may be interviewed by phone. The child welfare professional is responsible for:

(1) Informing the parent or relative of the child's involvement with the child welfare system, including the reasons and current placement arrangement. If the absent parent has a known history of domestic violence, the child welfare professional must consult with a supervisor to determine whether specific information about the child's location should be shared.

(2) Informing the parent of their respective rights to be involved in the child's life, including as a potential placement, and providing notice of the next dependency court hearing.

(3) Informing relatives of their right to participate in dependency proceedings and case planning, and to be a placement resource for the child.

(4) Discussing the parent or relative's relationship with the child, his/her efforts to establish or maintain a relationship, and any other effort to provide financial or emotional support.

(5) Determining whether the parent or relative would like to be a placement resource and the steps involved in requesting a home study.

(6) If the parent or relative/non-relative would like to have the child placed with them, the child welfare professional will gather information necessary to complete an Other Parent Home Assessment (OPHA) (form CF-FSP [5411](#), available in DCF Forms) or a Relative/Non-Relative Unified Home Study (UHS) in FSFN. Completion of an OPHA is not required if the parent is a perpetrator of domestic violence, or other circumstances listed in CFOP 170-7, [Chapter 5](#), paragraph 5-2(g), exist; in such cases, the child welfare professional must seek a staffing with CLS.

c. The child welfare professional will collaborate with CLS as follows:

(1) Immediately notify CLS when a legal or prospective parent has been identified or located. Inform CLS of the specific information learned, whether contact has been achieved, and the date of any scheduled interview.

(2) The child welfare professional must consult with CLS if a man claiming to be the child's father is not named on a child's birth certificate.

(3) CLS will determine the next steps that are required including steps to establish paternity if paternity is not otherwise established by the law, and provide notice of hearings to the parent or relative.

(4) Provide CLS with copies of a completed OPHA and any Relative/Non-Relative UHS prior to the next hearing.

d. After the interview has been conducted, complete an OPHA per requirements in CFOP 170-7, [Chapter 5](#), or a Relative/Non-Relative UHS per requirements in CFOP 170-1, [Chapter 5](#).

14-7. Requirements When Diligent Search is Unable to Identify Child's Father.

a. In order to be excused from further diligent search efforts, the child welfare professional must obtain:

(1) Information from the child's mother and known relatives affirming that the child's father is unknown. The child welfare professional will work with the mother and relatives to obtain a "Sworn Statement by the Child's Mother Regarding Identity or Location of Parent" (form CF-FSP [5423](#), available in DCF Forms) completed by the child's mother.

(a) The form must be signed by the mother, witnessed by the child welfare professional or other agency representative, and notarized.

(b) The sworn statement is only required when an inquiry of identity or location was not obtained by the court.

(c) Please check with CLS to regarding any court inquiries.

(2) The original or a certified copy of the child's birth certificate.

(3) A Putative Father Registry Certificate.

b. The child welfare professional or designee will provide the above information to CLS and request that a motion be filed to excuse the department from further search efforts and establish the father as unknown.

14-8. Reporting on Search Efforts at Judicial Hearings.

a. Prior to the shelter hearing, the CPI must provide to CLS the following diligent search information:

(1) Information the CPI learned from inquiries of an available parent or any known and available relatives, neighbors, and friends possible within the 24-hour time frame; and,

(2) Any inquiries of available data bases or other activities the CPI was able to conduct within the time frame.

b. If the identity or location of a parent is unknown and a petition for dependency or shelter is filed, CLS will ask the court to conduct an inquiry, under oath, of the parent or legal custodian who is available, or, if no parent or legal custodian is available, of any relative or custodian of the child who is present at the hearing and likely to have information about the absent parent or relatives.

c. No later than 10 business days prior to the dependency adjudicatory hearing, the child welfare professional or designee must have completed diligent search activities and diligent efforts to locate relatives and provided the information to CLS. For a diligent search for a parent, the child welfare professional or designee will create an "Affidavit of Diligent Search," which is located in FSFN under create casework using the legal drop down link and submit the form to CLS.

d. At the disposition hearing and at each judicial review, progress on the diligent search and diligent efforts described must be included in or attached to the Judicial Review Social Study Report and provided to the court, unless the court has excused further search.

e. Prior to the termination of parental rights hearing, the parent must be located or further search efforts must be excused by the court.

(1) Diligent searches should be current within the past 6 months.

(2) Parents who cannot be personally served must receive notice by publication. The assigned child welfare professional and the CLS attorney must work together to ensure that the diligent search is legally sufficient, that all necessary inquiry has been made, and that the form of the sworn statement required by Chapter 49, F.S., is legally sufficient to insure that the notice for publication will be issued.

14-9. Supervisor Consultation and Review.

a. The supervisor will provide consultation to the child welfare professional when he/she requests assistance with a diligent search or diligent efforts to locate relatives.

b. The supervisor is responsible for determining the sufficiency of diligent search or diligent efforts to locate relatives as a component of approving a Family Functioning Assessment-Initial, Family Functioning Assessment-Ongoing, Progress Update or Judicial Review.

14-10. FSFN Documentation.

a. The child welfare professional must document each inquiry conducted during an interview in FSFN Case Notes within 2 business days as follows:

(1) A diligent search for a perpetrator of domestic violence who is not a parent/legal guardian.

(2) Diligent efforts to locate a relative.

b. The child welfare professional must document in FSFN, within 2 business days, all of the attempts, interview inquiries, results or responses and any records obtained for each activity as follows:

(1) For an absent parent, complete the information fields on the FSFN Diligent Search page in the Legal Module. For each activity conducted, the comments field must be completed to document whether the activity involved a face-to-face contact or phone interview; or the specific name inquires attempted and the results. The comments fields will pre-fill the Affidavit of Diligent Search template.

(2) For relatives, the child welfare professional must document a FSFN Case Note for each specific inquiry.

c. When a diligent search is ongoing, the child welfare professional or designee will complete the Affidavit of Diligent Search prior to dependency hearings. The Affidavit of Diligent search is located in FSFN under create casework using the legal drop down tab and submit it to CLS based on local protocols.

d. The following FSFN resources for documenting a Diligent Search for an absent parent are located on the [Center for Child Welfare](#) website under the FSFN “How Do I Guide” page:

- (1) “[Legal Document User Guide](#)”
- (2) “[Legal Document How Do I...Guide](#)”

Chapter 15

REPORTS AND SERVICES INVOLVING AMERICAN INDIAN CHILDREN

15-1. Purpose. This operating procedure describes the requirements for identifying, documenting, and reporting actions relating to American Indian and Alaskan Native children. When working with a family who is American Indian, the Indian Child Welfare Act and federal regulations must be followed. This operating procedure provides the processes to be used by child protective investigators and case managers.

15-2. Scope. This operating procedure is applicable to all regions and to all child protective investigations, in-home and out-of-home care case management, and legal staff involved in shelter, placement, and case planning for children.

15-3. References. Policy and procedure regarding federal mandates relating to the Indian Child Welfare Act of 1978, 25 United States Code (U.S.C.) 1901 et seq. (Public Law 95-608) are as follows:

- a. 45 Code of Federal Regulations (CFR) Parts 1355 and 1356, Tribal Child Welfare.
- b. 25 CFR § 23, Indian Child Welfare Act Federal Regulations.
- c. Section [39.0137](#), Florida Statutes (F.S.).
- d. Section [39.012](#), F.S.
- e. Section [39.0121](#), F.S.
- f. Chapter [65C-28](#), Florida Administrative Code (F.A.C.).
- g. Chapter [65C-29](#), F.A.C.
- h. Chapter [65C-30](#), F.A.C.

15-4. Definitions. For the purposes of this operating procedure, the following definitions shall apply:

a. Active Efforts. Means affirmative, active, thorough, and timely efforts intended primarily to maintain or reunite an Indian child with his or her family. Where an agency is involved in the child custody proceeding, active efforts must involve assisting the parent or parents or Indian custodian through the steps of a case plan and with accessing or developing the resources necessary to satisfy the case plan. To maximize to the extent possible, active efforts should be provided in a manner consistent with the prevailing social and cultural conditions and way of life of the Indian Child tribe and should be conducted in partnership with the Indian child, Indian child's parents, extended family, Indian custodians, and tribe. Active efforts are to be tailored to the facts and circumstances of the case and may include examples listed under the definition of "active efforts" in 25 CFR § 23.2.

b. Child Custody Proceedings. Means and includes any actions that may culminate in one of the following outcomes:

- (1) Foster-care placement;
- (2) Termination of parental rights;
- (3) Guardianship;

(4) Pre-adoptive placement (includes conversion from foster care to adoptive placement);

(5) Adoptive placement; and,

(6) Custody or Continued custody.

c. Indian Child. Means any unmarried person who is under age 18 and is either a member of a federally recognized Indian tribe or is eligible for membership in an Indian tribe.

d. Indian Child Welfare Act (ICWA). (25 U.S.C. 1901 et seq.) Means the federal act which governs all dependency actions and certain private proceedings involving American Indian or Alaskan Native children who meet the federal criteria for the protections of the Indian Child Welfare Act. These protections apply to voluntary and involuntary placements, but do not apply to divorce proceedings as long as one or the other parent is awarded custody of the child. The Indian Child Welfare Act does not apply to placements resulting from actions committed by a child that would constitute a crime if committed by an adult but do apply to status offenses which are offenses that would not be considered criminal if committed by an adult and are prohibited only because of a person's status as a minor (e.g., truancy, incorrigibility).

e. Indian Custodian. Means any Indian person who has legal custody of an Indian child under tribal law or custom or under state law or to whom temporary physical care, custody, and control has been transferred by the parent of such child.

f. Indian Foster Home. Means a foster home where one or more of the licensed or approved foster parents is an Indian as defined in 25 U.S.C. § 1903(3).

g. Indian Tribe. Means any Indian tribe, band, nation, or other organized group or community of Indians recognized as eligible for the services provided to American Indians by the Secretary of the United States Department of the Interior, Bureau of Indian Affairs, because of their status as Indians, including any Alaska Native village as defined in the Alaska Native Claims Settlement Act (85 Stat. 688, 689), 43 U.S.C. § 1602(c).

h. Involuntary Proceedings. Means a child-custody proceeding in which the parent does not consent of his or her free will to the foster-care, pre-adoptive, or adoptive placement or termination of parental rights, or in which the parent consents to the foster-care, pre-adoptive, or adoptive placement under threat of removal of the child by a State court or agency.

i. Parent. Means any biological parent or parents of an American Indian child or any American Indian person who has lawfully adopted an Indian child, including adoptions under tribal law or custom. It does not include the putative father of a child born outside of marriage if paternity has not been acknowledged or established.

j. Reservation. Means American Indian lands, described in federal law as Indian country, and defined as such in 18 U.S.C. § 1151, and any lands, not covered under such section, title to which is either held by the United States in trust for the benefit of any American Indian tribe or individual or held by any American Indian tribe or individual subject to a restriction by the United States against alienation.

k. Tribal Membership. Usage of a blood quantum generally one-fourth Native American blood and/or tribal membership to recognize an individual as Native American however, each tribe has its own set of requirements.

I. Upon Demand. Means that the parent or Indian custodian can regain custody simply upon verbal request, without any formalities or contingencies.

m. Voluntary Proceedings. Means a child-custody proceeding that is not an involuntary proceeding, such as a proceeding for foster-care, pre-adoptive, or adoptive placement that either parent, both parents, or the Indian custodian has, of his or her or their free will, without a threat of removal by a State agency, consented to for the Indian child, or a proceeding for voluntary termination of parental rights.

15-5. Federal Policy. It is the policy of this nation as set forth in the Indian Child Welfare Act to protect the best interests of American 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.

15-6. Involuntary Proceedings.

a. The Department has no authority or jurisdiction on an Indian reservation to remove children unless the Department coordinates with and receives consent from the tribe who has authority and jurisdiction for such removal. The Department does have the authority to respond in circumstances in which the American Indian child does not live on a reservation. However, immediate contact must be made with the Designated Tribal Agent for Service of Notice named in the current Federal Register for the tribe with which the child is enrolled, is a member, or in which the child is eligible for enrollment or membership, consistent with the criteria established by ICWA.

b. Pursuant to Rule [65C-28.013](#), F.A.C., child protective investigators, at the onset of each investigation, must determine a child's eligibility for the protections of the Indian Child Welfare Act which includes completion of form CF-FSP 5323 and document their findings by uploading in the Florida Safe Families Network (FSFN). In situations in which the information is not complete at the time of the Case Transfer Conference or the transfer of the case to ongoing case management, it is the responsibility of the case manager to further explore and complete active efforts to obtain and document the child's status under ICWA.

c. Upon receipt of a report alleging the abuse, neglect, or abandonment of an Indian child, regardless of the location of the child's residence, the Indian tribe must be notified telephonically and the Regional or State Indian Child Welfare Act Specialist must be contacted for information on any agreements that may exist within the state or the region between the Indian tribe and Department. The Regional Indian Child Welfare Act Specialist shall implement a tracking system in order to maintain a record of ICWA cases and to ensure that protocol is followed.

d. The child protective investigator or case manager must ensure that the court is made aware at any point if there is reason to believe that a child is an Indian child. The child must be treated as an Indian child with all of the protections of ICWA applied until the court determines that the child is not an Indian child. Reason to know includes the following factors:

(1) Anyone, including the child, informs the court that the child is an Indian child, or there is information indicating the child is an Indian child.

(2) The domicile or residence of the child or parent/Indian custodian is on a reservation or in an Alaska Native village.

(3) The child is, or has been, a ward of tribal court.

(4) Either parent or the child possesses an identification indicating tribal membership.

e. While court involvement, including emergency removal of Indian children living off the reservation, is permissible, the child's Indian parents, custodians and the tribe must be notified immediately and in writing of the removal or court actions. If the child's tribe is unknown, the Eastern Regional office of the Bureau of Indian Affairs must be contacted to determine the child's tribal enrollment or membership and if the protections of ICWA apply. The notice to the tribe must be in writing. The letter of inquiry and notification to the tribe must be sent to the tribe's Designated Tribal Agent for Service of Notice named in the current Federal Register and must be sent registered or certified mail, return receipt requested. All notifications are provided by Children's Legal Services (CLS). This letter is intended to determine the tribe's interest in assuming jurisdiction, filing a motion to intervene, and/or participating in the case planning activities for the child. If the tribe does not respond to the written notification, Department staff should continue to communicate with the tribe until the tribe either accepts jurisdiction or declines to accept jurisdiction. If the tribe does not assume jurisdiction of the case, the tribe must continue to receive notice of all hearings and staffing's and be kept informed of significant changes in the status of the case. The tribe has the right to assert jurisdiction at any time. Tribes must be given the opportunity to be heard at proceedings involving the child. The formal ICWA notice form can be located at <https://www.bia.gov/sites/bia.gov/files/assets/bia/ois/ois/pdf/idc2-060070.pdf>.

f. Active efforts during involuntary proceedings rise above the level of reasonable efforts and require more intensive casework which includes involvement from the family, extended family, tribe, and Indian social services agencies. The court must determine that active efforts have been made prior to the removal of a child or prior to the termination of a parent's parental rights. Active efforts must also be made to prevent the breakup of an Indian family and must have been documented unsuccessful. Active efforts also must consist of the following:

(1) Identifying culturally appropriate services and assisting the parent or Indian custodian in overcoming barriers.

(2) Identifying, notifying, and inviting representatives of the Indian child's tribe to participate in providing support and services to the child and family.

(3) Employing all available and culturally appropriate family preservation strategies and using available remedial and rehabilitative services provided by the child's tribe.

g. If the tribe assumes legal jurisdiction, the tribe must be provided all Department file information (excluding the reporter's name) and the child must be released to the tribe. If a shelter hearing has been held, the Department's attorney must schedule an emergency shelter review hearing regarding the transfer of jurisdiction to the tribe. The child protective investigator may be called as a witness in tribal court just as he or she would in a state court. The Department's case must be closed as "no jurisdiction." Indian children may also be entitled to other Departmental services such as economic services or a referral to the Child Protection Team even though the tribe has assumed jurisdiction.

15-7. Placement.

a. If the child's tribe does not assume legal jurisdiction the child protective investigator, case manager, and the court are required to place the child according to the tribe's established placement preference. If the Tribe has not established an order of preference, then the placement preference specified in ICWA must be followed. The placement preferences include:

(1) A member of the child's extended family.

(2) Other members of the Indian child's tribe.

(3) Other Indian families.

b. The case manager or child protective investigator must gather the following information to present to the court if they did not follow the outlined placement preferences:

(1) The request of one or both of the Indian child's parents;

(2) The request of the child, if the child is of sufficient age and capacity to understand the decision;

(3) The presence of a sibling attachment that can only be maintained through a particular placement;

(4) The extraordinary physical, mental, or emotional needs of the Indian child; and,

(5) The unavailability of a suitable preferred placement after a diligent search was unsuccessful.

c. Further, 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.

d. The standard for approval for out-of-home placement must be Indian community standards, not Department licensing standards. Placement in a Department licensed placement can only be made if an Indian community placement is not available. Child protective investigators and case managers must document every effort made and the outcome of the efforts to place the child in an Indian community.

15-8. Designated Tribal Agent for Service of Notice. The Designated Tribal Agent for Service of Notice is the individual or individuals named in the Federal Register as being the official contact designated by the tribe for notification and legal service in compliance with ICWA. Contact with this person is required for legal sufficiency. The Designated Tribal Agents for Service of Notice can be located at <http://www.bia.gov/WhoWeAre/BIA/OIS/HumanServices/index.htm>.

15-9. Voluntary Foster Care. Placements must be explained in court as a judge must determine that the American Indian parents understand the nature of their consent. The parents can withdraw their consent at any time and the Department must return the child(ren) to the parents. If the child remains in voluntary foster care and the circuit court maintains jurisdiction, the Department must hold judicial reviews in accordance with state law until the child is released.

15-10. Out-of-Home Care Placement Orders. No out-of-home care placement may be ordered in the absence of a determination, supported by clear and convincing evidence, including the testimony of a qualified expert witness 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. Qualified expert witnesses may have expertise in multiple areas of practice related to child welfare; however, in cases involving American Indian children, testimony must also be heard from an expert witness qualified to testify on the specific parenting and cultural practices of the child's tribe. Placements of children in out-of-home care must be in accordance with the order of placement defined by ICWA.

15-11. Transfer of Placement and Care Responsibility. When transferring the responsibility of placement and care of an Indian child to a tribal Title IV-E agency or a tribe with a Title IV-E agreement, the child's eligibility under Title IV-E and Medicaid shall not be affected.

a. Revenue Maximization staff will ensure the child's eligibility for Title IV-E is completed in FSFN, pursuant to CFOP 170-15, [Chapter 4](#).

b. The child protective investigator or case manager will be responsible for ensuring the following documentation is received by the tribe:

(1) All judicial determinations starting with the shelter order. The judicial determinations should address that continuation in the home from which the child was removed would be contrary to the welfare of the child and that active efforts have been made to prevent the child's removal from their home, to reunify the child and family, and to make and finalize an alternate permanent placement with the child and family if reunification cannot be accomplished.

(2) Eligibility determination and related documentation including other benefits for which the child is eligible or potentially eligible.

(3) Information and documentation of the child's placements. This includes a copy of the foster home or group home license.

(4) Case Plans which may include copies of health and educational record.

15-12. Parental Rights Termination Orders. No termination of parental rights may be ordered in the absence of a determination, supported by evidence beyond a reasonable doubt, including testimony of qualified expert witnesses in the parenting and cultural practices of the child's tribe, 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.

15-13. Adoption. When an Indian child is subject to an adoption, the extended family has first priority. The second and third priority goes to the child's tribe and to members of other Indian families, respectively. Tribal order of placement preference shall, if established by tribal resolution, govern the priority of placement.

15-14. ICWA Procedure. Child protective investigators and case managers must follow the Procedure for Initial Indian Child Welfare Act Determination at Intake and Investigation, Appendix C to this operating procedure. All actions involving compliance with ICWA must be documented in FSFN.

15-15. Training.

a. Child protective investigators and their supervisors with the Department, who are designated to investigate allegations involving families under ICWA shall participate in the ICWA training.

b. Case managers with CBCs responsible for providing ongoing services involving families under the Indian Child Welfare Act shall participate in ICWA training.

Chapter 16

RESPONSE TO SPECIAL CONDITIONS REFERRALS

16-1. Purpose. This chapter provides requirements for the response to Special Conditions Referrals.

a. Definition. Special Conditions Referrals are concerns brought to the attention of the Department and require a response by the Department or a child welfare professional. These concerns **do not** include allegations of maltreatment and do not meet the acceptance criteria for a report of abuse, abandonment, or neglect; therefore, no investigation should commence. A special conditions referral can be generated independent of a report of abuse, abandonment, or neglect, or in conjunction with a report of abuse, abandonment, or neglect.

b. Types. There are four types of Special Conditions Referrals: Caregiver Unavailable, Child-on-Child Sexual Abuse, Foster Care Referral, and Parent in Need of Assistance.

(1) Special Conditions Referrals are assigned to child welfare professionals with different functions and responsibilities (Child Protective Investigator, Case Manager, or Licensing Specialist), based on the type of the referral.

(2) The child welfare professional will commence the referral in accordance with response times assigned by the Florida Abuse Hotline (Hotline) in accordance with CFOP 170-5, [Chapter 3 or as specified within this operating procedure](#).

(3) If a child welfare professional conducting the assessment of a Special Conditions Referral discovers information that constitutes reasonable cause to suspect that a child has been abused, abandoned, or neglected, a report must be made to the Hotline immediately. The Hotline personnel will evaluate the information provided and determine if the reported concerns meet the criteria for child abuse, neglect, or abandonment, thereby warranting a child protective investigation. If the information meets the criteria for acceptance as an allegation of abuse, abandonment, or neglect; the Hotline will generate a separate intake for investigation.

(4) If the need arises to remove the child from the custody of their parent(s) or legal guardian as a result of information obtained during the response to a Special Conditions Referral, a report should be made to the Hotline with a qualifying maltreatment of abuse, neglect, or abandonment.

(5) Special Conditions Referrals should be completed within thirty (30) days, unless there is a specific action outstanding which should be documented in the chronological notes.

16-2. Authority.

- a. Section 39.01(7), Florida Statutes (F.S.).
- b. Section 39.001(113), F.S.
- c. Section 39.201(1)(a), F.S.
- d. Section 39.307, F.S.
- e. Rule 65C-90.002, Florida Administrative Code (F.A.C.).
- f. Rule 65C-29.006, F.A.C.
- g. Rule 65C-29.007, F.A.C.

16-3. Classifications of Special Conditions Referrals (4 types).

a. Caregiver(s) Unavailable. Situations in which the parent(s), legal guardian(s), or caregiver(s) has been incarcerated, hospitalized, or has died and immediate plans must be made for the child(ren)'s care. This referral type also includes situations in which children are unable or unwilling to provide information about their parent(s), legal guardian(s), or caregiver(s).

(1) Caregiver Unavailable Special Conditions Referrals are assigned and responded to by a Child Protective Investigator (CPI).

(2) The CPI will contact the reporter and determine the need(s) of the child(ren) as well as the circumstances around the reason the caregiver(s) is/are unavailable.

(3) The CPI will contact any parent, caregiver, or legal guardian to make arrangements for the child's care.

(a) If the CPI discovers the child is the victim of abuse, neglect, or abandonment, a report must be made to the Hotline.

(b) If the CPI discovers no evidence of abuse, neglect, or abandonment, the parent or legal guardian will make arrangements for the child, and the Department will assist by offering any necessary services to support the parent or legal guardian's decision.

(4) If the CPI is unable to locate a parent or legal guardian, or if the parent or legal guardian is unable to make decisions for the child, the CPI will staff with a Supervisor to determine the need to generate a report of abuse, abandonment, or neglect and seek legal action.

(5) The CPI will complete the Special Conditions/Request for Assistance Assessment in Florida Safe Families Network (FSFN).

b. Child-on-Child Sexual Abuse. Situations of juvenile sexual abuse or inappropriate sexual behavior between two children.

(1) Child-on-Child Sexual Abuse Special Conditions Referrals are assigned and responded to by a CPI.

(2) The CPI will notify law enforcement and will subsequently work with law enforcement and the Child Protection Team to determine if forensic interviews are necessary.

(3) If the child-on-child sexual abuse incident occurred in a licensed setting (e.g., daycare, school, foster home, group home, residential facility, etc.), the CPI must conduct an on-site assessment, unless prohibited by law enforcement.

(4) The CPI responsible will conduct private, face-to-face interviews with the alleged child victim(s), the child with sexualized behavior, other children at risk, and the caregiver(s). The CPI will:

(a) Determine whether any of the child interviews should be conducted at the home or another location, such as the child's school.

(b) Gather the caregiver(s)'s account.

(c) Assess where the child with sexualized behaviors learned this behavior. The CPI will immediately contact the Hotline to generate a new intake if the child discloses the sexualized behavior was learned from an adult or caregiver.

(d) As necessary, explore and discuss the suggestions to ensure the safety of the child or remedy any problems.

(e) Conduct an inspection of the home, as necessary.

(f) Conduct any collateral interviews necessary to complete the assessment.

(5) If the Child-on-Child Sexual Abuse occurs in a licensed foster home or group home:

(a) When the Hotline intake is received, the CPI assigned will consult with the licensing agency to determine the licensing agency's role, if any, in conducting a joint response with the child(ren) and caregiver(s). The CPI will take the lead with interviews. The following are the options:

1. The CPI will conduct the interviews alone.

2. The CPI and licensing specialist will conduct joint interviews.

3. A joint interview may include a case manager, a placement specialist, a clinical professional, and/or any other child welfare professional.

(b) The child placing agency will assign a licensing specialist to review the provider record. Whenever possible, the child placing agency's licensing specialist should complete the record review and communicate the information learned to the child welfare professional(s) responsible for conducting interviews before the interviews occur. If the information is not provided prior to the interview, it must be provided within two business days.

(c) The CPI will notify the regional licensing authority immediately when the report is received.

(d) The CPI, and when appropriate other coordinating child welfare professionals, will conduct private, face-to-face interviews with the alleged child victim(s), the child with sexualized behavior, other children in the home, and the caregiver(s). The professional(s) responsible for conducting the interviews will:

1. Determine whether any of the child interviews should be conducted at the foster home or group home or another location, such as the child's school.

2. Determine if there is a Child Placement Agreement.

3. Gather the caregiver(s)'s account.

4. As necessary, explore and discuss the caregiver(s)'s plan or suggestions to ensure the safety of the child or remedy any problems.

5. Conduct an inspection of the home, as necessary.

6. Conduct any collateral interviews necessary to complete the assessment.

(e) The CPI will collaborate with the regional licensing authority and licensing agency in developing recommended actions if there are any safety or supervision concerns.

(f) The CPI and child placing agency's licensing specialist will meet with the caregiver(s) to discuss the results of the assessment and any necessary follow-up actions. The possible outcomes include:

1. The referral or report is closed and there is no basis for any intervention.

2. There will be follow-up supports and services provided to the caregiver(s) and/or services provided to the child.

3. A written corrective action plan is developed in collaboration with the caregiver, supervising agency, and approved by the regional licensing authority. The corrective action plan shall be documented on the Corrective Action Plan for Licensed Caregivers (Attachment 1 to this chapter) and uploaded into FSFN.

4. A Child Placement Agreement per CFOP 170-11, [Chapter 4](#), is created or modified.

(6) If it is determined that Child-on-Child Sexual Abuse has occurred due to inadequate supervision of a child with known behaviors, a new report will be made to the Hotline.

(7) The CPI will complete the assessment of Child-on-Child Sexual Abuse within 30 calendar days of the intake.

(8) Documentation of the Child-on-Child Sexual Abuse Assessment in FSFN should include an assessment of the incident, outcome of assessment, actions taken during the response, and recommended services/treatment along with the family's level of compliance with recommended services.

c. Foster Care Referral. Foster Care Referrals are concerns reported to the Hotline related to the care provided to a child in an out-of-home placement, agency-licensed foster home, group home, or emergency shelter; or concerns related to a child's safety, permanency or well-being for families under protective supervision that do not meet the criteria for acceptance of a report of abuse, abandonment, or neglect. These referrals may include placement disruptions and case plan or safety plan violations. These referrals contain no allegations of abuse, neglect, or abandonment, but may require a plan modification. The intent of the Foster Care Referral in such cases is to serve as notification to the child welfare professional to re-assess the child's safety, permanency, and well-being. These are generally licensing or regulatory infractions or complaints. Foster Care Referrals may include situations which involve the caregiver from whom the child was removed, which impact child safety, yet occur while the child is in an active out-of-home care placement. Foster Care Referrals may also be accepted on individuals over the age of 18 who are placed in the home through extended foster care.

(1) Foster Home and Group Home licensing violations reported directly to the regional program office, Community-Based Care Lead Agency (CBC) and their subcontractor (if any), or licensing supervising agency will be reported immediately to the Hotline.

(2) The Hotline will complete a second level review of all Foster Care Referrals to assess for abuse, abandonment, and or neglect and ensure the Foster Care Referral has been correctly coded, prior to assignment to the appropriate receiving unit.

(3) The CPI receiving unit will assign the Foster Care Referral to the appropriate child welfare professional and notify the Regional Managing Director or his/her designee.

(a) If the Foster Care Referral alleges licensing violations in a group home licensed by the Department (as identified on the provider licensing page), the Foster Care Referral will be assigned to the regional licensing authority.

(b) If the Foster Care Referral alleges licensing violations in a licensed foster home setting; concerns within a relative or non-relative placement setting; or potential case plan violations, safety plan violations, or placement disruptions, the Foster Care Referral will be assigned to the CBC designated point of contact.

1. The CPI receiving unit shall notify the regional licensing authority of all Foster Care Referrals assigned to the CBC at time of assignment.

2. The CBC designated point of contact will notify CBC executive leadership and assign the foster care referral to the appropriate child welfare professional.

(c) Foster Care Referrals will be commenced and assessed by a licensing specialist or child welfare professional employed by or contracted through the CBC. A CPI will not be assigned to a Foster Care Referral as the primary responder but may provide assistance as needed or requested.

(4) If it is determined that the home or facility is not licensed by the Department AND does not have an active placement of a child in the Department's custody, the assigned child welfare professional will contact the appropriate licensing authority and notify them of the concerns. This notification should be documented in the chronological notes and narrative outcome tab in FSFN, and the referral closed.

(5) The assigned child welfare professional will initiate the assessment by reviewing all prior abuse, neglect, or abandonment reports within FSFN; all prior Foster Care Referrals; and all records contained within the licensing file including, but not limited to, prior Corrective Action Plans and licensing violations, in order to complete a full review of the child's history as well as the foster parent's licensing history as part of the assessment.

(6) The child welfare professional will respond to the home within 72 hours to assess the concerns in the referral. For Foster Care Referrals that involve actions toward a child under the Department's supervision, the child welfare professional will make face-to-face contact with and interview all children within the home or setting.

(7) If a child welfare professional conducting the assessment of a Foster Care Referral discovers information that constitutes reasonable cause to suspect that a child has been abused, abandoned, or neglected, a report must be made to the Hotline immediately.

(8) For a Foster Care Referral involving a group home or foster home, a staffing will occur within five business days from receipt of the referral and shall include the supervising licensing agency, CBC, and regional licensing authority to determine actions to remedy the violation. Each staffing should assess whether a placement hold on the foster home or group home license should occur until licensing concerns are resolved.

(a) If no violation has occurred, the responding child welfare professional will assess for any needs or services and make referrals as necessary.

(b) If the remedy includes a Corrective Action Plan, the regional licensing authority shall notify the Regional Managing Director or his/her designee and the Office of General Counsel to review and approve the Corrective Action Plan.

1. The regional licensing authority will monitor the Corrective Action Plan until all corrective action items are resolved.

2. If the regional licensing authority has concerns at any point during the monitoring of the Corrective Action Plan, these concerns shall be elevated to the Regional Managing Director.

3. If a hold is initiated, the regional licensing authority in consultation with the Regional Managing Director must review and approve the decision to lift the placement hold prior to additional children being placed in the home.

(c) If the remedy is to begin the revocation process, the regional licensing authority shall place the home on hold and coordinate with the Office of General Counsel.

(9) FSFN Documentation for Foster Care Referrals. All actions must be documented in FSFN within two business days to comply with documentation policy. The response to a Foster Care Referral and any necessary actions resulting from such must be documented in FSFN in the Assessment Summary. Each referral must include a minimum of the following information:

(a) Summary of contact with the family or Child Caring Provider.

(b) Assessment of prior history, previous and/or current Corrective Action Plans, and assessment of concerns identified through the Foster Care Referral.

(c) Plan to follow up, including who is responsible for the follow-up action.

(d) Documentation of all consultations and/or staffings with the region licensing staff, Office of General Counsel, and all other participants, with the outcomes of those consultations and/or staffings.

(e) Documentation of the outcome decision to include:

1. Justification that the assessment did not result in a Corrective Action Plan.

2. Development of a formal Corrective Action Plan; any Corrective Action Plans developed shall be documented on Corrective Action Plan for Licensed Caregivers (Attachment 1 to this chapter) and uploaded into FSFN.

3. Decision to initiate a revocation, along with appropriate documentation to justify the revocation.

4. All recommended actions or services.

(10) The regional program office will be responsible for oversight, monitoring, and reporting of Foster Care Referrals.

(a) A monthly listing of Foster Care Referrals shall be developed and monitored with status, outcomes, and any necessary follow-up regarding Corrective Action Plans and revocations.

(b) The regional program office will send the monthly listing of Foster Care Referrals to the Regional Managing Director and the Office of Child Welfare, along with corresponding Corrective Action Plans, outcomes, and any other necessary documentation for continuous monitoring.

(c) The Office of Child Welfare will be responsible for reviewing all Foster Care Referral outcomes, identifying concerns or trends, and reporting such concerns and trends to the Assistant Secretary for Child Welfare and utilizing information to inform practice and policy.

d. Parent Needs Assistance. Any call received from a parent or legal custodian seeking assistance for himself or herself which does not meet the criteria for being a report of child abuse, abandonment, or neglect may be accepted by the Hotline for response to ameliorate a potential future risk of harm to a child.

(1) The CPI receiving unit will assign the Parent Needs Assistance Special Conditions Referral according to local established protocols.

(2) The assigned child welfare professional or contracted provider will review all of the family's history with the Department in FSFN and any available criminal history.

(3) If the family has prior history with the Department, contact will be made with the CPI or CPI Supervisor for the most recent investigation, if within the past 12 months, to discuss the prior involvement and history of the family.

(4) The child welfare professional or contracted provider will contact the parent and any collateral sources available and obtain history and information around the current crisis.

(5) The child welfare professional or contracted provider will assess the family's needs and provide information and referrals.

(a) If the current crisis is related to the parent or child's mental health, the assigned child welfare professional or contracted provider will consult with a Behavioral Health Specialist, which may include the individual's existing therapist or behavioral health provider.

(b) A multi-disciplinary staffing is required when intervention is not available or accepted at a level necessary to resolve the crisis that resulted in the Parent Needs Assistance referral.

(c) If a child welfare professional responding to a Parent Needs Assistance referral discovers information that constitutes reasonable cause to suspect that a child has been abused, abandoned, or neglected, a report must be made to the Hotline immediately.

(6) All actions must be documented in FSFN within two business days.

(7) The response to the Parent Needs Assistance referral must be documented in the Special Conditions Assessment Summary within FSFN.

(8) The Parent Needs Assistance Assessment should be completed in FSFN within the timeframe required by the region but not greater than 30 calendar days.

Chapter 17

PREVENTION SERVICES

17-1. Purpose. This chapter provides guidance on implementing prevention services to promote, safeguard, and restore children and their families while building resilience to prevent entry into the child welfare system, specifically out-of-home care. The Department will use its Comprehensive Child Welfare Information System (CCWIS) practice tools and application to monitor ongoing prevention strategy progress and to capture decision making and periodic ongoing risk and/or safety monitoring to four primary candidacy populations.

17-2. Scope. This operating procedure applies to all child welfare professionals with the Department and the community-based networks that provide prevention services.

17-3. Authority. The following provides the legal authority of this chapter:

- a. Section 471(e), Social Security Act.
- b. Section 474, Social Security Act.
- c. Section 475, Social Security Act.
- d. Chapter [39](#), Florida Statutes (F.S.).
- e. Chapter [65C-30](#), Florida Administrative Code (F.A.C.).

17-4. Definitions.

a. "Candidate for foster care" for the purpose of this chapter means a child and youth formally assessed through community engagement or Florida Abuse Hotline (Hotline) reporting to be at imminent risk of entering foster care but who can remain safely in their home or in kinship placement with the evidence-based prevention services delivered by/through the community-based service networks or the Department. A child or youth may be at imminent risk of entering foster care based on alleged maltreatment and/or circumstances and characteristics of the family unit, individual parents, and/or children that may affect the parents' or guardian's ability to safely care for and nurture their children in their own home.

b. "Critical Juncture" means a circumstance that warrants a review and possible revision of the Prevention Plan as a result of, but not limited to, an emergency change in placement, little or no progress toward the Prevention Plan, and/or the generation of an abuse report. Families receiving case management services by a child welfare professional must follow the critical juncture requirements pursuant to CFOP 170-9, [Chapter 10](#), paragraph 10-8.

c. "Community-Based Network" means a group of stakeholders that include community-based care lead agencies (CBCs), county prevention agencies, and sub-contracted providers.

d. "Kinship Care" means the full-time care of a child placed by the parent in the home of a relative or fictive kin.

e. "Prevention Plan" means a service plan outlining the strategy and services that offer the highest likelihood of success of implemented services for the child and family.

f. "Risk" means the likelihood of future harm to a child.

g. "Safety" means the absence of an active danger threat within an assessed household/family.

h. "Title IV-E Prevention Service" means a mental health, substance abuse, or in-home parent skill-based program rated as evidence-based in the Title IV-E Prevention Services Clearinghouse, that is provided to children who are candidates for foster care, or a pregnant or parenting foster youth, and/or the parents/guardians/caregivers of children with the ability to claim Title IV-E reimbursement.

17-5. Description of Population served under Prevention Services.

a. Families served under community prevention supports to promote self-sufficiency through prevention services.

b. Families served by an agency and/or community through early intervention supports to enhance defined protective factors for families assessed with complex family conditions through prevention services.

c. Families served by agency crisis intervention to control active danger threats and achieve long-term behavioral change for families in crisis through prevention services.

d. Families that require agency and/or community supports to build family resilience with focused post-intervention and aftercare supports for families who have been in crisis through a wide array of prevention services.

e. The child welfare professional may consider circumstances or characteristics of the child, young adult, parent, or kinship caregiver when determining if children meet the criteria to receive prevention services which include, but not limited to:

(1) Experiencing or have experienced substance use or addiction;

(2) Experiencing or have experienced mental illness;

(3) Needing in-home parenting support and/or enhanced parental knowledge of child and youth development;

(4) Demonstrates limited capacity to function in parenting roles (i.e., interpersonal relationships that are characterized by a lack of coping, escalations to violence and/or power and control dynamics, intergenerational patterns of abuse and/or neglect);

(5) Parental support to address serious needs of a child related to the child's behavior or medical condition;

(6) Needing support for a developmental delay;

(7) Needing support for a physical or intellectual disability;

(8) Supporting adoption or guardianship arrangements that are at risk of disruption; and,

(9) Supporting parental resiliency and/or concrete resources (e.g., family stressors, poverty, etc).

17-6. Requirements for Title IV-E Prevention Services.

a. A child, youth, and/or young adult must be a candidate for foster care or be pregnant or currently parenting his or her own child to be eligible for the Title IV-E Prevention Service.

b. The four primary candidacy populations that are eligible under the Title IV-E Prevention Service are (see Attachment 1 to this chapter):

(1) Family Support Services (Prevention/Voluntary).

(a) Children ages 0-17 who are residing at home in the care of their parent(s) or legal guardian while their sibling is placed in foster care.

(b) Children ages 0-17 who were placed in permanent guardianship that was approved by the courts, which is intended to be permanent and self-sustaining through the transfer of decision-making with respect to the child relating to protection, education, care, and control of the person, custody of the person, and decision making on behalf of the child.

(c) Children who are deemed as safe but at risk of entering foster care or of future maltreatment as determined by the risk assessment completed by the child protective investigator, and who are in need of voluntary services aimed to increase protective capacities of the parents/guardians/caretakers.

(d) Parents or caregivers who contact community-based network providers or the Department requesting assistance to maintain their family unit.

(e) Children who are assessed by the community as having the identified family, parental, or individual circumstances or characteristics defined in paragraph 17-5e of this operating procedure.

(2) In-Home Judicial, In-Home Non-judicial, and Reunified (Post-Placement).

(a) Children ages 0-17 years old in the care of their parent(s) under in-home judicial services when it has been determined through a safety analysis that the child is unsafe and can remain in the home with safety management services while receiving services under the supervision of the court. Judicial oversight is needed for the family to engage in treatment services and to achieve the case plan outcome.

(b) Children ages 0-17 years of age in the care of their parent(s) under a non-judicial case which was implemented when the child was determined to be unsafe, a safety plan was required, and supervision is aimed at addressing the conditions that make the child unsafe.

(c) A family-made arrangement requiring a safety action initiated by the parent(s)/legal guardian(s) in response to present or impending danger. This safety action is a separation of the child and parent(s)/legal guardian(s) voluntarily and temporarily to a responsible adult of his/her choosing to provide daily care and supervision of the child. The parent(s) retain full legal responsibility, including decision-making authority and access to the child.

(d) Children ages 0-17 years of age who achieved reunification when circumstances and behaviors identified in the Conditions for Return have been met, and the safety of the child is managed using an in-home Safety Plan. Reunification is active as of the date the child returns to the home with an In-Home Safety Plan.

(3) Out-of-Home Care while Pregnant and Parenting.

(a) Minor placed in out-of-home care with their child. The minor must be age 17 or under, who has been removed from their own home, and is expecting or currently parenting his or her own child.

(b) Young adult in extended foster care (EFC) who is pregnant or currently parenting his or her own child.

(4) Adoption. Children ages 0-17 who were adopted after parental rights have been terminated.

c. When a child or youth has been identified as a candidate for foster care, the child welfare professional or community-based network provider is required to identify the prevention strategy that allows the child or youth to remain safely in their home.

(1) The safety of the child or youth shall be monitored through contact at least every 30 days during the service period.

(2) The child welfare professional shall utilize the Department's present and impending danger plan previously implemented to control danger threats for families who are unsafe and under non-judicial and judicial intervention services, and cases to which a family made arrangement resulted from an investigation.

d. A needs assessment for risk and safety will be conducted during face-to-face contact with the family and completion and review of the prevention plan.

e. The child welfare professional shall utilize the Family Functioning Assessment-Investigation (FFA-I) and Family Functioning Assessment-Ongoing (FFA-O) for the assessment of risk and safety when families are under non-judicial and judicial intervention services and family made arrangements resulting from an investigation.

f. A child, youth, or young adult shall require a prevention plan. The outcome of the assessment when determining risk and safety must be utilized as a guide to develop, amend, and terminate a prevention plan.

g. When it is determined that the child's risk for entering foster care remains high at 12-months despite the provision of services, the case must be scheduled for a multidisciplinary staffing pursuant to section [39.4022](#), F.S., to develop a plan to achieve child safety.

h. The Department is responsible for the oversight in determining if the child, youth, or young adult is a candidate for foster care.

i. The reason for closing a case for a family receiving Title IV-E prevention services must be documented in the Family Support Module. The progress update shall capture the reason for terminating services when families are under non-judicial and judicial intervention services and family made arrangements resulting from an investigation.

17-7. Prevention Plan.

a. Prevention plans are required when services are implemented to preserve the family unit through prevention services.

b. A prevention plan shall be developed for each child and family receiving prevention services, including those who are not linked with a prevention service that is rated on the Title IV-E Prevention Clearing House. The plan shall include the following:

(1) Name, age, and date of birth of each child or youth;

(2) Name of caregiver and all household members participating in the service;

(3) Identified prevention strategy that describes how the child will remain safely at home or in kinship care;

(4) Whether the child is identified as a candidate for foster care, or as a pregnant or parenting foster youth who is at imminent risk of entering foster care;

(5) List of prevention services provided to or on behalf of the child to ensure the success of the prevention strategy that allows for the preservation of the child or youth in their home environment; and,

(6) List of services provided to or on behalf of a youth to ensure that the youth is prepared or able to be a parent, in the case of a pregnant or parenting youth under the Department's care and supervision.

c. The prevention services for a pregnant or parenting youth or young adult under the Department's care and supervision must be incorporated in the dependency case plan to ensure the the youth or young adult is prepared or able to be a parent. The case plan must also incorporate the prevention strategy that was implemented to ensure the safety for any child born to the youth.

d. The prevention services for families who are unsafe and under non-judicial and judicial intervention must be incorporated in the case plan.

e. If at any time during the service period it has been determined through the needs assessment that the child is in need of removal from the home, the prevention plan must be reexamined to determine if additional services can prevent the removal. The outcome shall be documented in the Family Support Service module.

f. At any time the child or youth relocates to a new caregiver or guardian that did not result in the child initially being at imminent risk of entering into the Department's care or supervision, a redetermination shall be conducted to determine if the child is a candidate for foster care and the existing prevention plan shall be amended or a new prevention plan created based on the redetermination for the need of prevention services.

g. All efforts shall be made to develop the prevention plan with input from the child, child's parents or guardians, and any additional parties relevant to the family to include, but not limited to, relatives, teachers, probation officer, clergy, coaches, therapists, primary physician, psychologist, and/or psychiatrist.

h. Prevention services, as outlined in the prevention plan, may be provided for up to 12 months beginning from the date the child and family agreed to participate in a prevention program. For children and families participating in Title IV-E prevention services, the 12 months begins when the child is identified as a candidate for foster care or as a pregnant or parenting foster youth or young adult.

i. The child, youth, or young adult must receive a redetermination with the outcome documented in the child's prevention plan if services extend beyond 12 months.

17-8. Service Delivery and Local Service Array.

a. Efforts shall be made to refer children, young adults, and families to evidence-based services that utilize a trauma-informed approach and trauma-specific interventions to address trauma's consequences and facilitate healing.

b. The community-based network shall implement methods for quality assurance and monitoring to ensure that policies are followed, and services are of sufficient quality and effectiveness.

c. If services are provided under Title IV-E prevention services, all parties shall collaborate with the Department approved evaluator to monitor and ensure the program is implemented to its true fidelity.

d. The community-based network will develop and/or approve local policy for the implementation of prevention services that include:

- (1) The referral process(es);
- (2) Service descriptions, to include at least monthly face-to-face contact when receiving Title IV-E prevention services;
- (3) Duration of service; and,
- (4) Expectations or conditions for family participation.

e. Referrals to agencies in the community that typically involve a one-time only interaction with a family either through contact or referral (e.g., food pantry, clothing closet, etc.) are not considered prevention services, and documentation in the Family Support Module is not required.

17-9. Provider Outreach and Family Engagement.

a. The community-based network providers shall conduct follow-up outreach and engagement efforts with the family to collaboratively:

- (1) Review and discuss the family circumstances.
- (2) Discuss the current needs assessment.
- (3) Identify services to reduce risk.
- (4) Develop a prevention strategy to mitigate the identified barriers to the child(ren)'s future safety.
- (5) Establish a timeframe for the completion of the prevention plan.
- (6) Commit to follow and complete the prevention plan.

b. The family has a right to request closure of their case at any time.

c. A multidisciplinary team (MDT) staffing is required for all families receiving a Title IV-E prevention service and families referred for prevention services as a result of their actuarial risk assessment being high or very high when they no longer engage and participate, or if the family has been identified as not making progress in efforts to reduce risk. The outcome of the staffing must be documented in CCWIS in the Family Support Module.

(1) During the staffing, the potential need to generate an abuse or neglect report, unresolved service needs and benefits to the family, implement additional services, attempts to re-engage the family, and ongoing risk and safety will be discussed and the outcome documented in CCWIS.

(2) At a minimum, those individuals included in the staffing must be the participants outlined in section [39.4022\(4\)](#), F.S., the referring community-based network, service providers working with the family, and the individual responsible for case coordination. If they are no longer employed in

the same capacity or unable to participate despite reasonable notice, an individual who is knowledgeable regarding the family's prior history can suffice.

d. Human trafficking cases in which the family is no longer participating or making progress in efforts to reduce risk will also require a MDT staffing.

17-10. CCWIS Documentation.

a. Children who are deemed as safe but at risk of entering foster care or of future maltreatment as determined by the risk assessment or families receiving Title IV-E prevention services must be documented in CCWIS. The following information must be documented in CCWIS as indicated below:

(1) The begin date is the date the family agrees to engage in services. If the family receives Title IV-E prevention services, the begin date shall be the date the child was determined to be a candidate of foster care or as a pregnant or parenting foster youth.

(2) The end date will be the date the family completed services, services were declined by the family, or when the child enters out-of-home care.

(3) The Status Begin Comments narrative shall incorporate a summary of the reason for initiating the case.

(4) The prevention plan shall be created through the Family Support Plan Worksheet and must capture all required information outlined in paragraph 17-7.b. of this operating procedure.

(a) The name of the service provider shall be documented under the Outcomes Section of the prevention plan.

(b) Each service must be documented under the Service Category and Service Sub-Category, and indicate when a task was completed.

(5) The prevention strategy must be documented in the prevention plan.

b. The Needs Assessment shall be completed and updated based on subsequent assessments, at least every 90 days or at a critical juncture.

c. Rationale must also be included in an updated Needs Assessment Narrative when services extend beyond 12 months.

d. The Status Ending Comments narrative shall incorporate a summary of the reason for case closure to include, but not limited to:

(1) The family's refusal to begin or continue receiving services offered.

(2) Completion of successful interventions.

(3) If there is an MDT staffing, the outcome and efforts to re-engage the family.

(4) Whether the child entered foster care during the initial 12-month period and during the subsequent 12-month period.

(5) Whether the child continues to remain a candidate for foster care, if receiving Title IV-E prevention services.

(6) If there was a need to generate an abuse or neglect report.

e. Any additional assessments that the service provider refers the family to (such as mental health and substance abuse) shall be uploaded into the file cabinet.

f. Contact notes will summarize the essence of what happened during each contact as it relates specifically to the prevention service being provided.

g. A copy of the signed prevention plan must be uploaded into the file cabinet under the image category of “participant document” and image type of “family support prevention plan.”

h. The Family Support Module in CCWIS will not be utilized to capture information related to unsafe families under non-judicial and judicial intervention with case management oversight. Documentation will be entered in the existing services case.

(1) The candidacy begin and end date will be captured under the placement module as the date the placement began and ended.

(2) The FFA-O and Progress Update will be used to capture the determination that the family is in need of an evidence-based service and include rationale for service delivery extending beyond 12 months.

(3) Ongoing periodic risk must be captured in the progress update.

(4) The prevention strategy must be documented in the case plan.

i. The Family Support Module in CCWIS will not be utilized to capture information related to Post Adoption Services. Documentation of Post Adoption Services will be entered on the Post Adoption Services page to include documentation pursuant to paragraph 17-10c of this operating procedure for Title IV-E prevention services for children who have been adopted as described in paragraph 17-6b(4) of this operating procedure. In addition to this chapter, all requirements under CFOP 170-12, [Chapter 9](#), paragraph 9-4 shall be followed.

Primary Candidacy Populations

Data Element	Family Support In-Home (Prevention/Voluntary)	In-Home Dependency and Reunified (Post-Placement)	Out of Home while Pregnant & Parenting	Adoption
Candidacy Begin Date	Family Support Begin Date	Living Arrangement Begin Date	Out of Home Placement + Pregnancy = 'Yes' Date	<i>Post-Adoption Service Coordination</i>
Candidacy End Date	Family Support End Date	Living Arrangement End Date	Out of Home Placement + Pregnancy = 'No' Date	<i>Post-Adoption Service Coordination</i>
Need Assessment for Risk, Safety, EBP	Needs Assessment	Family Functioning Assessment-Ongoing	Progress Update	Needs Assessment
Ongoing Periodic Risk & Safety	Needs Assessment	Progress Update	Progress Update	Needs Assessment
Prevention Strategy/Plan	Family Support Plan Worksheet	Case Plan Worksheet + Safety Plan	Case Plan Worksheet	Family Support Plan Worksheet
EBP w/in Plan	Service Sub-Category on Family Support Plan Worksheet	Service Sub-Category on Case Plan Worksheet	Service Sub-Category on Case Plan Worksheet	Service Sub-Category on Prevention Plan Worksheet
EBP service extended beyond 12 – months	Needs Assessment	Progress Update	Progress Update	Need Assessment
Entry into Foster Care w/in 12-month service delivery	Family Support Status Ending Comments + Out of Home Placement	Progress Update + Out of Home Placement	N/A	Post-Adoption Service Coordination + Out of Home Placement
Service Type Set-up	CBC creates with direction from DCF	CBC creates with direction from DCF	CBC creates with direction from DCF	OCW Adoption Program Specialist
Service Delivered	Service page	Service page	Service page	Service page (linked to Post-Adoption Services page)

Data Element	Family Support In-Home (Prevention/Voluntary)	In-Home Dependency and Reunified (Post-Placement)	Out of Home while Pregnant & Parenting	Adoption
Expenditure	Payment generated from Service page mapped to OCA	Payment generated from Service page mapped to OCA	Payment generated from Service page mapped to OCA	Payment generated from Service page mapped to OCA



Corrective Action Plan (CAP) for Licensed Caregivers

Licensed Caregiver/Facility(s): _____

FSFN Provider ID Number: _____

Licensing Agency: _____

Community Based Care Lead Agency: _____

1. Is this the first CAP for the family/Facility? Yes No

2. If No, list each CAP and status. (For each completed CAP provide the date of completion.)

CAP Start Date: _____ CAP Status: _____

CAP Start Date: _____ CAP Status: _____

3. Children currently placed in the home/Facility:

Name: _____ DOB: _____

Name: _____ DOB: _____

Name: _____ DOB: _____



Description of Issue/Violation: Include a detailed description about the licensing violation or purpose of the corrective action plan. Include information about whether the corrective action plan is due to an institutional investigation or foster care referral.

Desired Measurable Outcome: Include detail about what change you are seeking for the family/facility.



*Task that will take longer than 30 days to complete must be reviewed by the Licensing specialist every 30 days from the start date until completed.

Statute and/or Code Requirement Violated <i>(include statute and/or code citation)</i>	Description of Violation	Corrective Action to be taken	Responsible Party	Child Welfare Professional responsible for monitoring	Date Assigned	End Date	Date of Completion	Outcome



By Signing this Corrective Action Plan, the licensed foster parents agree to complete the listed tasks within the timeframe identified by the agency. Failure of foster parents, child-caring agency, or agency credentialed by the Department to timely comply with the corrective action plan shall result in denial of re-licensure and/or revocation of the license or certification, pursuant to 65C-45.035, Florida Administrative Code (F.A.C.) or 65C-14.124, F.A.C.

Foster Parent Name/ Facility Licensee Name

Signature

Date

Foster Parent Name/ Facility Licensee Name

Signature

Date

Licensing Agency Representative

Signature

Date

Regional Managing Director

Signature

Date

Office of General Counsel

Signature

Date

Appendix A: Child Development Stages Matrix

0-3 Months

Physical	Social & Emotional	Cognitive	Indicators of Developmental Concern	Positive Parenting Characteristics
<ul style="list-style-type: none"> ✓ Rapid height & weight gain ✓ Reflexes: sucking, grasping ✓ Lifts head ✓ Responds to sounds by blinking, startling, crying ✓ Shows growing ability to follow objects and to focus 	<ul style="list-style-type: none"> ✓ Concerned with satisfaction of needs ✓ Smiles in response to caregiver's voice ✓ Prefers primary caregiver to stranger 	<ul style="list-style-type: none"> ✓ From birth, infant begins to "learn" with eyes, ears, hands, etc. ✓ Vocalizes sounds (coos) ✓ Smiles when faces evoke memories of pleasure 	<ul style="list-style-type: none"> ✓ Sucks poorly and feeds slowly ✓ Doesn't follow objects with eyes ✓ Doesn't respond to loud sounds ✓ Doesn't grasp and hold objects ✓ Doesn't smile at the sound of the primary caregiver's voice 	<ul style="list-style-type: none"> ✓ Makes eye contact with infant ✓ Interact with infant by talking, smiling, singing, etc. ✓ Gently rocks/bounces infant ✓ Picks infant up when distressed ✓ Allows for self-soothing (infant sucks fingers/pacifier, etc.)

3-6 Months

Physical	Social & Emotional	Cognitive	Indicators of Developmental Concern	Positive Parenting Characteristics
<ul style="list-style-type: none"> ✓ Rolls over ✓ Holds head up when held in sitting position ✓ Lifts knees, makes crawling motions ✓ Reaches for objects 	<ul style="list-style-type: none"> ✓ Smiles and laughs socially ✓ Responds to tickling ✓ Begins to distinguish own image in mirror from others' images 	<ul style="list-style-type: none"> ✓ Has recognition memory for people, places, and objects ✓ Uses both hands to grasp objects ✓ Exhibits visual interests ✓ Joins with caregiver in paying attention to labeling objects and events (4-6 months) 	<ul style="list-style-type: none"> ✓ Doesn't hold head up ✓ Doesn't coo, make sounds, or smile ✓ Doesn't respond to sounds or turn head to locate sounds ✓ Doesn't roll over in either direction ✓ Not gaining weight 	<ul style="list-style-type: none"> ✓ Helps infant "practice" sitting ✓ Encourages floor time on a blanket for rolling and reaching ✓ Responds to fears, cries by holding, talking, and reassuring ✓ Talks and plays with infant

6-12 Months

Physical	Social & Emotional	Cognitive	Indicators of Developmental Concern	Positive Parenting Characteristics
<ul style="list-style-type: none"> ✓ Sits alone ✓ Feeds self-finger foods; holds own bottle (6-9 months) ✓ Crawls, pulls up, and walks with support (9-12 months) ✓ Baby teeth begin to emerge 	<ul style="list-style-type: none"> ✓ Indicates preference for primary caregivers ✓ May cry when strangers approach (stranger anxiety) ✓ Shows signs of separation anxiety ✓ Repeats performances for attention (9-12 months) ✓ Drops objects on purpose for others to pick up (10-12 months) 	<ul style="list-style-type: none"> ✓ Finds objects hidden repeatedly in one place, but not when moved ✓ Plays peek-a-boo ✓ Has recall memory for people, places, and objects (9-12 months) ✓ Imitates speech sounds ✓ Says da-da and ma-ma and knows who these people are (10-12 months) ✓ Uses preverbal gestures to communicate (by 12 months) 	<ul style="list-style-type: none"> ✓ Doesn't smile or demonstrate joy ✓ Unable to sit without support ✓ Does not follow objects with both eyes ✓ Does not actively reach for objects ✓ Doesn't look or react to familiar caregivers ✓ Does not babble ✓ Shows no interest in playing peek-a-boo (by 8 months) 	<ul style="list-style-type: none"> ✓ Discipline consists of redirecting to different activity. Sharp discipline, scolding, and verbal persuasion are not helpful ✓ Holds and cuddles baby ✓ Reads to baby ✓ Names objects when baby points to something ✓ Maintains consistent bed time routine of cuddling, rocking, and soothing

12-18 Months

Physical	Social & Emotional	Cognitive	Indicators of Developmental Concern	Positive Parenting Characteristics
<ul style="list-style-type: none"> ✓ Walks alone ✓ Manipulates small objects with improved coordination ✓ Drinks from a cup with a lid and uses a spoon ✓ Builds tower of 2 blocks ✓ Removes hat, socks, and shoes 	<ul style="list-style-type: none"> ✓ Extends attachment for primary caregivers to the world; seems in love with the world and wants to explore everything ✓ Recognizes image of self in mirrors ✓ Solitary or parallel play ✓ Fears heights, separation, strangers, and surprises 	<ul style="list-style-type: none"> ✓ Begins to show intentional behavior, initiates actions (drops, throws, shakes, bangs) ✓ Is curious about everything around him or her ✓ Sorts toys and other objects into groups ✓ Understands object permanence – realizes objects exist when out of sight and will look for them ✓ Says first words (mama, dada, doggie, bye-bye) 	<ul style="list-style-type: none"> ✓ Doesn't respond to name ✓ Unable to finger feed ✓ Not gaining weight ✓ Flat affect (no smiling) ✓ Not interested in play such as peek-a-boo ✓ Not taking steps ✓ Cannot hold spoon ✓ Doesn't look at pictures in book 	<ul style="list-style-type: none"> ✓ Encourages exploration ✓ Applauds child's efforts ✓ Interprets new/unfamiliar situations ✓ Talks to child in simple clear language about things going on in the environment

18-24 Months

Physical	Socio-Emotional	Cognitive	Indicators of Developmental Concern	Positive Parenting Characteristics
<ul style="list-style-type: none"> ✓ Runs and walks up steps ✓ Can help get undressed ✓ Drinks from a cup ✓ Eats with a spoon ✓ Scribbles spontaneously ✓ Loves to practice new skills ✓ Makes tower of 4 blocks 	<ul style="list-style-type: none"> ✓ Likes to hand things to others as play ✓ May have temper tantrums ✓ Shows affection to familiar people ✓ Plays simple pretend, such as feeding a doll ✓ Explores alone but with caregiver close by 	<ul style="list-style-type: none"> ✓ Begins to make two-word combinations that mean something ✓ Imitates words readily and understands a lot more than he or she can say ✓ Shows memory improvements, understand cause and effect; experiments to see what will happen ✓ Begins to sort shapes and colors 	<ul style="list-style-type: none"> ✓ Cannot walk ✓ Does not speak at least 6 words ✓ Does not imitate actions or words ✓ Cannot push a wheeled toy ✓ Does not follow simple instructions ✓ Doesn't notice or mind when a caregiver leaves or returns 	<ul style="list-style-type: none"> ✓ Provides opportunities to choose ✓ Sets appropriate limits ✓ Assists child in coping with range of emotions ✓ Support new friendships and experiences ✓ Responds to wanted behaviors more than disciplining unwanted behaviors

2-3 Years

Physical	Social & Emotional	Cognitive	Indicators of Developmental Concern	Positive Parenting Characteristics
<ul style="list-style-type: none"> ✓ Has developed sufficient muscle control for toilet training ✓ Is highly mobile – skills are refined ✓ Uses spoon to feed self ✓ Throws and kicks a ball ✓ Disassembles simple objects and puts them back together ✓ Has refined eye-hand coordination- can do simple puzzles, string beads, stack blocks 	<ul style="list-style-type: none"> ✓ Has great difficulty sharing ✓ Has strong urges and desires, but is developing ability to exert self-control ✓ Wants to please parents but sometimes has difficulty containing impulses ✓ Displays affection – especially for caregiver ✓ Initiates own play activity and occupies self ✓ Is able to communicate and converse ✓ Begins to show interest in peers 	<ul style="list-style-type: none"> ✓ Is capable of thinking before acting ✓ Explores language ability – becomes very verbal ✓ Enjoys talking to self and others ✓ Loves to pretend and to imitate people around him or her ✓ Enjoys creative activities – i.e., block play, art ✓ Thinks through and solves problems in head before acting (has moved beyond action-bound stage) 	<ul style="list-style-type: none"> ✓ Cannot run, jump, or hop ✓ Cannot feed self with spoon ✓ Does not speak in simple sentences that use normal word order ✓ Does not enjoy make-believe games ✓ Does not spontaneous show affection for familiar playmates ✓ Does not express a wide range of emotions ✓ Does not separate easily from primary caregiver ✓ Does not object to major changes in routine 	<ul style="list-style-type: none"> ✓ Provides opportunities for child to make choices ✓ Encourages independence and provides guidance with self-care (dressing, hand washing, etc.) ✓ Sings, plays, and dances with child ✓ Counts objects and identifies colors with child ✓ Encourages creativity

3-4 Years

Physical	Social & Emotional	Cognitive	Indicators of Developmental Concern	Positive Parenting Characteristics
<ul style="list-style-type: none"> ✓ Continues to run, jump, throw, and catch with better coordination ✓ Walks up and down stairs, one foot on each step ✓ Rides tricycle ✓ Uses scissors ✓ Can button and lace ✓ Eats and dresses by self with supervision ✓ Uses toilet or potty-chair; bladder and bowel control are usually established 	<ul style="list-style-type: none"> ✓ Emotional self-regulation improves ✓ Understands taking turns and sharing ✓ Self-conscious emotions become more common ✓ Forms first friendships ✓ Shows concerns for a crying friend ✓ May get upset with major changes in routine 	<ul style="list-style-type: none"> ✓ Asks “why” questions – believes there is a reason for everything and he or she wants to know it ✓ Engages actively in symbolic play – has strong fantasy life, loves to imitate and role-play ✓ Speech can be understood by others ✓ Should be able to say about 500 to 900 words ✓ Understands some number concepts ✓ Converses and reasons ✓ Is interested in letters ✓ Scribbles in a more controlled way – is able to draw circles, recognizable objects 	<ul style="list-style-type: none"> ✓ Falls down a lot or has trouble with stairs ✓ Drools or has very unclear speech ✓ Doesn’t use sentences of more than three words ✓ Can’t work simple toys (such as peg boards, simple puzzles, turning handle) ✓ Doesn’t make eye contact ✓ Doesn’t play pretend or make-believe ✓ Doesn’t want to play with other children or with toys ✓ Lashes out without any self-control when angry or upset 	<ul style="list-style-type: none"> ✓ Provides a sense of security by maintaining household routines and schedules ✓ Supports child’s need for gradual transitioning. <i>Example:</i> Provides warning of changes so child has time to shift gears: “We’re leaving in 10 minutes” ✓ Points out colors and numbers in the course of everyday conversation ✓ Encourages independent activity to build self-reliance. ✓ Provides lots of sensory experiences for learning and developing coordination — sand, mud, finger paints, puzzles ✓ Reads and sings and talks to build vocabulary

4-6 Years

Physical	Social & Emotional	Cognitive	Indicators of Developmental Concern	Positive Parenting Characteristics
<ul style="list-style-type: none"> ✓ Has refined muscle development and is better coordinated, so that he or she can learn new skills ✓ Has improved finger dexterity – ties shoes; draws more complex picture; writes name ✓ Climbs, hops, skips, and likes to do stunts. Gross motor skills increase in speed and endurance 	<ul style="list-style-type: none"> ✓ Plays cooperatively with peers ✓ Enhanced capacity to share and take turns ✓ Recognizes ethnic and sexual identification ✓ Displays independence ✓ Protects self and stands up for rights ✓ Identifies with parents and likes to imitate them ✓ Often has “best friends” ✓ Likes to show adults what he or she can do ✓ Continually forming new images of self-based on how others view him or her 	<ul style="list-style-type: none"> ✓ Is developing longer attention span ✓ Understands cause and effect relationships ✓ Engages in more dramatic play and is closer to reality, pays attention to details ✓ Is developing increasingly more complex and versatile language skills ✓ Expresses ideas, asks questions, engages in discussions ✓ Speaks clearly ✓ Is able to draw representative pictures ✓ Knows and can name members of family and friends ✓ Increased understanding of time 	<ul style="list-style-type: none"> ✓ Poor muscle tone, motor coordination ✓ Poor pronunciation, incomplete sentences ✓ Cognitive delays; inability to concentrate ✓ Cannot play cooperatively; lack curiosity, absent imaginative and fantasy play ✓ Social immaturity: unable to share or negotiate with peers; overly bossy, aggressive, competitive ✓ Attachment problems: overly clingy, superficial attachments, show little distress or over-react when separated from caregiver ✓ Excessively fearful, anxious, night terrors ✓ Lack impulse control, little ability to delay gratification ✓ Exaggerated response (tantrums, aggression) to even mild stressors ✓ Enuresis, encopresis, self-stimulating behavior – rocking, head-banging 	<ul style="list-style-type: none"> ✓ Encourages exploration ✓ Applauds child's efforts ✓ Interprets new/unfamiliar situations ✓ Reinforces good behavior and achievements ✓ Encourages child to express feelings and emotions ✓ Encourages physical activity with supervision ✓ Gives child chances to make choices ✓ Uses time-out for behavior that is not acceptable

6-9 Years

Physical	Social & Emotional	Cognitive	Indicators of Developmental Concern	Positive Parenting Characteristics
<ul style="list-style-type: none"> ✓ Gradual replacement of primary teeth by permanent teeth throughout middle childhood ✓ Fine motor skills: writing becomes smaller and more legible; drawings become more organized and detailed and start to include some depth ✓ Gross motor skills: can dress and undress alone; Organized games with rough-and-tumble play become more common 	<ul style="list-style-type: none"> ✓ May have a special friend ✓ Likes action on television ✓ Enjoys books and stories ✓ May argue with other children but shows cooperation in play with a particular friend ✓ Self-concept includes identifying own personality traits and comparing self with others ✓ Becomes more responsible and independent ✓ Still obeys adults to avoid trouble ✓ Can adapt ideas about fairness to fit varied situations 	<ul style="list-style-type: none"> ✓ Thought becomes more logical, helping the child categorize objects and ideas ✓ Can focus on more than one characteristic of concrete objects ✓ Attention becomes more selective and adaptable ✓ Can use rehearsal and organization as memory strategies ✓ Emotional intelligence is developing: self-awareness and understanding of own feelings; empathy for the feelings of others; regulation of emotion; delaying gratification ✓ Vocabulary increases rapidly ✓ Makes the transition from "learning to read" to "reading to learn" ✓ Carries on long conversation 	<p>These indicators may be present in any child between 6-11 years</p> <ul style="list-style-type: none"> ✓ Low self-esteem ✓ Acts sad and/or nervous much of the time ✓ Aggressive much of the time (hits, fights, curses, breaks or throws objects) ✓ Exhibits poor impulse control ✓ Has difficulty concentrating or sitting still ✓ Scapegoated/ ignored by other children ✓ Poor grades ✓ Doesn't respond to positive attention/praise ✓ Seeks adult approval/attention excessively ✓ Suspicious/mistrustful of adults; doesn't turn to adults for help/comfort ✓ Little frustration tolerance; difficult to engage and keep interested in goal directed activity ✓ Cannot adapt behavior to different social settings ✓ Doesn't understand a person's identity remains the same regardless of outward changes (e.g., costume) ✓ Can't understand concepts of space, time, and dimension ✓ Can't differentiate real from pretend ✓ Can't understand the difference between behavior and intent (breaking a lamp is equally bad regardless of whether on purpose or an accident) 	<ul style="list-style-type: none"> ✓ Shows affection for child; recognizes accomplishments ✓ Helps child develop a sense of responsibility – asks child to help with household tasks such as setting the table ✓ Talks with child about school, friends, and things to look forward to in the future ✓ Encourages child to think about consequences before acting ✓ Makes clear rules and sticks to them ✓ Engages in fun activities together ✓ Praises child for good behavior ✓ Supports child in taking on new challenges ✓ Gets involved in child's school

9-11 Years

Physical	Social & Emotional	Cognitive	Indicators of Developmental Concern	Positive Parenting Characteristics
<ul style="list-style-type: none"> ✓ Girls' adolescent growth spurt begins ✓ Gross motor skills are better coordinated (running, jumping, throwing and catching, kicking, batting, and dribbling) ✓ Reaction time improves, which contributes to motor skill development ✓ Fine motor skills improve; depth cues evident in drawings through diagonal placement, overlapping objects, and converging lines 	<ul style="list-style-type: none"> ✓ Self-esteem rises ✓ Distinguishes between effort and luck as causes of successes and failures; can become critical of others quickly ✓ Has adaptive set of strategies for regulating emotion ✓ Peer groups emerge ✓ Friendships are based on the pleasure of sharing through activities or time spent together ✓ Sibling rivalry tends to increase 	<ul style="list-style-type: none"> ✓ Planning improves ✓ Can apply several memory strategies at once ✓ Long-term knowledge base grows in size and organization ✓ Improves in cognitive self-regulation (monitoring and directing progress toward a goal) ✓ Grasps double meanings of words as reflected in comprehension of metaphors and humor ✓ Improved understanding of complex grammatical constructions ✓ Conversational strategies become more refined 	<p>These indicators may be present in any child between 6-11 years</p> <ul style="list-style-type: none"> ✓ Low self-esteem ✓ Acts sad and/or nervous much of the time ✓ Aggressive much of the time (hits, fights, curses, breaks or throws objects) ✓ Exhibits poor impulse control ✓ Has difficulty concentrating or sitting still ✓ Scapegoated/ ignored by other children ✓ Poor grades ✓ Doesn't respond to positive attention/praise ✓ Seeks adult approval/attention excessively ✓ Suspicious/mistrustful of adults; doesn't turn to adults for help/comfort ✓ Little frustration tolerance; difficult to engage and keep interested in goal directed activity ✓ Cannot adapt behavior to different social settings ✓ Doesn't understand a person's identity remains the same regardless of outward changes (e.g., costume) ✓ Can't understand concepts of space, time, and dimension ✓ Can't differentiate real from pretend ✓ Can't understand the difference between behavior and intent (breaking a lamp is equally bad regardless of whether on purpose or an accident) 	<ul style="list-style-type: none"> ✓ Helps child develop own sense of right and wrong. Talks with child about risky things, peer pressure, etc. ✓ Encourages child to respect other people ✓ Spends quality time listening to child and talking about accomplishments and possible challenges ✓ Talks with child about normal physical and emotional changes of puberty ✓ Is affectionate and honest with child.

11-15 Years

Physical	Social & Emotional	Cognitive	Indicators of Developmental Concern	Positive Parenting Characteristics
<ul style="list-style-type: none"> ✓ Period of rapid skeletal and sexual maturation ✓ Preoccupation with body image ✓ Acne may appear ✓ Boys ahead of girls in endurance and muscular strength ✓ Rapid growth may mean large appetite but less energy ✓ There is a wide variation in beginning and completion of puberty (body hair, increased perspiration and oil production in hair and skin. Girls: breast and hip development, onset of menstruation. Boys: growth in testicles and penis, wet dreams, deepening of voice) ✓ Increased possibility of acting on sexual desires 	<ul style="list-style-type: none"> ✓ Critical of adults; annoyed by younger siblings; obnoxious to live with ✓ Wants unreasonable independence ✓ Dramatizes and exaggerates own positions; has many fears, worries, and tears ✓ Resists any show of affection ✓ Often moody; anger is common; resents being told what to do; rebels at routines ✓ Intense interest in teams and organized, competitive games; considers membership in clubs important; has whole gang of friends ✓ Girls show more interest in opposite sex than boys do ✓ Recognizes that differences exist between and within groups ✓ May experience prejudice, discrimination, or bias due to ethnicity or poverty 	<ul style="list-style-type: none"> ✓ Thrives on arguments and discussions; challenges adults ✓ Increasingly able to memorize, think logically; engage in introspection ✓ Can plan realistically for the future; may have interest in earning money ✓ Is critical of own artistic products ✓ Interested in world and community; may read a great deal ✓ Needs to feel important and believe in something ✓ Social cognition: <ul style="list-style-type: none"> ○ Belief in an imaginary audience, that others are as preoccupied with one as oneself is (e.g., “everyone is looking at me”) ○ Personal fable – belief in personal uniqueness (e.g., “no one understands me”) and belief that self is invulnerable (“I won’t get hurt”) ✓ Able to understand other points of view, but tends to be egocentric 	<ul style="list-style-type: none"> ✓ By end of period, physically immature, small, not showing signs of puberty or secondary sex characteristics (wide range here; girls mature earlier) ✓ Poor motor skills, coordination ✓ Lack of peer group relationships and identification with peers ✓ Can’t think hypothetically; doesn’t consider consequences of actions ✓ Can’t put him/herself in place of another; doesn’t consider how behavior affects others ✓ Difficulty problem solving; doesn’t work through systematically and weigh solutions ✓ Poor school performance ✓ Doesn’t reject or question parental standards and express self through clothes, hair, and other lifestyle choices ✓ Poor self-esteem ✓ Emotional and behavioral problems (anxiety, depression, withdrawal, aggression, lack of impulse control, anti-social behavior) ✓ Withdrawal from friends and from activities once enjoyed ✓ Changes in eating and sleeping habits ✓ Abuse of alcohol or drugs 	<ul style="list-style-type: none"> ✓ Is tolerant, understanding, and supportive ✓ Accepts youth’s feelings but tries to help youth evaluate more objectively ✓ Avoids being defensive; child is not challenging the adult’s authority ✓ Sets limits, but gives opportunities for independence whenever possible ✓ Answers questions about bodily changes openly and honestly ✓ Encourages group activities and discourages solo dating ✓ Doesn’t nag boys about food intake and seeming “laziness” ✓ Discusses ways to manage and handle stress ✓ Finds ways to spend time together ✓ Provides consistent, loving discipline with limits, restrictions, and rewards

15-21 Years

Physical	Social & Emotional	Cognitive	Indicators of Developmental Concern	Positive Parenting Characteristics
<ul style="list-style-type: none"> ✓ By end of period, physically immature, small, not showing signs of puberty/ secondary sex characteristics (wide range; girls mature earlier) ✓ Poor motor skills, coordination ✓ Lack of peer group rel. and identification with peers ✓ Can't think hypothetically; doesn't consider consequences of actions ✓ Can't put him/herself in place of another; doesn't consider how behavior affects others ✓ Difficulty problem solving; doesn't work through systematically and weigh solutions ✓ Poor school performance ✓ Doesn't reject or question parental standards and express self through clothes, hair, and other lifestyle choices ✓ Poor self-esteem ✓ Emotional and behavioral problems (anxiety, depression, withdrawal, aggression, lack of impulse control, anti-social behavior) ✓ Withdrawal from friends and from activities once enjoyed ✓ Changes in eating Abuse of alcohol or drugs 	<ul style="list-style-type: none"> ✓ Relationships with parents range from friendly to hostile ✓ Usually has many friends and few confidants ✓ Worries about failure ✓ May appear moody, angry, lonely, impulsive, self-centered, confused, and stubborn ✓ Has conflicting feelings about dependence and independence ✓ Girls may form identity and prepare for adulthood through establishing relationships and emotional bonds ✓ Interest in forming romantic relationships part of separation task; implies separation from family ✓ Cultural differences may cause conflict 	<ul style="list-style-type: none"> ✓ May lack information or self-assurance about personal skills and abilities ✓ Continuing formal operational thought with abstract, idealistic, logical, hypothetical-deductive reasoning, complex problem solving, and critical thinking ✓ May enjoy debating and arguing ✓ Has a strong sense of awareness ✓ May be judgmental of adults or peers if they do not do what is "fair" ✓ Seriously concerned about the future ✓ Beginning to integrate knowledge leading to decisions about future 	<ul style="list-style-type: none"> ✓ Physically immature, small, not showing signs of puberty or secondary sex characteristics ✓ Unable to form or maintain satisfactory relationships with peers ✓ Can't put him/herself in place of another; doesn't consider how behavior affects others ✓ Poor self-esteem / guilt ✓ Overcompensates for negative self-esteem by being narcissistic, unrealistically self-complimentary; grandiose expectations for self ✓ Engages in self-defeating, testing, and aggressive, antisocial, or impulsive behavior ✓ Lacks capacity to manage intense emotions; moods change frequently and inconsistently ✓ Has emotional disturbances: depression, anxiety, post-traumatic stress disorder, attachment problems, conduct disorders 	<ul style="list-style-type: none"> ✓ Recognizes and compliments physical maturity ✓ Provides accurate information on consequences of sexual activity ✓ Tries not to pry; but is available to talk and listen ✓ Maintains positive relationship by being respectful and friendly ✓ Accepts feelings; doesn't overreact and avoids disapproval ✓ Recognizes and accepts current level of interest in opposite sex ✓ Encourages experiences with a variety of people (e.g., older, younger, different cultures) ✓ Encourages talking about and planning for future

Adapted from One or More of the Following Sources

Chadwick Trauma-Informed Systems Project. (2013). Guidelines for Applying a Trauma Lens to a Child Welfare Practice Model (1st ed.). San Diego, CA: Chadwick Center for Children and Families.

Reducing the Trauma of Investigation, Removal and Initial Out-of-Home Placement Project. (2008-2009). Trauma Informed Practice Strategies for Caseworkers. Portland State University, Center for Improvement of Child and Family Services.

Child Welfare Trauma Training Toolkit. (2013). The National Child Traumatic Stress Network.

Child and Adolescent Development Resource Book. (2005). The Pennsylvania Child Welfare Training Program. University of Pittsburgh, School of Social Work.

Florida State University, Center for Prevention and Early Intervention. www.cpeip.fsu.edu

John Hopkins University. http://www.hopkinsmedicine.org/healthlibrary/conditions/pediatrics/your_childs_growth_and_development_85.P01019/

Centers for Disease Control and Prevention. <http://www.cdc.gov/ncbddd/actearly/milestones/index.html>

Appendix B: State and Federal Parent Locator Service – Diligent Search

Purpose	Who	Return Information
<p>Assist with location of an absent parent whose child is an alleged victim in a current investigation of child abuse, neglect or abandonment.</p> <p>Assist with location of a person who has or may have parental rights of a child in out-of-home care.</p>	<p>Custodial parent</p> <p>Noncustodial Parent</p> <p>Alleged Father</p> <p>Child</p>	<p>Name</p> <p>SSN</p> <p>Address</p> <p>Employer name, address and FEIN</p> <p>Wages, Income</p> <p>Benefits of employment, including health care coverage</p> <p>Types, location and value of any assets</p> <p>Types, location and amount of any debts owed</p>
<p>Assist in locating relatives and siblings.</p>	<p>Relatives (grandmother, grandfather, aunts, uncles, etc.) of a child in a TANF or Non-TANF foster care case.</p> <p>Siblings of a child.</p>	<p>Name</p> <p>SSN</p> <p>Address</p> <p>Employer name, address and FEIN</p>

**APPENDIX C: PROCEDURE FOR INITIAL INDIAN CHILD WELFARE ACT
DETERMINATION AT INTAKE
AND INVESTIGATION, and instructions for completing form CF-FSP 5323
(Verification of Indian Child Welfare Act Eligibility, available in DCF Forms)**

PURPOSE:

The state is required by law and regulation to make benefits and services available to American Indian children in the state on the same basis as other children.

- **Section 39.0137, Florida Statutes**, affirms federal authority in matters involving requirements established under the Indian Child Welfare Act (25 U.S.C. 1901, et seq).
- **Rule 65C-28.013, Florida Administrative Code**, requires the determination of eligibility under the Indian Child Welfare Act (ICWA) at the onset of each child protective investigation.
- At initial contact with any child potentially entering the protective custody of an agency, a child protective investigator, or any other child protection staff, must inquire if the child, the child's parents, or the grandparents are identified with or are an enrolled member of an American Indian tribe, band, or nation, or are an Alaskan Native.
- An inquiry should be made into any information regarding potential American Indian ancestry or lineage on the paternal or maternal family lines.
- The requirements established in ICWA must be applied in any involuntary proceeding if an eligible child is involved in an out-of-home care placement, including shelter care, or the termination of parental rights to the eligible child is sought.
- The requirements of ICWA also apply to cases involving the voluntary relinquishment of children who are members or eligible for membership in American Indian or Alaskan Native tribes.
- At a minimum, ICWA requires notice in any involuntary proceeding and under certain circumstances involving voluntary relinquishment. At the commencement of any action the parents and Indian custodian, if any, of an Indian child, and the Indian child's tribe must be given notice. Some exceptions may apply and investigations or case management staff must consult legal staff if it is suspected that a child is eligible for the protections of ICWA.
- Documentation of any initial information received by the investigator or caseworker regarding possible eligibility will be recorded by completing the form **CF-FSP 5323 (Verification of Indian Child Welfare Act Eligibility) or similar documentation** and entering relevant information in the appropriate screens and in the case notes of the **Florida Safe Families Network (FSFN)**. The CF-FSP 5323 is a tool used to document the results of the *initial* American Indian ancestry inquiry. The parent history family tree chart is completed to the best of the parent's ability for each birth parent that has indicated Indian ancestry as this will assist the tribe in identifying the family's possible connections to their tribe. The child welfare professional has the ability to inquire about additional family history from grandparents.
- *Once completed an American Indian or Alaskan Native ancestry has been established or alleged, the child welfare professional will immediately notify and submit form 5323 to Children's Legal Services (CLS). The tribe must immediately be notified with a formal written inquiry and notification to the appropriate tribe(s) and/or to the Bureau of Indian*

June 26, 2024

CFOP 170-1

and instructions for completing form CF-FSP 5323 (Verification Of Indian Child Welfare Act Eligibility, available in DCF Forms)

Affairs. This must be in the form of a letter sent via certified or registered mail, return receipt requested. This action is completed by CLS.

- The intent of the inquiry and notification letter is to formally advise the tribe that we are involved with a child who has been alleged or shown by documentation to be associated with their tribe (or a tribal member) and we are making inquiry as to the child's and the parent's status with their tribe. If the tribe denies the child is a member or eligible for membership in their tribe, the case does not meet ICWA criteria for that tribe. If the tribe confirms enrollment (or membership), or eligibility, the case will meet ICWA criteria and ICWA requirements must be applied.
- **Telephone contact** with the tribe is **strongly encouraged** and often expedites the process of connecting with the tribe at the earliest point possible and avoids unnecessary delays in permanency planning.
- **The following two tribes have reservations located in Florida, or near Florida borders, and should be contacted immediately if a child known or believed to be a member of one of these tribes is identified during an investigation or in a case management services case:**

Miccosukee Tribe of Indians of Florida
 Jennifer Prieto, Director of Social Services
 Post Office Box 440021
 Miami, Florida 33144
 Telephone: (786) 409-1241 FAX: (305) 894-5232
 Email: jenniferp@miccosukeetribe.com

Seminole Tribe of Florida
 Shamika Beasley, Ed.S., Advocacy Administrator
 Family Services Department
 6363 Taft Street, Suite 300B
 Hollywood, Florida, 33024
 Telephone: (954) 965-1314 ext. 10372; FAX: (954) 965-1304
 Email: shamikabeasley@semtribe.com

- Telephone contact does not, however, take the place of **formal notification in writing** to the tribe and an official response from the tribe regarding the parent and child's membership or eligibility for membership with the tribe. **The tribe's formal response will determine whether or not ICWA protections will be applied.**
- The tribe's official response, whether in person or in writing, regarding the child's membership or eligibility for membership in their tribe, and the court's subsequent findings with regard to ICWA eligibility, **must be provided to the courts.**
- Timely and consistent identification of children eligible for the protections of ICWA complies with federal mandates regarding American Indian and Alaskan Native children and prevents harmful disruption, inappropriate placements, and avoidable delays in permanency planning for children.

PROCEDURE:

1. Check the case file and **FSFN** for any previous forms or information regarding American Indian ancestry or ICWA eligibility that may exist. For new children coming into care, or children returning to care, a new eligibility form must be completed if the information is more than twelve months old.
2. **Form CF-FSP 5323 (available in DCF Forms at <http://www.dcf.state.fl.us/DCFForms/Search/DCFFormSearch.aspx>)** must be completed and signed by each birth parent of each child. The related children may be listed together on the form signed by their birth parents. The child welfare professional shall assist the parent in completing the form. Do not allow the parent to take the form home for completion. When unable to locate a birth parent, document efforts to find the absent parent in the case file and in **FSFN**. Attempts should be made to contact the relatives of the absent parent if tribal affiliation is alleged. Document the identity and relationship of the “informant” if other than the parent. All efforts of locating the absent parent must be filed with the courts.
3. If the birth parents respond “no” to the Indian ancestry question, have the parent sign and date the form **CF-FSP 5323**, file in the case record and with courts, and document the response in **FSFN**.
4. If a birth parent responds “yes” to any known or suspected American Indian or Alaskan Native ancestry, a diligent search for the child’s tribe and a subsequent inquiry to determine whether ICWA protections apply must be completed. Discuss with the family any information that will identify a tribe, or tribes, to which the parent and/or child may have connections, affiliation, or membership.
5. If the parent or child is already enrolled or a member of a tribe, obtain a copy of the tribal enrollment or membership card, if available, or indicate the enrollment or membership number on the **CF-FSP 5323**. If proof of enrollment or membership is not available, complete Page 1 of the **CF-FSP 5323**, record any information that will support and assist the search process, and include any relatives who may have helpful information. Be as thorough as possible in completing the **Parent History Chart** for the birth parent as the tribe(s) will use this information to determine eligibility for enrollment or membership of the child and/or birth parent. The family will likely not have all the information requested but gather as much as possible.
6. When the **CF-FSP 5323** is complete, provide a copy to the person who will be conducting the diligent search process. Do not alter Page 1 of the original signed form. *Copies* of the form can be altered as needed in conducting the search. The final altered copy can be added to the case file as supporting documentation. Some tribes require separate copies for each child.
7. When taking custody of any child with stated possible ICWA eligibility through one of the two federally recognized tribes located in Florida or the federally recognized tribe located in southern Alabama and the birth parent or relative identifies enrollment or membership in, or connections to one of those tribes (that is, the **Seminole Tribe of Florida** or the **Miccosukee Tribe of Indians of Florida**), contact the **Designated Tribal Agent for Indian Child Welfare Act Service of Notice** (found in the current **Federal Register**) for that tribe immediately. When geographically possible, tribal representatives should be contacted in time to attend any hearing involving an eligible or potentially eligible child and

should always be noticed as quickly as possible. If out-of-state or at a great distance, and if such appearance is approved by the court, tribal representatives may attend hearings by telephone.

When transferring the responsibility of placement and care of an Indian child to a tribal Title IV-E agency or a tribe with a Title IV-E agreement, the child's eligibility under Title IV-E and Medicaid shall not be affected.

8. Any information regarding American Indian or Alaskan Native ancestry and possible eligibility for ICWA protections must be documented on the relevant screens in **FSFN**.
9. Cases involving eligible or potentially eligible children under ICWA should be brought to the attention of legal staff as quickly as possible in order to ensure proper legal notifications and procedures are in place. Once eligibility is established, the tribe must receive formal notification of all proceedings in accordance with ICWA.
10. Children believed or alleged to be eligible for ICWA protections are treated as ICWA eligible until the court finds to the contrary.