

SECTION 1408 – INVESTIGATIVE AND FAMILY ASSESSMENTS

I. OVERVIEW

A. LEGAL REQUIREMENTS FOR THE COUNTY CHILD WELFARE AGENCY

The director of each county child welfare agency is required by law to establish protective services for children alleged to be abused, neglected, and/or dependent. NCGS § 7B-300 states:

“the director of the department of social services in each county of the State shall establish protective services for juveniles alleged to be abused, neglected, or dependent. Protective services shall include the screening of reports, the performance of an assessment using either a family assessment response or an investigative assessment response, casework, or other counseling services to parents, guardians, or other caretakers as provided by the director to help the parents, guardians, or other caretakers and the court to prevent abuse or neglect, to improve the quality of child care, to be more adequate parents, guardians, or caretakers, and to preserve and stabilize family life. The provisions of this Article shall also apply to child care facilities as defined in NCGS § 110-86.”

The county child welfare agency must receive and screen all reports of abuse, neglect, and/or dependency. The CPS Intake worker and supervisor determine whether the facts alleged in the report are sufficient to warrant intervention based on suspected abuse, neglect, and/or dependency regardless of the residence of the child. Refer to Chapter V - Jurisdiction in Child Welfare of this manual for a discussion when more than one county is involved.

NCGS § 7B-302 states: "when a report of abuse, neglect, or dependency is received, the director of the department of social services shall make a prompt and thorough assessment, using either a family assessment response or an investigative assessment response, in order to ascertain the facts of the case, the extent of the abuse or neglect, and the risk of harm to the juvenile, in order to determine whether protective services should be provided or the complaint filed as a petition."

When a report of abuse, neglect, and/or dependency is received regarding a non-institutional setting, all children living in the home shall be considered and assessed as victim children, whether they are named in the report. If a report is received on an institutional setting, the circumstances of other children who were subjected to the alleged perpetrator's care and supervision shall be assessed to determine whether they require protective services or immediate removal.

When the county child welfare agency moves from receiving reports into the assessment of those reports, fact-finding begins. The facts are documented within the parameters of legal definitions of abuse, neglect, and/or dependency and the level of child well-being. Information is evaluated against risk factors. The task of the CPS Assessment is to determine if the child(ren) is/are abused, neglected, and/or dependent

or if the family is in need of services and what level of intervention is necessary to assure safety.

In the course of providing Child Protective Services, the director of the county child welfare agency and staff should have a clear understanding of the legal basis for intervention on an involuntary basis and to accept the responsibility for offering services to involuntary clients. The agency should minimize the intrusion into the family without increasing the risk of harm for children.

B. DUTY TO REPORT - LEGAL REQUIREMENTS FOR THE PUBLIC

North Carolina has a mandatory reporting law, NCGS § 7B-301 that states "any person or institution who has cause to suspect that any juvenile is abused, neglected, or dependent, as defined by NCGS § 7B-101, or has died as the result of maltreatment, shall report the case of that juvenile to the director of the department of social services in the county where the juvenile resides or is found."

The intent of this legislation is to encourage reporting to the proper authority situations in which children may be at risk. It does not require that the reporter possess any information beyond a cause to suspect abuse, neglect and/or dependency. The reporter is not required to have witnessed the abuse, neglect, and/or dependency, or to have firsthand knowledge.

A person who makes a report of suspected child abuse, neglect, and/or dependency is immune from civil or criminal liability if the report was made in good faith. Immunity is also guaranteed to anyone who cooperates with the county child welfare agency in its CPS Assessment, testifies in any court action resulting from the report, or participates in authorized procedures or programs for screening and responding to reports of abuse, neglect, and/or dependency.

II. CHILD PROTECTIVE SERVICES ASSESSMENT OF SUSPECTED ABUSE, NEGLECT, AND DEPENDENCY

A. THE TWO TRACKS FOR CHILD PROTECTIVE SERVICES IN THE MULTIPLE RESPONSE SYSTEM

1. North Carolina's child welfare system, known as the Multiple Response System, is based upon the application of family-centered principles of partnership through seven strategic components.

One of the primary strategies of MRS is the ability to assign CPS Assessments to one of two tracks based on the allegations found in the report--investigative assessment and family assessment.

The choice of two approaches to reports of child abuse, neglect, and/or dependency protects the safety of children by not treating all reports in the same way and missing some clear need for immediate action; engaging families in services that could enable them to better parent their children; focusing on the

family's strengths, supports, and motivation to change; and, better serving many of the families reported to CPS by helping them.

2. Many of the requirements for conducting a CPS Assessment are applicable for both investigative assessments and family assessments. The common policies for conducting a CPS Assessment are addressed below. The county child welfare agency's task in a CPS Assessment is to gather sufficient information through interviews, observations and, when appropriate, analysis of reports, medical records, photographs, etc. in order to assess:
 - Whether the facts identified through a structured gathering of information support the substantiation that a child is abused, neglected, and/or dependent as defined by statute and the extent of the abuse, neglect and/or dependent; or
 - If through observation and the gathering of information it is determined that due to the level of safety and risk, the family is in need of services;
 - Whether the specific environment in which the child is found meets the child's need for care and protection;
 - The safety of the child and the potential for risk of harm during the CPS Assessment period; and
 - What actions might be needed to assure the safety of the child.

B. ASSIGNMENT OF THE REPORT TO THE INVESTIGATIVE OR FAMILY ASSESSMENT RESPONSE

1. NCGS § 7B-300 states that each county of the state may use either the family assessment or investigative assessment response to assess reports of abuse, neglect, and or dependency.

It further states that with the exception of certain reports that must be taken as an investigative assessment, it will be up to each county child welfare agency director, or his or her designee, to choose which response will be used to assess reports of abuse, neglect, and or dependency.

2. All reports of abuse must be taken as an investigative assessment.
3. In addition, the following types of neglect reports must also be taken as investigative assessments:
 - A child fatality when there are surviving children in the family;
 - A child in custody of county child welfare agency residing in family foster homes or residential facilities;
 - A child taken into protective custody by physician or law enforcement, pursuant to NCGS § 7B-308 & NCGS § 7B-500;

- The medical neglect of disabled infants with life threatening condition, pursuant to [Public Law 98-457 \(Baby Doe\)](#);
 - A child hospitalized (admitted to hospital) due to suspected abuse and/or neglect;
 - Abandonment (excludes Safe Surrender);
 - The suspected or confirmed presence of a methamphetamine lab where children are exposed; and
 - A child less than a year who has been shaken or subjected to spanking, hitting, or other form of corporal punishment.
4. [The Abandoned Infants-Infant Homicide Act / Safe Surrender](#) (see [Chapter VIII: Section 1411 - Safe Surrender](#)) provides that a parent may voluntarily deliver an infant less than seven days old into the temporary custody of a health care provider, a law enforcement officer, a county child welfare worker, or any adult. This portion of the law decriminalizes abandonment of an infant when the parent voluntarily delivers the child to one of the above listed individuals.

The individual who takes an infant into temporary custody shall perform any act necessary to protect the physical health and well-being of the infant and shall immediately notify the county [child welfare agency](#) or a law enforcement agency.

In cases of abandonment, the [county child welfare agency](#) shall request law enforcement to investigate through the North Carolina Center for Missing Persons and other national and state resources as to whether the child is a missing child. These cases should be accepted as dependency cases.

C. INITIATING WITHIN THE APPROPRIATE TIME FRAME

1. All reports shall be assessed and assigned promptly in order to ensure that face-to-face contact is initiated within the timeframes mandated by law.

The first step in the decision-making process after agency jurisdiction has been established is to determine the immediacy of response necessary within the statutory timeframes.

[NCGS § 7B-302](#) states that the county director shall promptly initiate a CPS Assessment of suspected abuse, neglect, and/or dependency. The director shall initiate a CPS Assessment of suspected abuse within 24 hours after receiving a report and shall initiate a CPS Assessment of most suspected neglect or dependency within 72 hours after receiving the report. The priority decision-making tool should be used to determine the appropriate timeframe for initiation of all reports.

These timeframes are guidelines and indicate the maximum time limit for initiating CPS Assessments. Each referral is evaluated to determine the perceived risk to the child's safety, the urgency of the situation, and the priority of the report.

When a report is received and any high-risk situation is alleged, the county child welfare agency must take immediate action to see the child, assess the situation, and take whatever action is necessary to protect the child. Each CPS report shall be assessed to determine the need for an immediate response to ensure the safety of the child.

2. Immediate Response

The agency shall respond immediately when a report is determined to be a high-risk situation resulting from abuse, neglect, and/or dependency. High-risk situations which require an immediate response, include but are not limited to:

- A child at imminent risk of harm resulting from neglect;
- Physical abuse of a preschool child;
- A child under the age of six is left alone;
- A child being sexually abused;
- A child being tormented or tortured;
- A child in a life threatening situation;
- A child under the age of 12 who self-refers or refuses to go home;
- A report of a child's death as a result of maltreatment and there are other children present in the home or if it is unknown if there are other children;
- All reports of abandonment; and
- Anytime the agency determines that an immediate response is indicated.

If response to a high-risk situation is not made immediately, there shall be documentation to reflect diligent efforts made and to show adequate follow-up response to protect the child.

D. CHECKING AGENCY RECORDS, CENTRAL REGISTRY RECORDS, AND ADMINISTRATIVE OFFICE OF THE COURTS RECORDS

1. As a part of a thorough CPS Assessment, the county child welfare agency shall:
- Review its Child Welfare Services records for previous contact with the family and

- Conduct a Central Registry check unless the county child welfare agency has conducted such a check in the 60 days prior to the new report, or the agency is providing ongoing children's services to the family.

This step is important because it provides information that will help the county child welfare worker determine if the reported situation represents a pattern of abuse and/or neglect. When assessing the family and trying to determine the most appropriate services, the county child welfare worker should consider the history of abuse and/or neglect, as well as other reported incidents.

It is unacceptable to conduct the Central Registry check during the screening process and prior to the decision to accept the report for a CPS Assessment. (Refer to Section Chapter VIII: Section 1407 - Structured Intake)

2. The Division of Social Services has a contract with the North Carolina Administrative Office of the Courts (AOC) that provides access to the Automated Criminal/Infraction System (ACIS). This contract provides county child welfare agencies the opportunity to ensure the safety of children by allowing them the capability to conduct criminal records checks on foster and adoptive parents, potential child welfare workers, parents, guardians, custodians, and caretakers substantiated for abuse, neglect, and/or dependency, caretakers under CPS Assessments, and caretakers responsible for children in the legal custody of the agency.

Access to the ACIS system allows county child welfare agencies to immediately determine the legal status of all adults with or without criminal records and/or pending charges in North Carolina. All county child welfare agencies should have staff trained to conduct criminal record checks on foster and adoptive parents, potential child welfare workers, parents, guardians, custodians, caretakers under CPS Assessment, caretakers responsible for children in foster care, and on possible Temporary Safety providers.

During the course of a CPS Assessment, county child welfare agencies should check for criminal records for all individuals in the home who are 16 years of age or older.

All individuals with access to the ACIS have been granted access to the Civil Case Processing System (VCAP). The VCAP system contains information on civil actions that range from case initiation to disposition. This system is a tool for county child welfare agencies to utilize, particularly when checking the existence of custody orders, domestic violence protective orders, and/or child support orders. VCAP is not able to provide a narrative on the particular conditions of a civil order.

E. CONDUCTING A CPS ASSESSMENT

1. Family-Centered Practice

Family-centered practice and the concept of involving parents in decision-making throughout service provision can be challenging at times. It is important to remember that every interaction with the family is an opportunity to make a connection.

It is important to take the time to engage the family. Recognize the family's strengths, help the family with transitions, give the family choices, pay attention to the words used when interacting with families, and make an effort to act as a change agent--not as an authority figure. Families should never be pressured or coerced into signing Safety Assessments. Family members should be made to feel their involvement and participation throughout the life of the case is crucial and that their feedback is valued.

Being family-centered is a step toward culturally competent practice and is the foundational philosophy of the North Carolina System of Care. Culturally competent practice is a principle of the System of Care.

A benefit of using a System of Care framework within family-centered practice is the ability to establish mutual goals with the family and community partners together. Family-centered practice is applicable to all CPS Assessments.

County child welfare workers demonstrate the System of Care principles when they support parents in their efforts to care for their children in ways that assure safety and well-being. This is accomplished by the mutual establishment of goals in collaboration with community partners, as well as, the family. The county child welfare agency should be careful that any scheduling of meetings and/or appointments should accommodate the child and family, whenever possible.

2. Face-to-Face Contact

The sequence in which the children and parents and/or primary caretakers are seen at the initiation of a CPS Assessment vary and are described within this section under "Conducting a Family Assessment" and "Conducting an Investigative Assessment."

Interviews during the CPS Assessment shall be conducted in the sequence least likely to cause further risk to the alleged victim, or there shall be documentation that reflects the rationale for the sequence in which the interviews were conducted.

A report involving allegations of domestic violence should involve a different sequence in which the children and parents/caretakers are seen at initiation of a

CPS Assessment. For more information on domestic violence, [refer to Chapter VIII: Section 1409 - Domestic Violence.](#)

[American](#) Indian Child

It is important to ask if the child is a member of an [American](#) Indian tribe or is eligible for membership. The [Indian Child Welfare Act \(ICWA\)](#) applies to federally recognized [American](#) Indian tribes within child custody proceedings. If an American Indian child is the identified victim child, it remains the responsibility of the county [child welfare agency](#) to complete the CPS Assessment, as well as, provide CPS In-Home Services, if applicable. For additional information [regarding placement considerations of an American](#) Indian child, refer to [Chapter IV: Section 1201: IV – Placement Decision Making.](#)

Having knowledge of a child's [American](#) Indian tribe membership, whether a state recognized or federally recognized tribe, is important for assurance of culturally competent practice, as well as for possible future placement planning.

Interview with the Children

[North Carolina Administrative Rule 10A NCAC 70A .0105](#) states: "initiation of an 'investigation' is defined as having face-to-face contact with the alleged victim child or children. If there is not such face-to-face contact within the prescribed time period, the case record shall contain documentation to explain why such contact was not made and what other steps were taken to assess the risk of harm to the child or children."

In all reports accepted for a CPS Assessment, face-to-face interviews shall be conducted with all alleged victim children within the statutory time requirements, or there shall be documentation to reflect diligent efforts made to see the child within these timeframes and documentation that the child was seen as soon as possible.

Based on [NCGS § 7B-302 \(b\)](#), all children living in the home, in a non-institutional setting, shall be considered as alleged victim children when there is any allegation of abuse, neglect, [and/or](#) dependency. Therefore, initiation of a CPS Assessment includes face-to-face interviews with all children living in the home.

It is important to see the children living in the home as soon as possible in order to assess their conditions, to gain a perspective as to the level of immediate safety and continuing risk, and to determine whether the [county child welfare](#) agency needs to take steps to assure the children's safety during the [CPS](#) Assessment. The assurance of safety to the children may include assuming temporary custody or filing a [juvenile](#) petition [requesting](#) nonsecure custody.

In those rare instances when the child is not seen during the initial period, a visit with the child must take place before the CPS Assessment is completed and the case decision is made.

Part of the CPS Assessment must include a determination of who the supports are for the family. Children and youth are valuable sources of information on the involvement of noncustodial parents, kin, or other supports to them and their family.

Effective interviewing strategies and techniques shall be used which are appropriate to the child's developmental level. Documentation shall explain the inability to interview the child. If a child has the capacity for speech, the child must be interviewed.

Unable To Locate

When the agency is unable to initiate the CPS Assessment within the prescribed time because the alleged victim child cannot be located, the director or his or her designees shall make diligent efforts to locate the child until such efforts are successful or until the county child welfare agency concludes that the child cannot be located. Diligent efforts shall include, but are not limited to, visits to the child's address at different times of the day and on different days. All efforts to locate the child shall be documented in the case record (10A NCAC 70A.0105.) See item IV entitled "Diligent Efforts to Initiate Case" of the Structured Documentation Instrument for CPS Assessments - Part I (DSS-5010). If the county child welfare agency concludes that the child cannot be located, the report should be unsubstantiated in an investigative assessment or found services not recommended in a family assessment and closed. Per the Services Information System (SIS) Manual, the time spent should be coded as a 220 activity on the county child welfare worker's Day Sheet.

Interview with Parents/Primary Caretakers and Family Contacts

Face-to-face interviews with the parents or primary caretakers with whom the child resides shall be conducted the same day the child is seen. If interviews are not conducted on the same day as the child is seen, there shall be documentation to reflect diligent efforts made or rationale for delaying the interview that does not compromise the safety of the child.

Section 106 (b)(2)(A)(xviii) of the Child Abuse Prevention and Treatment Act (CAPTA) requires that county child welfare agency notify the individual of the complaints or allegations made against him or her at the first time of contact, regardless of how that contact is made. This is dependent upon the county child welfare worker being certain that he or she is speaking to the person who is named in the report. If the county child welfare worker cannot be certain to whom he or she is speaking, specific allegations shall not be discussed in order to protect the confidentiality of the family.

An interview with the parents or primary caretakers with whom the child resides is an essential step in the CPS Assessment process. It allows the county child welfare worker to assess the allegations reported, assess the safety issues, and determine future risk or caretakers' willingness and capacity to protect the child.

Face-to-face interviews with non-primary caretakers known to be living in the child's household shall be conducted within seven days of initiating the CPS Assessment, or there shall be documentation to reflect efforts made.

Sometimes extended family members, friends, or a second family unit reside in the same household. These or other appropriate individuals who live in the household should be interviewed within seven days of initiating the CPS Assessment. This is important because these individuals may have knowledge of the allegations through observation or they may have a significant relationship with the child. Except in very unusual circumstances, everyone living in the household should be interviewed or there should be documentation to reflect efforts made. One example where this might not be appropriate would be in a transient shelter.

Noncustodial Parents

A noncustodial parent is a parent that does not typically live in the home where the child neglect, abuse, and/or dependency allegations are being assessed. The county child welfare agency must make diligent efforts to contact that parent and get his or her input on the allegations, as well as, the overall safety and risk level in the home. Discuss with the noncustodial parent the level of his or her involvement with the child, and discuss if relatives may be a resource in supporting the child. If the noncustodial parent or the family is not involved in the child's life, it may be beneficial to ask what it would take for him or her to become involved.

The custodial parent may report that the noncustodial parent has not been involved with the child to limit the noncustodial parent's interactions in the CPS Assessment. This may provide a good opportunity to discuss the parents' relationship with each other, as well as, information about the noncustodial parent's last contact with the child and what the quality of the contacts has been. The child may also be able to report on his or her own relationship with the noncustodial parent, as well as, the contacts.

It should be noted that there are situations in which contacting the noncustodial parent may aggravate the safety and/or risk of harm to the child or to the custodial parent. If this is the case, there shall be specific information about the safety threat and/or risk of harm documented in the case record to state the reasons why it is not in the best interest of the child's and/or custodial parent's safety to contact the noncustodial parent. If not, a county child welfare worker must continue to complete diligent efforts to contact the noncustodial parent. If the noncustodial parent cannot be located, the record shall include documentation showing what efforts have been made to locate him or her.

3. Home Visits

The home where the alleged victim child resides shall be visited during the CPS Assessment, or there shall be documentation to reflect diligent efforts made.

[NCGS § 7B-302\(a\)](#) states: "the assessment and evaluation shall include a visit to the place where the juvenile resides, except when the report alleges abuse or neglect in a child care facility as defined in Article 7 of Chapter 110 of the General Statutes."

A home visit provides firsthand knowledge of the home environment and observations of family interactions in the everyday setting. The home visit allows an assessment of the physical environment, problems and resources within the neighborhood, and family access to community and family resources. If the allegations are made against the noncustodial parent, a home visit must also be made to that home.

The home visit should address fire safety. The [county child welfare agency](#) should work with other agencies to ensure that all home visiting personnel address fire safety and the importance of working smoke detectors in the homes they visit. Discussions with the family should include development or review of a fire safety plan with the family. The case record must contain documentation that fire safety has been discussed with the family.

Furthermore, according to [NCGS § 7B-302\(h\)](#), the [county child welfare agency](#) representative may not enter a home without at least one of the following:

- The reasonable belief that a juvenile is in imminent danger of death or serious physical injury;
- The permission of the alleged victim child's parent or person responsible (adult) for the juvenile's care;
- The accompaniment of a law enforcement officer who has legal authority to enter the residence; or
- An order from a court of competent jurisdiction.

The provision of Child Protective Services, including visiting and interviewing the child in his [or her](#) home with the parent's permission, must not infringe upon [any individual's Fourth Amendment](#) rights. Securing parental consent is vital. Efforts to secure voluntary consent should never be coercive. The CPS Assessment worker should explain [his or her](#) role and express the desire to interview the child in order to assess safety, risk, and the strengths and needs of the family.

It is important to remember that the ability to interview children at school or childcare facilities has not been compromised [with the implementation of the Multiple Response System](#). Schools and childcare facilities are not private

residences. The Fourth Amendment to the U.S. Constitution reads as follows, "the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

4. Safety Planning

The primary concern of Child Welfare Services is protecting children. At no time should a county child welfare agency worker leave a child in unsafe circumstances. The intent of safety planning is to reach an agreed upon plan with the family that imposes the lowest level of intrusiveness possible while assuring a child's safety.

A safety agreement must be all of the following:

- 1) Sufficient to manage safety;
- 2) Reasonably tailored to the allegations provided in the CPS report and the child safety issues that exist within the family;
- 3) Immediately available so that it is capable of being in operation the same day it is created; and
- 4) A plan that includes actions and goals that are specific and measurable.

Safety agreements must be individualized. While this is not an exhaustive list, there are four main categories of safety interventions that may be incorporated into a safety agreement:

- 1) Resource support refers to safety actions that address a shortage of family resources and resource utilization (such as obtaining heat, water, electricity, food, child care, etc.), the absence of which directly threatens the safety of the child.
- 2) Social support includes actions that reduce social isolation. Social support may be used alone or in combination with other actions in order to reinforce and support the capacity of the parents or other caregivers.
- 3) Crisis management is specifically concerned with intervening to bring a halt to a crisis and to facilitate problem solving to bring a state of calm to a family. The purpose of crisis management is to quickly control the threat to the child's safety. Crisis management will often be employed along with other safety actions.
- 4) Separation or restriction refers to the removal of any household member from the home for a period of time or otherwise interfering with a parent's custodial rights. Separation is viewed as a temporary action. Separation may involve, among other things, the child temporarily moving to a safe environment; a friend or relative moving into the home; the protective parent moving with the child to a safe environment; a parent agreeing not

to have unsupervised contact with the child; a parent agreeing to forfeit decision-making authority over the child; or the alleged perpetrator agreeing to leave the home.

A safety agreement is made between a parent and a county child welfare agency if a child is in immediate danger in his or her own home because of a safety threat (defined below). In some circumstances during a CPS Assessment, a safety agreement may be used when a part of the environment must be controlled in order to determine whether there is sufficient evidence to support a case decision finding that the reported allegations of abuse, neglect, or dependency occurred. In some cases, it may involve one or more family members leaving the home or an agreement that certain family members will not have unsupervised contact with other family members.

Safety Threat Defined

A safety threat exists when there are conditions or actions within the child's home that represent the likelihood of imminent serious harm to the child. There are two types of safety threats: present and impending.

- 1) Present safety threat refers to an immediate, significant, and clearly observable family condition (severe harm or threat of severe harm) occurring to a child in the present. Present danger is easier to detect because it is transparent and is occurring now. If present danger is observed, the child is not safe.
- 2) Impending safety threat refers to threatening conditions that are not immediately obvious or currently active but are out of control and likely to cause serious harm to a child in the near future. Impending danger is covert. Impending danger is a threat that can be reasonably expected to result in serious harm if safety action is not taken and/or sustained. These threats may or may not be identified at the onset of involvement by a county child welfare agency, but are understood upon a more complete evaluation and understanding of the individual and family conditions and functioning.

In order to be classified as a safety threat, a situation, condition, or behavior must meet the safety threshold. The safety threshold is the point when a parent's behaviors, attitudes, emotions, intent, or circumstances create conditions that fall beyond mere risk of future maltreatment and have become an actual imminent threat to the child's safety. These conditions could reasonably result in the serious and unacceptable pain and suffering of a vulnerable child.

When a safety threat (present or impending) is alleged (i.e.—an accepted CPS report) or identified (i.e.—evidence uncovered during the CPS Assessment), the Safety Assessment ([DSS-5231](#)) must be completed and documented. If a

safety agreement is needed to address identified safety indicators, a Temporary Parental Safety Agreement must be developed.

Temporary Parental Safety Agreements

A Temporary Parental Safety Agreement is a voluntary, temporary agreement made between a parent and a county child welfare agency if a child is in immediate danger in his or her own home because of a safety threat. A Temporary Parental Safety Agreement may incorporate safety interventions from any of the categories outlined above.

Temporary Parental Safety Agreements are only available when the parent voluntarily agrees to the terms outlined. Temporary Parental Safety Agreements involving separation or restriction should only be used when less intrusive safety interventions are not sufficient. The county child welfare worker must work with parents to identify less intrusive safety interventions before separation or restriction is considered.

When making a Temporary Parental Safety Agreement that involves separation or restriction, the CPS Assessment worker must complete an Initial Provider Assessment and have it approved by the county child welfare supervisor, prior to the child being in the care of the identified Temporary Safety Provider.

A parent (someone with legal authority) is expected to sign the Safety Assessment and any resulting Temporary Parental Safety Agreement. The county child welfare worker and county child welfare supervisor must sign the Safety Assessment and any resulting Temporary Parental Safety Agreement. If applicable, a guardian, custodian, or caretaker, and/or approved Temporary Safety Provider(s) should sign the agreement.

The county child welfare agency must file a juvenile petition under [NCGS 7B-302\(c\)](#) when protective services are refused, regardless of whether the agency requests custody of the child. If the court adjudicates the child abused, neglected, and/or dependent, the court may order any of the dispositions included in [NCGS 7B-903](#), including requiring the agency to supervise the child in the child's own home or place the child in the custody of a parent, relative, private agency, or other suitable person. If the county child welfare agency files a petition without asking for custody, and the situation deteriorates prior to the adjudication, the agency may file a motion for nonsecure custody without filing an additional petition.

Due Process Considerations

Under the United States Constitution, parents have a fundamental right to the care, custody, and control of their children. Safety actions falling under the separation or restriction category described above affect a parent's custodial rights. When a county child welfare agency interferes with this right, reasonable procedural protections must be in place. This procedural protection often takes

the form of a hearing in juvenile court. In certain situations, in order to protect a child, a child welfare worker conducting an assessment may be required to perform actions that affect a parent's custodial rights without first providing procedural due process. These instances should be used only to the extent necessary to protect the child and should not continue longer than necessary to assure safety. Procedural protection must be provided within a reasonable period, even when a parent agrees to the infringement on the parent's own custodial right.

Guardians, custodians, caretakers, and other relatives, do not have these same constitutional rights; this due process consideration only applies to birth and adoptive parents.

Although it may seem that filing a petition in juvenile court could be detrimental to the family, allowing the parent to have a hearing or another form of due process when his or her protected custodial rights are implicated is consistent with family-centered practice.

Ensuring Voluntariness

Temporary Parental Safety Agreements are only available when the parent voluntarily agrees to the terms outlined. A county child welfare worker should never attempt to coerce a parent into agreeing to a Temporary Parental Safety Agreement with threats or promises that would affect the voluntary nature of the Temporary Parental Safety Agreement. An offer of a Temporary Parental Safety Agreement, even when the parent does not agree, may be included as an effort to prevent removal when asking the court to find that the agency made reasonable efforts.

Only the court may require supervised visitation between a parent and that parent's child. If a Temporary Parental Safety Agreement includes a provision that a parent will not have unsupervised contact with the child, the county child welfare agency must file a petition in juvenile court, unless it is clear that the arrangement remains voluntary on the parent's part.

Revocation

Because a Temporary Parental Safety Agreement exists only when it is voluntary, it may be revoked at any time.

- Parent: A parent may revoke when he or she communicates the withdrawal of his or her agreement. This revocation may occur verbally or in writing. Revocation must include notification of the county child welfare agency.
- Temporary Safety Provider: A Temporary Safety Provider may communicate his or her inability or unwillingness to continue to care for

the child(ren). The Temporary Safety Provider must communicate this directly to the county child welfare agency.

- County child welfare agency: A county child welfare agency may modify or dissolve the Temporary Parental Safety Agreement at any time. When a Temporary Parental Safety Agreement is modified or dissolved, the county child welfare agency must ensure that everyone included in the Temporary Parental Safety Agreement has been notified as soon as reasonably possible.

When a Temporary Parental Safety Agreement requires modification (i.e. new concerns arise; some safety issues identified during the CPS Assessment have been addressed and others remain) the Temporary Parental Safety Agreement must reflect the changes.

If the county child welfare agency has obtained sufficient evidence that the alleged actions did not occur or that the safety threats no longer exist, the agency must dissolve the Temporary Parental Safety Agreement.

Any time that a Temporary Parental Safety Agreement is revoked or dissolved, the county child welfare agency must inform all individuals involved with the Agreement and take action to ensure that the child is safe.

Monitoring Safety and Progress

The CPS Assessment worker must meet with the parents and the child at regular intervals sufficient to ensure the safety and protection of the child, as well as, monitor progress towards goals. At each contact, it is important that the county child welfare worker assess safety and any other concerns that have arisen. When assessing parents, the CPS Assessment worker should assess whether, and to what extent, progress has been made. If the Temporary Parental Safety Agreement includes separation or restriction, the CPS Assessment worker must assess whether the child can safely return home. The county child welfare agency must monitor all aspects of the Temporary Parental Safety Agreement to ensure that the child continues to be safe and the Agreement continues to be necessary and voluntary. The county child welfare agency must return the child home as soon as it is safe to do so.

When separation or restriction is being utilized, the county child welfare worker must meet with the Temporary Safety Provider regularly to ensure the safety and protection of the child. It is important to ask the Temporary Safety Provider about any needs or issues regarding the Temporary Parental Safety Agreement or care of the child. Observations by the county child welfare worker are a part of the ongoing assessment of the continued need for the separation or restrictions.

Court Involvement

Only the court may require supervised visitation between a parent and that parent's child. If a Temporary Parental Safety Agreement includes a provision that a parent will not have unsupervised contact with the child, the county child welfare agency must file a petition in juvenile court, unless it is absolutely clear that the arrangement remains voluntary on the parent's part.

At any time while a Temporary Parental Safety Agreement is in place, the county child welfare agency may consider involving the court. Under NCGS § 7B-302(c), a county child welfare agency is required to file a petition for the protection of the child when the parent, guardian, custodian, or caretaker refuses to accept the protective services provided or arranged by the child welfare agency. This petition may be filed with or without requesting nonsecure custody, depending on the circumstances that exist in the family at the time.

There are some circumstances where a Temporary Parental Safety Agreement is not sufficient, and juvenile court involvement must occur as soon as reasonably possible. Although this is not an exhaustive list, examples include:

- The alleged victim child has serious physical injuries that are not accidental such as abusive head trauma, internal injuries, or numerous broken bones;
- A safety threat exists, and a prior (Temporary Parental) Safety Agreement was executed, but the parent did not adhere to the agreement;
- A safety threat exists and the parent's ability to make changes is limited because of limited intellectual ability or a mental health diagnosis;
- A safety threat exists and there is no identified alternative caregiver that is willing to protect the child;
- A safety threat exists and there is no identified alternative caregiver whose home environment is appropriate; or
- A safety threat exists and at least one parent has communicated that he or she will not agree to a Temporary Parental Safety Agreement.

Additionally, filing a juvenile petition during the CPS Assessment is necessary when:

- A Temporary Parental Safety Agreement is not sufficient to ensure the safety of the child(ren) or
- There is reason to suspect the parent, guardian, or custodian will not abide by the Temporary Parental Safety Agreement.

If, under a Temporary Parental Safety Agreement, a member of the household has been separated from the family or contact between any household members continues to be restricted at the time of case decision and the safety threat

continues, the county child welfare agency should consider filing a petition in juvenile court. Once the juvenile petition has been filed, the agency is permitted to transfer the case to the appropriate service area so that the family can begin receiving services to address the current safety issues pending the adjudication of the case.

The filing of a juvenile petition requesting nonsecure custody are required in lieu of entering into a Temporary Parental Safety Agreement that involves a child moving to a home in another state, unless specifically allowed by a border agreement with the other state. The Interstate Compact on the Placement of Children (ICPC) must be followed whenever required by [NCGS § 3800 et. seq.](#) or the ICPC regulations.

Filing a petition does not have to involve asking the court for nonsecure custody or placing the child in a licensed foster home. An individualized decision should be made in each instance about the need for nonsecure custody, custody at disposition, or court involvement without custody. Nonsecure custody will only be granted when one or more criteria exist as specified in [NCGS § 7B-503](#). Under [NCGS § 7B-505](#), the court may place the child in a foster home or facility, with a relative, or with nonrelative kin. A county child welfare agency may file a petition, and an adjudication hearing may be scheduled without the agency requesting nonsecure custody. The county child welfare agency may request custody under [NCGS § 7B-903](#) at the dispositional hearing following adjudication, regardless of whether the child remains in the home of the safety provider or is placed in a foster home or facility.

Notification

The county child welfare agency must notify all parties when a juvenile petition is filed.

Although the child may be in the physical custody of a relative or fictive kin at the time the court gives custody to a county child welfare agency, the agency remains obligated, within 30 days, to notify other close adult relatives (grandparents, great-grandparents, siblings, nieces, nephews, aunts and uncles) of the child welfare proceedings, as well. Refer to Relative Notification information found within [Chapter IV: Section 1201: IV - Placement Decision Making](#) for the required notification elements.

Use of Child and Family Teams

As per the Child Welfare Services Manual (Chapter VII: Child and Family Team Meetings) a Child and Family Team (CFT) meeting may be held during a CPS Assessment to address issues of safety planning, as well as, to make initial agreements and decisions about services. However, it is not intended to be used for investigatory purposes.

During a CPS Assessment, a CFT meeting must be held:

- If a Temporary Parental Safety Agreement requiring separation or restriction is being proposed or
- If nonsecure custody is the only means necessary to ensure safety of the child.

During this CFT meeting, other safety interventions, as well as, possible Temporary Safety Providers must be discussed.

In the event that a CFT cannot be held prior to making a Temporary Parental Safety Agreement involving separation or restriction or filing for nonsecure custody, a CFT must be held as soon as possible.

5. Ongoing Contact during a CPS Assessment

Until the case is closed or transferred, the county child welfare agency shall maintain sufficient contact during the CPS Assessment to:

- Ensure the safety of the child;
- Assess ongoing risk;
- Monitor the effectiveness of the safety intervention; and
- Ascertain family strengths.

Documentation should reflect diligent efforts made to have frequent contact or the basis for what the county child welfare agency considers as sufficient contact.

6. Using Drug Screens

In cases where there is reason to suspect that substance abuse is a contributory factor in the safety and risk of child, a drug screen can be requested of the parent or caretaker. A positive drug screen alone is not an indication of substance abuse or dependency, just as a negative drug screen alone does not indicate of a lack of substance abuse or dependency issues. Situations in which drug screening is appropriate may include, but are not limited to:

- To identify or eliminate contributory factors in the assessment of risk during the CPS Assessment;
- To help a parent or caretaker overcome denial and agree to seek treatment; or

- To monitor compliance when the parent or caretaker is not enrolled in a treatment program that does its own screening.

When a drug screen is indicated and the parent or caretaker agrees, that individual should be referred to a certified laboratory for both collection and testing in order to protect the integrity of the test. Under no circumstances should county child welfare agency staff administer drug testing.

Time lapse is a factor in drug and/or alcohol screening. Alcohol is rapidly metabolized. Blood or urine alcohol screens must be done promptly if there is concern about this substance that cannot be verified objectively by observation of behavior, detection of alcohol on the breath, etc. The amount of time a drug remains in the body depends on how much was taken of a particular drug and the metabolism of the individual.

7. Reports/Allegations during a CPS Assessment

All allegations, whether contained in the original report or uncovered during the course of the CPS Assessment, shall be documented and addressed and any potential safety threat and/or risk to the child shall be thoroughly assessed.

If a CPS report is received describing the exact same allegations and incidents that are currently being assessed, the information shall be documented in the case record. All information gathered during the fact-finding process shall be incorporated into one case decision and one Report to the Central Registry / CPS Application (DSS-5104). All required Structured Decision-Making tools shall be completed. All individuals making CPS reports shall receive the required notices.

Any new allegation and/or incident that meets the legal definitions of abuse, neglect, and/or dependency received from the public during the course of an open CPS Assessment (i.e., not uncovered by the county child welfare worker as a part of the CPS Assessment) is to be documented. The new information is not counted as a separate report, but must be responded to within appropriate timeframes to assess the safety of the child. The county child welfare supervisor may waive the requirement to respond to the new allegations, within legal timeframes, when he or she confirms, in writing, that the CPS Assessment worker has uncovered and is fully and appropriately responding to the new allegations as a part of the current CPS Assessment.

All other appropriate standards must be met to ensure the safety of the child.

After finding evidence that a child may have been abused by a parent, guardian, or caretaker, the county child welfare agency shall:

- Give immediate verbal notification to the district attorney or his or her designee;

- Send subsequent written notification to the district attorney within 48 hours;
- Give immediate verbal notification to the appropriate local law enforcement agency; and
- Send subsequent written notification to the appropriate local law enforcement agency within 48 hours.

The report shall include:

- The name and address of the child, of the parents; or
- The perpetrator when this person is different from the parents or caretaker;
- Whether the abuse was physical, sexual, or emotional;
- The dates that the CPS Assessment was initiated and that the evidence of abuse was found;
- Whether law enforcement has been notified and the date of the notification;
- What evidence of abuse was found; and
- What plan to protect the child has been developed and what is being done to implement it.

"Evidence of abuse" means factual information including but not limited to:

- credible statements of the child, parents, and/or other persons;
- observations of the county child welfare worker;
- records;
- photographs;
- x-rays or
- medical reports.

F. SAFETY ASSESSMENT AND TEMPORARY SAFETY PROVIDERS

1. Safety Assessment

A North Carolina Safety Assessment shall be developed to address the safety issues and the caretaker's capacity to ensure safety for the children. The North Carolina Safety Assessment (DSS-5231) shall be completed and documented at the following intervals:

- At the time of the initial home visit, and prior to allowing the child to remain in the household;

- Prior to the case decision;
- Prior to the removal of a child from the home;
- Prior to the return home in cases where the caretaker temporarily arranges for the child to stay outside of the home as a part of the safety intervention;
- At any point a new CPS report is received; and
- At any other point that safety issues are revealed.

This may mean completing more than one North Carolina Safety Assessment as needed.

During the initial contact, the county child welfare worker will conduct a Safety Assessment. The North Carolina Safety Assessment (DSS-5231) will be used to document the assessment. If a child is not safe or is found to be Safe with a Plan, the county child welfare worker shall develop the Temporary Parental Safety Agreement with the parent or caretaker and any other Temporary Safety Provider identified to assure safety or shall file a juvenile petition for court intervention.

It is expected that the parent or caretaker sign the North Carolina Safety Assessment. A copy of the North Carolina Safety Assessment shall be provided to the caretaker(s) upon completion. It is also important to remember that in family-centered practice, it is appropriate to engage and involving the parent(s) in the completion of the safety assessment process. As such, county child welfare workers should request that parent(s) initial each of the pages regarding Current Indicators of Safety on the Safety Assessment.

A Safety Intervention shall be identified whenever any Current Indicator of Safety is present. The Temporary Parental Safety Agreement (Part E of the Safety Assessment) shall specify what actions the parent or caretaker, agency and any identified Temporary Safety Provider will take to ensure the safety of the children. Whenever a Temporary Parental Safety Agreement involves the use of a Temporary Safety Provider, he or she shall also sign and receive a copy of the Safety Assessment.

The instructions on the Safety Assessment tool state that no signature is required unless there is a finding of Safe with a Plan or Unsafe. No signature is required if no safety indicators have been identified. It is also important to remember that in family-centered practice, asking the parents if they desire to sign off on the findings of an assessment that they willingly participated in is an appropriate method of maintaining their engagement in the assessment process. As such, county child welfare workers should ask parents to sign off on the Safety Assessment tool that document no identified safety indicators, and do not require a safety intervention if the parents desire to do so.

Just having an allegation does not necessarily warrant a Safety Intervention. Therefore, it is not appropriate to document the mere existence of an allegation as a safety indicator. During the county child welfare worker's assessment, the Safety Assessment tool is used to evaluate safety. If there is no information that indicates the allegation is valid; it does not become a part of the Safety Intervention. Families are not to be coerced into signing documents simply because of allegations. Safety Interventions are used when it is determined there is evidence of safety issues--not merely allegations.

2. Temporary Safety Providers

If, at any time during the CPS Assessment process, it is decided that a child must stay outside of the home to ensure safety, or a Temporary Safety Provider will move into the family home to supervise parental contact, the county child welfare agency will assess the Temporary Safety Provider and his or her home (assessment of the provider's home is not required when the Safety Provider moves into the family home). This Temporary Safety Provider should be someone that both parents and the county child welfare worker agree will safely care for the child. In choosing someone to fill this need, the county child welfare worker should discuss the items mentioned in the Initial Provider Assessment as indicated in the table below.

Whenever the Safety Assessment determines an intervention requiring separation or restriction of a parent's access to his or her child is necessary, a Child and Family Team (CFT) meeting should be held. Use of separation or restriction should be a last resort and should not be done without first holding a CFT meeting to determine if an intervention can be identified that will keep the child safe without use of separation or restriction of a parent's access. If it is not possible to hold the CFT meeting prior to the separation or restriction due to an urgent need to maintain safety, then the Child and Family Team meeting would be held as soon after as possible.

Situation #1

Table #1 lists those steps that the CPS Assessment worker should follow when the Temporary Safety Provider that is identified lives in the county that is conducting the CPS Assessment or in another county that is within driving distance of that county.

Once the Temporary Safety Provider is identified, a check of the Central Registry must be conducted, and the formal Initial Provider Assessment which includes a home visit, must be completed with that person.

It is appropriate to check ACIS for any criminal charges or convictions in North Carolina through the AOC database, as well as, for civil actions such as domestic violence protective orders within the Civil Case Processing System (VCAP).

An assessment of the Temporary Safety Provider's home environment must take place prior to the child being left in the care of the Temporary Safety Provider.

Agencies must ensure easy access to the Central Registry so that information on possible prior abuse and/or neglect can be obtained.

If the proposed Temporary Safety Provider lives in another county and is within driving distance, the county child welfare worker conducting the CPS Assessment should conduct the Initial Provider Assessment including making a visit to the home of the Temporary Safety Provider, or assistance should be requested from the safety provider's county of residence. The county child welfare worker should speak with the Temporary Safety Provider after the parent has gained this person's agreement to care for the child.

The Temporary Safety provider must be informed that a county child welfare worker will need to make a home visit to conduct the Initial Provider Assessment. The county child welfare worker must ask the Temporary Safety Provider's county for permission to enter the county for the purposes of conducting the home visit and Initial Provider Assessment. If the parent is unable to travel with the county child welfare worker and child, the county child welfare worker should first seek written permission from the parent to transport the child alone. If written permission is not available, verbal permission must be obtained. The parent should accompany the county child welfare worker to the home of the Temporary Safety Provider whenever possible.

Table #1

The County Child Welfare Agency has Received a Valid CPS Report and the Proposed Temporary Safety Provider Lives within Driving Distance

Responsibility of County Conducting the CPS Assessment	Responsibility of County where <u>Temporary Safety Provider's</u> Resides
1. Have parent contact the <u>Temporary Safety Provider</u> to determine if he or she is willing to provide care for the child. If so, inform them that a visit by the county child welfare worker conducting the CPS Assessment will be required in order to assess the placement. 2. Check Central Registry for proposed <u>provider's</u> history of substantiations/ services needed <u>findings</u> . 3. Request permission to enter the county in order to assess safety	1. Provide any relevant information that is known about the proposed <u>Temporary Safety Provider</u> which could affect the safety of the child. 2. Approve the county child welfare worker from the county conducting the CPS Assessment to enter the county to assess the <u>Temporary Safety Provider</u> .

Responsibility of County Conducting the CPS Assessment	Responsibility of County where Temporary Safety Provider's Resides
<p>provider. (Contact on-call worker after business hours. Contact agency CPS staff during working hours.)</p> <p>4. Make a home visit to the proposed provider with the parent and child and conduct the Initial Provider Assessment.</p> <p>If parent is unwilling or unable to accompany the child welfare worker, the county child welfare worker should first seek written permission from the parent to transport the child alone.</p> <p>If written permission is not available, verbal permission must be obtained.</p> <p>5. If the placement cannot be approved, and/or the caretaker cannot identify an appropriate Temporary Safety Provider, take the child into temporary custody and file a juvenile petition requesting nonsecure custody.</p>	

Situation #2

Table #2 provides steps to take if the **Temporary Safety Provider** lives in another county and does not live within driving distance of the county **child welfare agency** conducting the CPS Assessment. The county child welfare worker should speak with the **Temporary Safety Provider** after the parent has gained the **provider's** agreement to care for the child. The **provider** must be informed that a county child welfare worker from the **provider's** county must make a home visit and conduct the Initial **Provider** Assessment. The **provider** must also be informed that the county child welfare worker **from his or her county of residence** will be contacting the **provider** within a short time to make the visit and complete the **Initial Provider A**ssessment.

The county child welfare worker conducting the CPS Assessment should then contact the agency where the **Temporary Safety Provider** lives to arrange for a child welfare worker from the county where the **Temporary Safety Provider** lives to make an immediate home visit and conduct the Initial **Provider** Assessment.

The county child welfare worker conducting the CPS Assessment must remain with the child until the other county's child welfare worker calls providing information about the person's suitability to care for the child. If the home visit and Initial Provider Assessment are positive, the county child welfare worker conducting the CPS Assessment will ask the Temporary Safety Provider to come for the child. If the child welfare worker in the county where the Temporary Safety Provider resides finds that the Temporary Safety Provider is not suitable, another Temporary Safety Provider must be identified by the parent. If the parent cannot identify another Temporary Safety Provider, temporary custody of the child should be taken and a juvenile petition requesting nonsecure custody must be filed by the county child welfare agency conducting the CPS Assessment.

Table #2

The County Child Welfare Agency has Received a Valid CPS Report and the Proposed Temporary Safety Provider Does Not Live Within Driving Distance

Responsibility of County Conducting the CPS Assessment	Responsibility of County where <u>Temporary Safety Provider</u> Resides
<ol style="list-style-type: none"> 1. Have parent contact the <u>Temporary Safety Provider</u> to determine if he or she is willing to provide temporary care for the child. 2. The county child welfare worker should speak to the potential <u>provider</u> stating that a child welfare worker from the county where <u>he or she</u> resides must make a home visit and conduct an assessment, and that this child welfare worker would be calling shortly. 3. Check Central Registry for proposed <u>provider's</u> history of substantiations <u>and/or</u> services needed <u>findings</u>. 4. Contact the county <u>child welfare agency</u> where the <u>provider</u> home is located and request an immediate home visit and assessment. The county child welfare worker must remain with the child until the other county calls providing information about the suitability of the <u>provider</u>. 5. If the <u>provider</u> is suitable, arrange for the <u>provider</u> to come to pick up the child 	<ol style="list-style-type: none"> 1. Provide any relevant information that is known about the proposed <u>Temporary Safety Provider</u> which could affect the safety of the child. 2. Contact identified <u>Temporary Safety Provider</u> prior to conducting home visit. 3. Conduct the Initial <u>Provider</u> Assessment at the proposed <u>Safety Provider</u> home. 4. Immediately notify the assessing county regarding the suitability of the <u>provider</u> home.

Responsibility of County Conducting the CPS Assessment	Responsibility of County where Temporary Safety Provider Resides
<p>6. If the provider is not suitable, and the parent is unable to identify a suitable Temporary Safety Provider's, take the child into temporary custody and file a juvenile petition requesting nonsecure custody.</p>	

Situation #3

In cases when a CPS safety issue is present in a family found or residing in North Carolina and the family names a **Temporary Safety Provider** that resides in another state, the agency conducting the CPS Assessment must file a juvenile petition and request nonsecure custody. The only exception is for CPS Assessment cases for families that reside in counties that have a border agreement with a neighboring state.

3. Providing Permanence

If parents are seeking treatment or need respite care for their children and a **Temporary Safety Provider** is needed, the parents can arrange with appropriate relatives or friends. The agency should never coerce or persuade parents to place their children. As long as the concerns of abuse and/or neglect are present, a Temporary Parental Safety Agreement and Initial Provider Assessment shall be completed. If the child cannot safety return home prior to case decision, the county child welfare agency shall stay involved until the issues that caused the abuse and/or neglect are resolved.

G. REASSIGNMENT OF CASES (SWITCHING RESPONSES)

The key point to remember is that each case should be assessed using the response track that best ensures the child's safety, permanence, and well-being.

No abuse, abandonment, or special type of neglect report that remains as reported throughout the CPS Assessment may be conducted as a family assessment. Reports with those allegations must be initiated using the investigative assessment response. A CPS investigative assessment may be switched to a family assessment response if it becomes obvious that it could have been assigned as such if the true situation was known at **CPS Intake**.

Any neglect or dependency report may be assigned initially and initiated as a family assessment. Any report initially initiated using a family assessment response may be switched to an investigative assessment if it becomes obvious it should have been assigned as such if the true situation was known at **CPS Intake**.

Another example may be any instance in which the child's safety cannot be ensured through the family assessment response. This may be due to lack of parental

cooperation or changing circumstances. County child welfare workers should also remember to engage law enforcement and the district attorney's office, as appropriate, at any point during the CPS Assessment if evidence is found that a child has been abused as defined by NCGS § 7B-101.

Switching tracks during a CPS Assessment should not be done frequently or without a thorough discussion of the case between the county child welfare worker and the county child welfare supervisor. All decisions to change assessment response tracks must be done with supervisory approval. Documentation in the record should also clearly show why such a decision was made and how it helped ensure the safety of the child.

H. COLLATERALS AND OTHER CONTACTS

1. Collateral Contacts

As a part of a thorough CPS Assessment, the county child welfare agency shall:

- Interview all persons named at the time of the report as having information relevant to the CPS Assessment or document why these contacts were not made and
- Contact other persons or agencies known to be currently involved with the family or known to have knowledge of the situation or document why these contacts were not made.

Contact with collateral information sources constitutes a vital component of a thorough CPS Assessment delivered using System of Care principles.

NCGS § 7B-302 (e) states: " in performing any duties related to the assessment of the complaint or the provision or arrangement of social services, the director may consult with any public or private agencies or individuals, including the available State or local law enforcement officers who shall assist in the assessment and evaluation of the seriousness of any report of abuse, neglect, or dependency when requested by the director. The director or the director's representative may make a written demand for any information or reports, whether or not confidential, that may, in the Director's opinion, be relevant to the protective services case. Upon the Director's or the Director's representative's request and unless protected by the attorney-client privilege, any public or private agency or individual shall provide access to and copies of this confidential information and these records to the extent permitted by federal law and regulations."

In addition, the court may designate certain local agencies authorized to share information concerning juveniles. Agencies that are so designated shall share, upon request, information that is in their possession that is relevant to any case in which a juvenile petition is filed alleging abuse, neglect, dependent, undisciplined, and/or delinquent and shall continue to do so until the juvenile is no longer subject to the jurisdiction of juvenile court.

When a child is alleged to have a medical condition, disease or illness, relevant to the allegation, the county child welfare agency shall consult the medical provider treating the condition. This consultation shall be focused on determining the family's assertions about that medical condition, or there shall be justification for why this was not done.

The county child welfare agency director shall exercise discretion in the selection of collateral sources in order to protect the family's right to privacy and the confidentiality of the report.

The county child welfare worker should ask the family for collateral information sources during the CPS Assessment. These contacts should be people who are capable of providing reliable information concerning the child and family--not simply character references. The county child welfare worker shall contact all of the collateral information sources identified by the family prior to making a case decision.

The county child welfare worker must contact any collaterals identified on the CPS Structured Intake Form. These contacts must be made prior to making the case decision.

Additional discussion regarding collateral contacts is included under "Conducting a Family Assessment" and "Conducting an Investigative Assessment" within this Section.

2. Use of the Child Medical Evaluation Program (CMEP) / Child and Family Evaluation Program (CFEP) During the CPS Assessment

Medical and psychological resources, such as the Child Medical Evaluation Program (CMEP) / Child and Family Evaluation Program (CFEP) must be utilized, as appropriate, as a component of a thorough CPS Assessment. County child welfare workers engaged in conducting CPS Assessments must use professional judgment in determining when a CMEP and/or CFEP evaluation is necessary. A CMEP and/or CFEP evaluation should be considered if the county child welfare worker has questions about any of the following issues:

- Significant delay in the child's developmental skills;
- Significant delay in the child's physical development;
- Unusual and unexplained lethargy or irritability;
- Untreated or inadequately treated medical conditions which have significant impact on the child's overall health or physical development;
- Children affected when one parent abuses the other;

- Sexual contact **between children** initiated as CPS for parental supervision issues; or
- A child has received a non-serious injury from an unknown perpetrator.

This list is not intended to be all-inclusive. There may be other instances in which a CMEP **and/or a** CFEP may be considered appropriate as part of the CPS Assessment:

Medical and psychological resources, such as the Child Medical Evaluation Program and the Child/Family Evaluation Program shall be utilized, as appropriate, in the assessment of alleged victims of neglect and/or physical, sexual, and/or emotional abuse.

The CMEP and CFEP can be used in all CPS Assessments.

For more information on using the CMEP and CFEP program, see [Chapter VIII: Section 1422 - Child Medical / Child/Family Evaluation Program](#).

3. Referral for Early Intervention Services

A referral to Early Intervention is required whenever there is a concern regarding a child's development regardless of whether a case decision has been made. When there is the appearance or presence of any of the North Carolina Infant Toddler Program eligibility conditions of "Established Conditions" or "Developmental Delay" (definitions can be found at <http://www.ncei.org/>), or the likelihood that the child has a mild developmental delay in the areas of cognitive development, physical development, including fine and gross motor function, communication development, social-emotional development, or adaptive development, a referral must be made to the local Children's Developmental Services Agency (CDSA). At any time that a county child welfare worker or a parent expresses some concern about how a child is developing, contact the local CDSA for consultation or to make a referral. If a **county child welfare** agency needs technical assistance on eligibility for the Early Intervention Program or how to make a referral, please contact the Early Intervention Services state office at 919-707-5520 or the local CDSA (<http://www.ncei.org/>).

A referral for Early Intervention Services is also required **when** any child under the age of three who has been the subject of a CPS Assessment and the case decision was to substantiate neglect, abuse, **and/or** dependency, or results in the finding of services needed must be screened for referral to the Children's Developmental Services Agency (CDSA) within 72 hours of the case decision. To screen a child for referral to a CDSA using the above guidance, refer to the North Carolina Family Assessment of Strengths and Needs ([DSS-5229](#)) S6 - Child Characteristics.

Any identification of need in S6 for a child under the age of three will require that the referral to the CDSA be made. This referral is made by filling out the DSS

Referral Form for Early Intervention Services (CDSA) ([DSS-5238](#)). Parental consent is not required to make this referral. Acceptance of Early Intervention Assessment and Services is totally voluntary for the family, unless a safety issue has been identified that would necessitate a referral to Early Intervention Services.

I. USE OF THE JUVENILE COURT DURING THE CPS ASSESSMENT

1. Interference with a CPS Assessment

If, at any point during the CPS Assessment process, any person obstructs or interferes with the CPS Assessment, the director may file a petition naming said person as a respondent and requesting an order directing him or her to cease such obstruction or interference. The petition must first provide sufficient evidence to demonstrate that the facts surrounding the report would meet the definitions under [NCGS § 7B-101](#) before proceeding to evidence of the person's conduct that constitutes obstruction/interference. When this evidence is established, then evidence of the person's obstruction or interference should be specifically stated and verified.

There will be instances when a county child welfare agency must file an obstruction/interference petition in order to proceed with the CPS Assessment and the required the provision of protective services. At the obstruction/interference hearing, all relevant information from the CPS report should be presented and the county child welfare agency must demonstrate to the judge that the agency's decision to initiate a CPS Assessment did meet the statutory threshold for abuse, neglect, and/or dependency. The reporter's identity remains confidential information; however, the judge may order disclosure.

This obstruction of, or interference with, the CPS Assessment means:

- Refusing to disclose the whereabouts of the juvenile;
- Refusing to allow the director to have personal access to the juvenile;
- Refusing to allow the director to observe or interview the juvenile in private;
- Refusing to allow the director access to confidential information and records upon request pursuant to [NCGS § 7B-302](#);
- Refusing to allow the director to arrange for an evaluation of the juvenile by a physician or other expert; or
- Other conduct that makes it impossible for the director to carry out the duty to make a thorough assessment of the safety and risk of the children.

2. Filing a Petition/Out of Home Placements

Sometimes the safety threats are so great that the county child welfare agency must protect the child by removing the child from the home. Voluntary

Placement Agreements are not appropriate for use in this situation. Removal of the child is most often accomplished through the filing of a [juvenile](#) petition in court. It should be noted that a [juvenile](#) petition can be filed, asking for an adjudication of abuse, neglect, [and/or dependency](#), even when the [county child welfare](#) agency is not [requesting legal custody](#) of the child. This can be particularly helpful when dealing with uncooperative parents who refuse to work with the [county child welfare](#) agency. Once abuse, neglect, [and/or dependency](#) have been adjudicated, the judge may order the parents/caretaker to take certain steps, and if they continue to refuse, they will have to answer to the court.

If it is determined that the child is an [American](#) "Indian child" under jurisdiction of the [Indian Child Welfare Act \(ICWA\)](#), refer to the [Section 1201: IV - Placement Decision Making](#) for direction on how to proceed. A state court may still act in an emergency to prevent imminent physical danger or harm to the child, but must then expeditiously initiate proceedings under ICWA.

[Refer to Chapter X - The Juvenile Courts and Child Welfare](#) for additional information on the use of the juvenile court during CPS Assessments.

J. COMPLETING A CPS ASSESSMENT

1. Structured Decision Making

The Structured Decision-Making Model and its tools were introduced in North Carolina in April 2002. They incorporate all of the System of Care principles such as interagency collaboration, individual strengths-based care, cultural competence, community based services, and accountability.

The Structured Decision-Making Model and its tools are a package and should not be used in isolation. They are a means of organizing data and guiding the decision-making process. County child welfare workers must still use their professional judgment and their social work skills when completing assessments and making decisions about the case. These tools do not take the place of complete documentation in the case record.

Upon initiation the North Carolina Safety Assessment ([DSS-5231](#)) is completed with the family as detailed earlier.

The North Carolina Family Risk Assessment of Abuse / Neglect ([DSS-5230](#)) shall be completed and documented prior to the case decision and whenever a new CPS report occurs in an ongoing case.

The North Carolina Family Risk Assessment of Abuse / Neglect identifies the level of risk of future maltreatment and guides the case decision including whether to close a report, open a case for [CPS In-Home Services](#), or [open a case for](#) Child Placement Services. The North Carolina Family Risk Assessment of Abuse / Neglect determines the level of risk of future harm in the

family and determines the level of service to be provided to each family. It identifies families which have high, moderate, or low probabilities of continuing to abuse [and/or](#) neglect their children.

By completing the North Carolina Family Risk Assessment of Abuse / Neglect, the [county](#) child welfare worker obtains an objective appraisal of the likelihood that a family will maltreat the children in the next 18 to 24 months. The difference between the risk levels is substantial. High-risk families have significantly higher rates than low-risk families of subsequent reports and substantiations and are more often involved in serious abuse [and/or](#) neglect incidents.

The risk scales are based on research on cases with substantiated abuse or neglect or services needed [findings](#) that examined the relationships between family characteristics and the outcomes of subsequent abuse [and/or](#) neglect. The scales do not predict recurrence; simply that a family is more or less likely to have another incident without intervention by the [county child welfare](#) agency.

The instructions for completing the North Carolina Family Risk Assessment of Abuse / Neglect are included with the tool.

The North Carolina Family Assessment of Strengths and Needs ([DSS-5229](#)) shall be completed during the CPS Assessment. The North Carolina Family Assessment of Strengths and Needs is a tool designed to evaluate the presenting strengths and needs of the family of a child alleged to have been abused, neglected, [and/or](#) dependent. The North Carolina Family Assessment of Strengths and Needs assists the [county](#) child welfare worker in determining areas of family strengths and needs that can be utilized in case planning. The North Carolina Family Assessment of Strengths and Needs is to be completed and documented prior to the time the case decision is made. It is one of the elements considered in making the case decision. The same tool is used for all subsequent reassessments until the case is closed.

The CPS Assessment case decision shall:

- Be a shared decision, including at a minimum, the [county](#) child welfare worker and the [county](#) child welfare supervisor or supervisor's designee or staffing team;
- Be correct based on the legal definitions;
- Document specific caretaker behavior that resulted in harm to the child or clarify the absence of risk of harm; and
- Be made within 45 days for a [CPS](#) Assessment, or there shall be documentation to reflect the rationale to extend the CPS Assessment beyond the required timeframes.

The North Carolina Case Decision Summary/Initial Family Services Agreement (DSS-5228) shall be completed during the case decision staffing.

The North Carolina Case Decision Summary must document answers to the following questions:

- Has the maltreatment occurred with frequency and/or is the maltreatment severe?
- Are there current safety issues? Would the child be unsafe in the home where the abuse, neglect or dependency occurred?

(Note: If the child(ren) is separated from his or her parent or access is restricted and that separation/restriction continues to be necessary due to safety issues, then this question must be answered "yes".

- Is the child at risk of future harm?
- Is the child in need of protection?

Documentation must support the answers included on the North Carolina Case Decision Summary/Initial Family Services Agreement.

Determining whether a child is abused, neglected, and/or dependent requires careful assessment of all the information obtained during the CPS Assessment process. In making a case decision, it is important to assess not only that maltreatment has occurred, but the current safety issues, as well as any future risk of harm, and the need for protection.

To make a case decision to substantiate or find services needed, the answer to one or more of the above questions must be "yes," and there must be documentation to support the answers included on the case decision tool. Only in unusual circumstances should a county child welfare supervisor and staffing team change the indicated structured case decision. In those cases, the county child welfare supervisor should complete the "Rationale for Case Decision/Disposition" to justify the change.

Instructions for completing the North Carolina Case Decision Summary/Initial Family Services Agreement are included with the tool.

2. Documentation

The county child welfare worker shall document and record all actions taken during the CPS Assessment. Documentation is required because:

- The county child welfare supervisor, subsequent or substitute county child welfare workers, or other reviewers must have documentation of all actions taken.

- All CPS Assessment response records shall contain the required information, and shall be written so that the decisions made are documented, and would be understandable to another person reviewing [the record](#).
- The facts gathered by the [county](#) child welfare worker may be used if court action is needed.

Documentation of the CPS Assessment shall:

- Include completion of the North Carolina Safety Assessment ([DSS-5231](#));
- Include completion of the North Carolina Family Risk Assessment of Abuse / Neglect ([DSS-5230](#));
- Include completion of the North Carolina Family Assessment of Strengths and Needs ([DSS-5229](#));
- Include completion of the North Carolina Case Decision Summary/Initial [Family Services Agreement](#) ([DSS-5228](#));
- Describe actions taken and services provided;
- Support the rationale for the involvement [of the county child welfare agency](#) and service delivery on an ongoing basis; and
- Be prompt and current within seven days.

Documentation of the CPS Assessment shall also include a description of the ongoing assessment of risk, safety, and health of the child.

The following documentation order in the child's CPS case file is recommended for reports assigned as a CPS Assessment:

- [CPS](#) Structured Intake [Form](#) ([DSS-1402](#)) and all required notices;
- North Carolina Safety Assessment (DSS-5231);
- North Carolina Family Risk Assessment of Abuse / Neglect ([DSS-5230](#));
- North Carolina Family Assessment of Strengths and Needs ([DSS-5229](#));
- North Carolina Case Decision Summary/Initial [Family Services Agreement](#) ([DSS-5228](#));
- Report to Central Registry / CPS Application ([DSS-5104](#));
- Case notes to document interviews, observations and statements obtained during the CPS Assessment;

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- Collateral Information;
- Written notifications to reporters, parents, and perpetrator;
- Correspondence; and
- Case decision notifications to the family regarding the case decision.

3. Supervisory Review

The county child welfare supervisor shall review and sign all CPS documents to reflect his or her concurrence with decisions and approval of documentation. This review includes the North Carolina Safety Assessment, the North Carolina Family Risk Assessment of Abuse/Neglect, the North Carolina Family Strengths and Needs Assessment and the North Carolina Case Decision Summary / Initial Family Services Agreement.

4. Notifications

CPS reports received for CPS Assessment require:

- A written notice to the reporter, unless waived or anonymous, within five working days after receipt of the report stating whether the report was accepted for a CPS Assessment and if any subsequent referrals were made, and
- Information as to whether the report was referred to the appropriate law enforcement agency.

The CPS Assessment case decision shall be reported to:

- The caretakers or parents alleged to have abused, neglected, and/or rendered the child dependent;
- The primary caretakers or parents with whom the child resided at the time the agency initiated the CPS Assessment;
- Other parents as appropriate;
- Any agency in which the court has vested legal custody;
- The licensing authority as appropriate;
- The Central Registry; and
- RIL, if appropriate.

Within five working days of the completion of the CPS Assessment, the reporter shall be given written notice of the county child welfare agency's findings, and actions being taken, and the process for requesting a review by the district

attorney of the [county child welfare](#) agency's decision not to file a [juvenile](#) petition. If the reporter waives the right to notice or is anonymous, this does not apply. This notification to the reporter will indicate when the CPS Assessment was completed and the outcome.

5. Review by Prosecutor at Request of Reporter

Upon receipt of the [county child welfare agency](#)'s decision not to petition the court, the person who made the report has five working days to notify the prosecutor to request a review of this decision. If a review is requested by the person who made the report, [NCGS § 7B-305](#) requires that the director of the [county child welfare agency](#) "immediately transmit to the prosecutor a copy of a summary of the assessment." [North Carolina Administrative Rule 10A NCAC 70A .0109](#) requires that this report be sent within three working days.

[NCGS § 7B-306](#) states: "the prosecutor shall review the director's determination that a petition should not be filed within 20 days after the person making the report is notified. The review shall include conferences with the person making the report, the protective services worker, the juvenile, if practical, and other persons known to have pertinent information about the juvenile or the juvenile's family. At the conclusion of the conferences, the prosecutor may affirm the decision made by the director, may request the appropriate local law enforcement agency to investigate the allegations, or may direct the director to file a petition."

6. Report to the Central Registry

The North Carolina Department of [Health and Human Services](#) shall maintain a Central Registry of abuse, neglect, and dependency cases and child fatalities that are the result of alleged maltreatment that are reported in order to compile data for appropriate study of the extent of abuse and neglect within the state and to identify repeated abuses of the same juvenile or of other juveniles in the same family. This data shall be furnished by county [child welfare agency](#) directors to the Department of Health and Human [Services](#) and shall be confidential, subject to [North Carolina Administrative Rule](#) providing for its use for study and research and for other appropriate disclosure. Data shall not be used at any hearing or court proceeding unless based upon a final judgment of a court of law.

The director of the [county child welfare agency](#) shall submit a report of alleged abuse, neglect, [and/or](#) dependency cases or child fatalities that are the result of alleged maltreatment to the Central Registry under [North Carolina Administrative Rule](#). The county [child welfare agency](#) fulfills this requirement by electronically submitting the Report to Central Registry / CPS Application ([DSS-5104](#)) to the North Carolina Division of Social Services.

For additional state policy and other information, see [Chapter VIII: Section 1426 - Central Registry](#). Instructions for completing the Report to Central Registry / CPS Application ([DSS-5104](#)) are found in Section 1426 of this manual.

7. Family Contact after Substantiation or a Finding of Services Needed

A family shall be seen by a county child welfare worker within seven days after substantiation or a finding of services needed in any report of abuse, neglect, and/or dependency to begin the transition from the CPS Assessment to CPS In-Home Services, unless there is documentation of diligent efforts made and/or rationale for the delay. The parent(s) or caretaker(s) should be provided a copy of the Initial Family Services Agreement at that family contact. The parent(s) or caretaker(s) should be asked to sign a copy of the Initial Family Services Agreement to indicate review and receipt of the Initial Family Services Agreement.

III. CONDUCTING A FAMILY ASSESSMENT

A. ASSIGNING CASES TO THE FAMILY ASSESSMENT RESPONSE

The county child welfare agency may assign any valid CPS report alleging neglect and/or dependency as a family assessment except for certain specific neglect case. Refer to Chapter VIII: Section 1407 - Structured Intake for details.

B. USING A FAMILY-CENTERED APPROACH

The family assessment track is a family-centered approach based on family support principles, incorporates System of Care principles, and offers a much less adversarial approach to a CPS report. Families can be better served, and children protected, by focusing more on establishing a partnership with them and less on the authoritarian approach. The county child welfare agency cannot change families, but if they are approached in a manner that looks for their strengths, support systems, motivation to change, and supportive interventions, they will be more capable of providing safe care for their children. CPS staff and the family will develop true partnerships to ensure safety of the child and this is the goal of the family assessment track.

The family assessment track allows county child welfare workers flexibility to meet the needs of specific neglect and dependency cases as determined by the county child welfare agency director. Manual material provided in this section is intended to provide general guidance concerning family assessments

C. INITIAL CONTACT WITH THE FAMILY

1. Initiation

As it is the agency's responsibility to ensure the safety of the child, the county child welfare worker shall initiate face-to-face contact with the parents and child within 72 hours or sooner, depending on the determination of the prioritization of response by the CPS Intake worker and CPS Intake supervisor, of the report to begin conducting the family assessment. When the county child welfare worker is unable to initiate the contact within the prescribed time frame, there must be

documentation in the case record describing the diligent efforts made and reasons why the attempts were unsuccessful.

The county child welfare agency will decide with whom to initiate the Family Assessment based on the situation. The first recommended contact shall be with the parents. In many instances, the first contact will be with both parent and child.

2. Interviewing Children

The first underlying belief of family-centered practice is that the safety of the child is the first concern. No child should be interviewed in such a manner that compromises his or her safety.

There is nothing that prevents the county child welfare worker from interviewing the children alone. If this occurs, it will be important for the county child welfare worker to explain to the parents why a separate interview with the child is important and try to gain the parents' permission. County child welfare workers should use their professional judgment in deciding how children will be interviewed. In many cases, interviewing the family together can provide vital information about family dynamics and may trigger discussions that otherwise would not be held. However, attention should be paid to verbal and non-verbal cues from the child that might lead the county child welfare worker to feel that this child needs to be interviewed in a different setting also. Each child should be interviewed in the way that will best provide safety and build rapport with the family for future services.

3. Interviewing Parents and Caretakers

The family assessment allows much latitude in how assessments are completed. In most cases, the first contact will be with the parents, and the first face-to-face contact will be with the family together. Each case should be looked at as unique and distinctive, and the approach adjusted to the needs of each family. Safety is the first concern, while keeping in mind the goal of respecting and collaborating with parents at all times.

4. Interviewing Sequence

Interviews during the family assessment shall be conducted in the sequence least likely to present further risk to the alleged victim or there shall be documentation that reflects the rationale for the sequence in which the interviews were conducted.

5. Observing Marks

If the CPS reports allege the children have marks and/or injuries, the county child welfare worker should observe the marks as a part of the CPS Assessment. To remain as family-centered as possible and ensure the parents

are engaged in **process**, this may be best accomplished in the presence of the parents if the safety of the child is not compromised as a result.

6. Brochure at First Contact

During the initial contact, the **county** child welfare worker shall give the family a written explanation (e.g., a brochure) of the **CPS** Assessment **process**. The **county** child welfare worker shall also verbally explain the process of the **CPS** Assessment.

D. ONGOING ACTIVITIES IN A FAMILY ASSESSMENT

The North Carolina Family Risk Assessment of Abuse / Neglect (**DSS-5230**) and North Carolina Family Assessment of Strengths and Needs (**DSS-5229**) must be completed prior to the case decision. County child welfare workers should practice the System of Care principles by introducing these tools to the family during the initial meeting. This will allow the family to be fully informed about the CPS Assessment process and what information the **county child welfare** agency will use to make the case finding. If a family informs the **county** child welfare worker that it is **its** desire not to have the tools actually completed with them, the **county** child welfare worker will be able to use **his or her** knowledge of the tools as a resource to refer back to during the **CPS** Assessment or while explaining the case finding. County child welfare workers should not force a family to have the tools completed in **its** presence merely to fulfill an expectation of policy. This must remain the family's choice.

The information for the North Carolina Family Risk Assessment of Abuse / Neglect and North Carolina Family Assessment of Strengths and Needs shall be based on face-to-face interviews with and/or observation of parents, **caretakers**, other household members, and children by the **county** child welfare worker, as well as pertinent collateral contacts. While the North Carolina Safety Assessment, the North Carolina Family Risk Assessment of Abuse / Neglect and the North Carolina Family Assessment of Strengths and Needs shall document findings, there is still a need for case narrative to reflect interviews.

Professional Collateral Sources

Interagency collaboration is a System of Care principle. It is expected that professional service providers and agencies will share concerns about the family, with the family **members** themselves. As such, when a professional collateral is to be contacted, whether provided by the reporter, the family, or the **county** child welfare worker, the parent/caretaker should be given the option to be present for this collateral contact. In those instances when the parent chooses not be present, the **county** child welfare worker shall advise the parent of the information gathered from that collateral source.

Parents should be advised of any professional collateral that will be contacted and their permission obtained to talk to that collateral. If the parent refuses permission, the **county** child welfare worker shall first discuss the reason for the parents' refusal, and try to gain their permission. If that fails then the **county** child welfare worker must decide if

the collateral contact in question is essential to a thorough assessment of safety and risk. If so, then the parent must be advised that due the statutory obligation to make a thorough assessment, based on the concerns reported, the collateral will be contacted, and the findings reported will be considered in the case decision.

Non-professional Collateral Sources

The parent will be with the county child welfare worker when contact is made if the parent chooses, and if the safety of the non-professional collateral information source is not compromised as a result. The county child welfare worker should contact the non-professional collateral information source to determine whether that individual has any concern about his or her own personal safety if the parent and county child welfare worker make contact with him or her together. If that collateral expresses no concern for his or her own personal safety, the parent will be given the option of being present during the contact.

CPS Assessment Time Frame

The CPS Assessment shall be completed within 45 calendar days of the date of the report. If there is a delay in completing the CPS Assessment, the reason for the delay shall be documented. Whenever a decision is made to extend the time to complete a CPS Assessment, the family shall be notified promptly of the extension, verbally or in writing. These notifications and the justification of the need for the additional time shall be documented in the case record.

Whenever any party is advised of the CPS Assessment timeframe, verbally or in any written material, it shall be clearly stated that the expectation is for the CPS Assessment to be completed within 45 days.

E. CASE DECISION/COMPLETION OF THE CPS FAMILY ASSESSMENT RESPONSE

The CPS Assessment case decision shall:

- Be a shared decision, including at a minimum, the county child welfare worker and the county child welfare supervisor or supervisor's designee or staffing team;
- Be correct based on the legal definitions;
- Document specific caretaker behavior that resulted in harm to the child or created a need for services or clarify the absence of risk of harm; and
- Be made within 45 days, or there shall be documentation to reflect the rationale to extend the family assessment beyond 45 days.

The case decision for family assessments will be made using the North Carolina Case Decision Summary/Initial Family Services Agreement (DSS-5228) and upon completion of the North Carolina Safety Assessment, the North Carolina Family Risk Assessment of Abuse/Neglect and the North Carolina Family Assessment of Strengths and Needs.

Findings for Family Assessments

The possible findings in family assessment are as follows:

- **Services Needed** - This finding is appropriate for all CPS reports of neglect and dependency assigned to the family assessment track, where the safety issues and future risk of harm is so great that the county child welfare agency must provide involuntary services to ensure the safety of the child. This finding must be made in every case the county child welfare agency believes the family must be involved with services (of any type, provided by any agency or individual) in order for the child to safely remain in the home. The county child welfare agency should ask the question "would the child be safe if the family ever becomes non-compliant with services?" If the answer to that question is "no", a finding of services needed must be made, and the county child welfare agency must continue to provide involuntary CPS In-Home Services. These are situations in which the safety and risk of harm is so great that the agency cannot terminate services for this family without either providing services, or monitoring those provided by another agency or provider.

A finding of services needed shall be made if the answer to one or more of the questions on the North Carolina Case Decision Summary/Initial Family Services Agreement concerning frequency and severity of maltreatment, current safety issues, risk of future harm, and child in need of protective services is "yes". There must be documentation to support the answers included on the case decision tool.

Any case in which there is a finding of services needed must meet the criteria for opening CPS In-Home Services which includes that "without effective preventive services, the child is at risk of being placed in foster care." This finding will be reported to the Central Registry with no perpetrator information entered.

There may be instances during a family assessment that require the county child welfare agency to file a juvenile petition with the juvenile court in order to protect the child. The county child welfare agency is not required to switch to an investigative assessment in these cases. A finding of services needed would be appropriate to document the safety and risk issues, and how those safety and risk issues prevent the child from remaining safely in the home.

- **Services Recommended** - This finding is appropriate for all CPS reports of neglect and dependency assigned to the family assessment track, where the safety of a child is not an issue and future risk of harm is not an issue. These are cases that the agency could terminate services if the family should choose not to agree, continue to participate in, or otherwise fail to comply with any one or all of the recommendations made by the county child welfare agency. This finding is not appropriate for cases in which the agency feels it needs to monitor compliance with the service recommendation due to safety or future risk of harm.

Some situations in which this finding would be appropriate include, but are not limited to the following:

- When well-being (not safety-related) needs were identified during the CPS Assessment and the family was engaged in services (either within the county child welfare agency or in the community), but at no time during the CPS Assessment did the potential risk of child maltreatment approach the level that involuntary services would be required.
- When at the culmination of the CPS Assessment, the risk level is "low" and there are no identified safety issues; however some well-being issues have been identified, the county child welfare worker should recommend and offer assistance in linking the family to services that ameliorate the well-being issues. These services would be voluntary in nature.

Some situations where this finding would not be appropriate include, but are not limited to the following:

- If the county child welfare agency makes recommendations that, if not completed, would lead to the county child welfare agency accepting a new report, or would lead the county child welfare agency to believe that the safety of the child would be compromised then the finding should be services needed.
- If at some point during the CPS Assessment, the risk level would have been "moderate" or higher and the family may have been appropriate for CPS In-Home Services but services provided during the CPS Assessment brought the risk to a lower level, allowing the case to be closed. In this case, the most appropriate finding would be services provided, protective services no longer needed.

Any recommended services, referred or provided, during the CPS Assessment should be documented along with the response of the family. Any recommendations made to the family should be explained thoroughly in a face-to-face contact, and the family should be given the option to accept or reject service recommendations. This face-to-face explanation may take place during the CPS Assessment. However, in the rare instance that service recommendations are made at the time of case decision and have not been previously explained to the family, a visit within seven days of the case decision must occur to thoroughly explain the new recommended service. The family still has the option to accept this new service. It is also recommended that the referral information be included in the written notification to the family

The county child welfare agency would document this finding for any service referral deemed appropriate to meet the family's non-safety connected need. Per the Services Information System (SIS) Manual, the county child welfare agency could use services codes 122 or 330 to provide services under this finding, if this is available and if the family voluntarily agrees to the service. This

finding is also used when the county child welfare agency makes referrals to community partners, and does not maintain an open service case with in the agency.

This finding will be reported to the Central Registry with no perpetrator information entered.

- **Services Provided, Protective Services No Longer Needed** – This finding is appropriate for all CPS reports of neglect and dependency assigned to the family assessment track, in which the safety of a child and future risk of harm were at some point during the CPS Assessment high enough to require involuntary services and the successful provision of services during the CPS Assessment has mitigated the risk to a level in which involuntary services are no longer necessary to ensure the child's safety. If the risk level was never moderate or higher and non-safety related referrals are made the most appropriate finding would be services recommended.
- **Services Not Recommended** - This finding is appropriate for all CPS reports of neglect and dependency assigned to the family assessment track, in which not only is the safety of a child not an issue and there is no concern for the future risk of harm to the child but the family also has no need for other non-safety related services.

If the answers to the questions on the North Carolina Case Decision Summary/Initial Family Services Agreement are "no", then the finding will be either services provided, protective services no longer needed, services recommended, or services not recommended.

All services provided to or referred for the family, as the result of the CPS Assessment, are to be documented on the DSS-5104 in Field 24. This documents service needs that began and continued for the child between the date of the CPS report and up to 90 days after the case decision.

Only in unusual circumstances should a county child welfare supervisor and county child welfare staffing team change the indicated structured case decision. In those cases, the county child welfare supervisor should complete the "Rationale for Case Decision/Disposition" to justify the change.

Completing the Structured Decision Making Tools in a Family Assessment

System of Care principles demonstrate that children and families should be involved throughout the life of a case. Family-centered practice demands that families be fully informed and able to participate in every aspect of the CPS Assessment process. This includes involving family members in the completion of all the tools used by the county child welfare agency during the CPS Assessment process. In order to accomplish the goal of the family assessment track, county child welfare workers completing the North Carolina Family Strength and Needs Assessment and the North Carolina Family Risk Assessment of Abuse/Neglect tools will complete them with the family prior to making a

finding in the case. It naturally follows that the family will be offered the opportunity to sign the forms. There is ample space on the tools for this, but no expectation for signatures.

The [county](#) child welfare worker will discuss the outcome of the [CPS](#) Assessment with the family face-to-face after the case finding of services needed has been made. The family will also be notified in writing of the finding within seven working days. If the case finding is for services provided, protective services no longer needed, services recommended, or services not recommended, the family will be notified of such in writing within seven working days.

While the family assessment approach is family-centered, the case decision is a decision that rests with the county [child welfare agency](#). The family does not have equal decision-making power. This is the only time in the MRS that families will not be present for decision-making purposes. The outcome of the case decision should not be surprising to the family, if the [county](#) child welfare worker has successfully implemented the family assessment track using System of Care principles.

Ceasing a Family Assessment

If the agency responds to a neglect or dependency report using the family assessment track and determines that there is clear evidence the allegations do not constitute neglect or dependency (as defined in [NCGS § 7B-101](#)), the [county child welfare](#) agency can cease conducting that [CPS](#) Assessment as long as the North Carolina Safety Assessment, the North Carolina Family Risk Assessment of Abuse/Neglect and the North Carolina Family Strengths and Needs Assessment reflect no issues of frequency or severity of maltreatment, no current safety issues, and no future risk of harm.

IV. CONDUCTING AN INVESTIGATIVE ASSESSMENT

A. ASSIGNING CASES TO THE INVESTIGATIVE ASSESSMENT RESPONSE

The county [child welfare agency](#) may assign any valid CPS report (abuse, neglect, and/or dependency) to the investigative assessment track, if deemed necessary to ensure the safety of the child.

All reports alleging any type of abuse, abandonment, and any special type of report must be assigned as investigative assessments.

All reports (regardless of the allegations) involving allegations concerning a child in the custody of a [county child welfare agency placed in a](#) family foster home or residential facility must be assigned to the investigative assessment response.

B. INTERVIEWING THE CHILD IN AN INVESTIGATIVE ASSESSMENT

Effective interviewing strategies and techniques shall be used which are appropriate to the child's developmental level. Documentation shall explain the inability to interview the child.

If a child has the capacity for speech, the child must be interviewed, preferably in private and, under no circumstances, in the presence of the person or persons alleged to have caused or allowed abuse and/or neglect. Efforts should be made to establish rapport with the child and to help the child feel comfortable in disclosing information about himself or herself and family. The interviewing sequence in an investigative assessment that is generally considered the least likely to present further harm to the child is:

- All children living in the home;
- The non-perpetrating parent;
- The perpetrator; and then
- Collaterals.

There are times when this order may not be feasible or the most appropriate. It is important to consider the individuals and allegations involved in each situation and to conduct the interviews in the order that seems least likely to increase the risk of harm to the alleged victim child or other children in the home. For cases involving domestic violence, refer to Chapter VIII: Section 1409 - Domestic Violence for guidance on the sequence for interviewing family members.

C. INTERVIEW WITH ALLEGED PERPETRATOR

A face-to-face interview with the alleged perpetrator shall be conducted during the course of the CPS Assessment, or there shall be documentation to reflect the diligent efforts made to interview him or her. Sometimes the person alleged to have abused and/or neglected the child does not reside in the home with the child (e.g., noncustodial parent with whom the child visits). It is important to interview this person to gain his or her perspective on what has been alleged and to assess any safety issues if the person is to have access to the child.

Sometimes during the course of a CPS Assessment, information received reveals that the perpetrator is not a parent or caretaker. It is still important to interview the alleged perpetrator during the course of the CPS Assessment, if possible. The alleged perpetrator may have information that is vital in helping to determine if the allegation is true. If other evidence indicates the harm was caused or allowed by the parent or caretaker, an interview with the alleged perpetrator may give insight into whether the parents/caretaker provided adequate care and supervision.

D. CONTACTS OUTSIDE THE FAMILY (COLLATERALS)

While the child and other family members are the primary sources of information in CPS Assessments, other agencies or individuals may have additional information or may be able to validate information received from the family or the reporter.

Refer to [Child Protective Services \(CPS\) Assessment of Suspected Abuse, Neglect, and Dependency](#) for discussion of all aspects of a collateral contact policy [during CPS Assessments](#).

Collaterals that shall be considered in the information gathering process include, [but are not limited to](#):

- Extended family members;
- Friends;
- Neighbors,;
- Employers and co-workers; and
- Community agencies (medical facilities, law enforcement, juvenile courts, schools, health departments, etc.).

Information gathered during the [CPS](#) Assessment process may identify additional collateral contacts. These collateral contacts often provide accurate information regarding the maltreatment of the child. Parents/caretakers should be provided the opportunity to name possible collateral contacts. The selection of collateral [contacts](#) shall be made with discretion in order to protect the family's right to privacy and the confidentiality of the report. Only those collaterals believed to have information related to the alleged conditions shall be contacted.

E. COORDINATION WITH LAW ENFORCEMENT AND DISTRICT ATTORNEY

Coordination between law enforcement agencies and Child Protective Services for investigative assessments achieves joint efforts in interviewing and ensuring safety of families and children; ensures an effective working relationship; holds perpetrators accountable for harming children; reduces the number of interviews children experience; prevents or reduces the repeat traumatization of children; and, enhances the evidence process for criminal prosecution.

Current state law requires that evidence of abuse be reported to law enforcement and the district attorney. Investigative assessments require a close working relationship with law enforcement. Memoranda of Agreement need to be developed with local law enforcement agencies to ensure an effective working relationship. The goals are to hold perpetrators accountable for harming children; to reduce the number of interviews for children; and to enhance the evidence gathering process for law enforcement.

As it is appropriate, agencies should include their child advocacy centers in these Memoranda of Agreement. Doing so ensures that each stakeholder agency communicates and collaborates with the others in as efficient manner as possible and supports the identification and provision of needed services to children and their families. Such communication and collaboration also strengthens the county criminal system's capacity to achieve timely arrests and prosecutions of those who intentionally harm children.

F. CASE DECISION-MAKING

1. Making the Case Decision

The investigative assessment case decision shall:

- Be a shared decision, including at a minimum, the county child welfare worker and the county child welfare supervisor or supervisor's designee or staffing team;
- Be correct based on the legal definitions;
- Document specific caretaker behavior that resulted in harm to the child or clarify the absence of risk of harm; and
- Be made within 45 days, or there shall be documentation to reflect the rationale to extend the investigative assessment beyond 45 days.

The case decision-making process involves, at a minimum, the county child welfare worker and the county child welfare supervisor or supervisor's designee or staffing team. A broader team approach to decision-making has several advantages. It allows for various viewpoints and discussion, which could be a valuable learning tool for newer staff. It may lead to greater consistency in decision-making. It allows for shared liability and responsibility. Making a decision to substantiate or unsubstantiated abuse, neglect, and/or dependency can have far-reaching implications for children and families. Sharing the liability and responsibility may reduce the stress level for staff and enhance the process.

The names of those individuals participating in making the case decision should be documented, as well as, the basis for the case decision.

The statutory requirement and professional obligation to conduct prompt CPS Assessments of child abuse, neglect, and/or dependency underscore the need to expedite the process. Extensive delays in making a case decision can be seen as an unwarranted intrusion in a family and sometimes increases risk for children. In most instances, CPS Assessments can be completed and a case decision made within 45 days of receipt of the report. When case circumstances delay the prompt completion of a CPS Assessment, the case record needs to document the reasons for the delay.

2. Findings in Investigative Assessment

The county director shall conduct a thorough CPS Assessment to assess:

- Whether the specific environment in which the child is found meets the child's need for care and protection;
- The facts regarding the existence of abuse, neglect and/or dependency; and

- The risk of harm to and the need for protection of the child ([10A NCAC 70A .0106](#)).

It is important that the county child welfare worker be able to describe and document the components listed above in order to make a case decision.

The findings in an investigative assessment will be either substantiate or unsubstantiate.

Determining whether a child is abused, neglected, and/or dependent requires careful assessment of all the information obtained during the CPS Assessment process. In making a case decision, it is important to assess not only that maltreatment has occurred, the current safety issues, and the future risk of harm, as well as, the need for protection. The following questions should provide the structure for making a case decision:

- Has the maltreatment occurred with frequency and/or is the maltreatment severe?

This question applies to the history of the family. All maltreatment within the family should be considered when answering this question.

- Are there current safety issues? Would the child be unsafe in the home where the abuse, neglect or dependency occurred?

(Note: If the child(ren) is separated from his or her parent and that separation continues to be necessary due to safety issues, then this question must be answered "yes".)

This question applies to the situation at the time of the case decision.

- Is the child at risk of future harm?
- Is the child in need of protection?

This question applies to the situation at the time of the case decision. Services already begun and safety measures taken during the CPS Assessment should be considered when answering this question.

To make a case decision to substantiate, the answer to one or more of the above questions must be "yes", and there must be documentation to support the answers included on the case decision tool. Only in unusual circumstances should a county child welfare supervisor and staffing team change the indicated structured case decision. In those cases, the county child welfare supervisor should complete the "Rationale for Case Decision/Disposition" to justify the change.

In determining the severity of the maltreatment, consideration should be given to the degree of harm, level of severity, extent of injury, egregiousness, gravity and the seriousness of maltreatment.

In determining current safety, consider safety issues that exist at the time of making the case decision.

Determining whether a child is abused, neglected, and/or dependent requires careful evaluation of all information obtained during the CPS Assessment process and the use of professional judgment. The county child welfare agency's CPS Assessment process must focus on fact-finding. While initially the focus is on the allegations contained in the report, additional concerns related to the child or other children may be known to the county child welfare agency or revealed during the course of the CPS Assessment. The case decision must reflect consideration of all evidence and facts available.

If the case decision is to unsubstantiate, a determination should be made as to what agency services or outside resources, if any, would be helpful. These services can be offered and referrals suggested, but the family may refuse.

Cases Involving Domestic Violence

For CPS Assessments involving concerns of domestic violence, refer to Chapter VIII: Section 1409 - Domestic Violence.

G. ACTIVITIES FOLLOWING THE CASE DECISION IN AN INVESTIGATIVE ASSESSMENT

1. Family Contact after Substantiation

A family shall be seen by a county child welfare worker within seven days following a substantiation of abuse, neglect, and/or dependency to begin the transition from the CPS Assessment phase to CPS In-Home Services, unless there is documentation of the diligent efforts made and/or rationale for the delay.

If, for any reason, the county child welfare agency decides to close a case after substantiation in a CPS Assessment without providing CPS In-Home Services, the reason and rationale for this decision and assessment of the child's safety should be clearly documented in the case record. In most cases, the family will receive Child Protective Services until the parents/caretakers have demonstrated the ability to provide care, which is at least sufficient to meet the child's needs for care, safety, and supervision.

2. Responsible Individuals List

When a report of neglect is being completed using the investigative assessment track, there are two points to consider when deciding on the case finding. The first decision is to determine if the case decision is to be substantiate. The second is to determine if the neglect is "serious." A definition for "serious neglect," as well as, other information regarding the Responsible Individuals List can be found in Chapter VIII: Section 1427.

Notifications for Responsible Individuals List

The county child welfare worker shall make face-to-face contact with the alleged responsible individual within five business days of the case decision to explain the reason for the substantiation and to provide written notice of the potential for his or her name to be placed on the RIL. It is permissible for a county child welfare worker other than the county child welfare worker who conducted the CPS Assessment to deliver the case decision / RIL placement notice. In addition to documentation in the file, when possible, it is recommended that the notice include an acknowledgement by the alleged responsible individual that he or she received the case decision / RIL placement notice and the date received.

If it is not possible to make face-to-face contact with the alleged responsible individual to deliver the written notice within those five business days, the county child welfare worker shall make diligent and persistent efforts to make contact. However, if the county child welfare worker is unsuccessful in contacting the alleged responsible individual to provide personal written notice within 15 days of the case decision, the notice shall be sent by registered or certified mail, return receipt requested, and addressed to the individual at the individual's last known address.

The investigative assessment notice shall contain the following:

- A thorough, detailed, summarizing statement informing the individual of the case decision;
- Substantial evidence to support the decision to substantiate and whether the director determined abuse, serious neglect, and/or both; and
- A statement, in accordance with NCGS § 7B-320(c)(3), informing the individual that unless the individual petitions for a judicial review within 15 days, his or her name will be placed on the RIL, and that the North Carolina Department of Health and Human Services may provide information from that list to child caring institutions, child placing agencies, group home facilities, and other providers of foster care, child care, or adoption services

(including Guardian ad Litem) that need to determine the fitness of individuals to care for or adopt children as permitted by NCGS § 7B-311.

V. SPECIAL CATEGORIES OF CPS ASSESSMENTS

The requirements discussed within this section apply to all CPS Assessments, but there are additional requirements, which apply to some special situations. Refer to the specific sections for more detailed information.

A. CPS ASSESSMENTS INVOLVING MORE THAN ONE COUNTY

Refer to [Chapter V - Jurisdiction in Child Welfare](#) of this manual for information on CPS Assessments involving more than one county, and investigative assessments involving reports of abuse and/or neglect in out-of-home living arrangements.

Refer to Chapter VIII: Section 1410 Conflict of Interest of this manual for information on providing Child Welfare Services when there is a conflict of interest or a perceived conflict of interest.

B. MALICIOUS CPS REPORTS

A malicious report is one in which the reporter knowingly and willfully makes untrue statements that the juvenile is abused, neglected, and/or dependent. At the completion of the CPS Assessment, if the county child welfare worker states to his or her county child welfare supervisor that the report was a malicious report, the county child welfare supervisor brings this to the attention of the county child welfare agency director.

In response to a recommendation from the House Interim Committee on Child Abuse and Neglect, Foster Care and Adoptions, the Division in collaboration with the North Carolina Association of County Directors of Social Services has developed procedures for documenting and tracking malicious reports throughout the year. A form has been developed to collect this information entitled, "Documentation of Malicious Reports." The form can be found at http://info.dhhs.state.nc.us/olm/manuals/dss/csm-05/man/fscw_al0205.htm#P3_115. The form is to be completed at the time that the county child welfare agency director and county child welfare supervisor meet to discuss the malicious report. The county child welfare worker assigned to the report does not participate in this conference. The form should contain no identifying information about the reporter or the family beyond the information that led the county child welfare agency to suspect that the report was made maliciously. The form should be easily accessible by the appropriate staff, but should never be placed in the child's or family's case record.

Because there is interest in knowing the extent of malicious reporting in North Carolina, each county child welfare agency is asked to provide the number of malicious reports received during the year on the "County Staffing Survey" that is sent to county child welfare agencies each year.

C. OTHER TYPES OF REPORTS

Refer to [Chapter VIII: Section 1438 - Investigative Assessments of Medical Neglect of Infants with Life Threatening Conditions.](#)

Case Name

Case #

"DILIGENT EFFORTS TO LOCATE"

A Checklist for CPS Assessments and CPS In-Home Services

County child welfare agencies are expected to make diligent efforts to locate children reported to be abused, neglected, and/or dependent in order to assess the risk to the alleged victim and to provide intervention to them and to their families. Diligent efforts are defined as persistent, relevant attempts to locate the child and his or her family. County child welfare agencies are expected to be creative and flexible in determining the whereabouts of families who are not located by routine means. This checklist includes several of the sources which may assist the social worker in locating or relocating missing families.

____ 1. Family home visited on _____ & _____ between 8:00 am and 5:00 pm

____ 2. Family home visited on _____ & _____ between 5:00 pm and 12:00 mid.

____ 3. Current telephone book, directory assistance, post office, and city directory checked for alternate addresses or telephone number changes on _____

____ 4. Checked with reporter on _____ to get more information on possible whereabouts of family.

____ 5. Checked with family members (names) _____
on _____ about information on whereabouts of family. Results:

____ 6. Contacted landlord for forwarding address (name, when contacted, results)

____ 7. Contacted the Water _____, Electric _____, Gas/Oil _____ companies on this date
_____ to determine account status or change in service with following results

____ 8. Contacted schools and childcare attended by any of children. (List those contacted, dates, results: _____

_____ Case Name

_____ Case #

_____ 9. Reviewed other agency files, e.g. Income Maintenance, Day Care on this date _____ to determine other ways of locating family (e.g. employers, collaterals) with following results: _____

_____ 10. Other (specify by action, date) _____

Submitted by: _____ Date _____
County Child Welfare Worker

Acknowledged by: _____ Date _____
County Child Welfare Supervisor

**Model Format for Notification to District Attorney
(within 48 hours, subsequent to oral notification)**

TO: _____, District Attorney

FROM: _____, Director
_____ County Department of Social Services

As per our telephone conversation of ____ (date) _____, our agency has received information/found evidence that the child(ren) named in this report have been (check one) ____abused as defined by G.S. 7B-307 or ____physically harmed in violation of criminal statute by a person other than the juvenile's parent, guardian, custodian, or caretaker.

REPORT OF FINDINGS:

Identifying information:

1. Name(s) and ages of victim child(ren): _____

2. Name(s) and Address(es) of Parent/guardian/custodian/caretaker: _____

3. Name and Address of alleged perpetrator: _____

4. Relationship of perpetrator to alleged victim(s): _____

5. Summary of report of abuse: _____

Date of report: _____

6. Actions taken by County Child Welfare Agency
CPS Assessment initiated on: _____ by _____ (social worker)

Findings indicative of abuse or other criminal act: _____

For further information, please contact _____ (SW name) at _____ (tel) _____.

cc: (law enforcement agency)

Sample CPS Assessment Case Decision Notification to Reporter

[Reporter's Name]
[Reporter's Agency]
[Street Address]
[City, State ZIP Code]

[Date]

[Re: Family's Name]

Dear [Reporter's Name],

The Child Protective Services Assessment of the report of child neglect, abuse, and/or dependency that you made on_____, 20__ regarding the above named family has been completed.

- There was sufficient evidence to **Substantiate** the report. The _____ County child welfare agency is taking action to protect the children and to assist the family. This action includes regular contacts with the family, implementation of a Family Services Agreement tailored to assist this family in correcting the conditions leading to the maltreatment and referral to appropriate community resources.
- There was not sufficient evidence to substantiate abuse, neglect, or dependency. The case was **Unsubstantiated** and closed.
- The child(ren) and family were found to be **In Need of Services**, and the _____ County child welfare agency will be providing services to the family to address the concerns identified during the CPS Assessment.
- The _____ County child welfare agency **Recommended Services** to this family and the family has accepted these services.
- The _____ County child welfare agency **Recommended Services** to this family, but the family declined.
- The _____ County child welfare agency will not be providing services to the family, as **Services were Not Recommended**.
- It was found that **Services were Provided** and **Protective Services are No Longer Needed** by this family.
- A petition was filed in Juvenile Court.
- No petition has been filed in Juvenile Court. If you disagree with the decision not to file a petition and would like the prosecuting attorney to review this decision, you may request a review by contacting the District Attorney at () - within five days of your receipt of this notice. The District Attorney's office address is located at:

[Street Address]
[City, NC ZIP Code]

We appreciate your concern for the welfare of children in our community. If you have any questions, please contact me at () - .

Sincerely,

Social Worker

Social Worker Supervisor

CC: File

Sample CPS Assessment Case Decision Letter to Caretaker

[Date]

[Caretaker's Name]
[Street Address]
[City, State ZIP Code]

Dear [Caretaker's Name],

[Re: Child(ren)'s Name]

The Child Protective Services Assessment regarding the above referenced child(ren) has been completed. The _____ County child welfare agency has made the case decision that:

- There was insufficient information found during the CPS Assessment. As a result, the case was **Unsubstantiated**. The CPS case is hereby closed. If you decide later that you are in need of assistance, please do not hesitate to contact our office. We will be glad to talk to you about receiving any available services that you may need.
- There was sufficient information found during the CPS Assessment to **Substantiate** the following:
 - Abuse in the form of _____ against _____.
 - Neglect** in the form of _____ against _____.
 - Dependency** as a result of _____.
- Your family was found to be **In Need of Services**, and the _____ County **child welfare agency** will be providing services to your family to address the concerns discussed during the CPS Assessment.
- The _____ County **child welfare agency Recommended Services** to your family and your family has accepted these services. These services include: _____ and will be provided by the following agencies: _____.
- The _____ County **child welfare agency Recommended Services** to your family, but your family declined. The agency's Child Protective Services case is hereby closed.
- The _____ County **child welfare agency** will not be providing services to your family, as **Services were Not Recommended**. The agency's Child Protective Services case is hereby closed.
- It was found that **Services were Provided** and **Protective Services are No Longer Needed** for your family. The agency's Child Protective Services case is hereby closed.

With the finding of Substantiate or Services Needed, the **Temporary Parental Safety Agreement** between you and the _____ County **child welfare agency** remains in effect. A worker will be meeting you within seven days to begin developing a plan to ensure your family's safety. We look forward to working with you to insure the safety and well-being of you and your child(ren).

If you have any questions, please contact me at () - .

Sincerely,

Social Worker

Social Work Supervisor

Cc: file