CHILD PROTECTIVE SERVICES ALTERNATIVE RESPONSE PILOT PROGRAM

ADDENDUM TO THE CHILD PROTECTIVE SERVICES ACCESS AND INITIAL ASSESSMENT STANDARDS: PROGRAM REQUIREMENTS AND GUIDELINES

Introduction

While in Wisconsin all CPS cases require a comprehensive assessment in order to assure that children are safe and protected, not all cases need a maltreatment and maltreater determination for the family to receive services. In fact, these determinations may interfere with service provision by creating an atmosphere that feels adversarial for families. To develop the most appropriate, most effective, and least intrusive response to reports of child abuse or neglect, the legislature has authorized a pilot of an alternative response approach to child protective services in a limited number of counties.

The requirements and guidelines in this document apply only to counties participating in the Alternative Response Pilot Program. They are used in conjunction with the current CPS Access & Initial Assessment Standards and provide additional direction around screening, responding to, and assessing reports of alleged child maltreatment for primary assessment cases only.

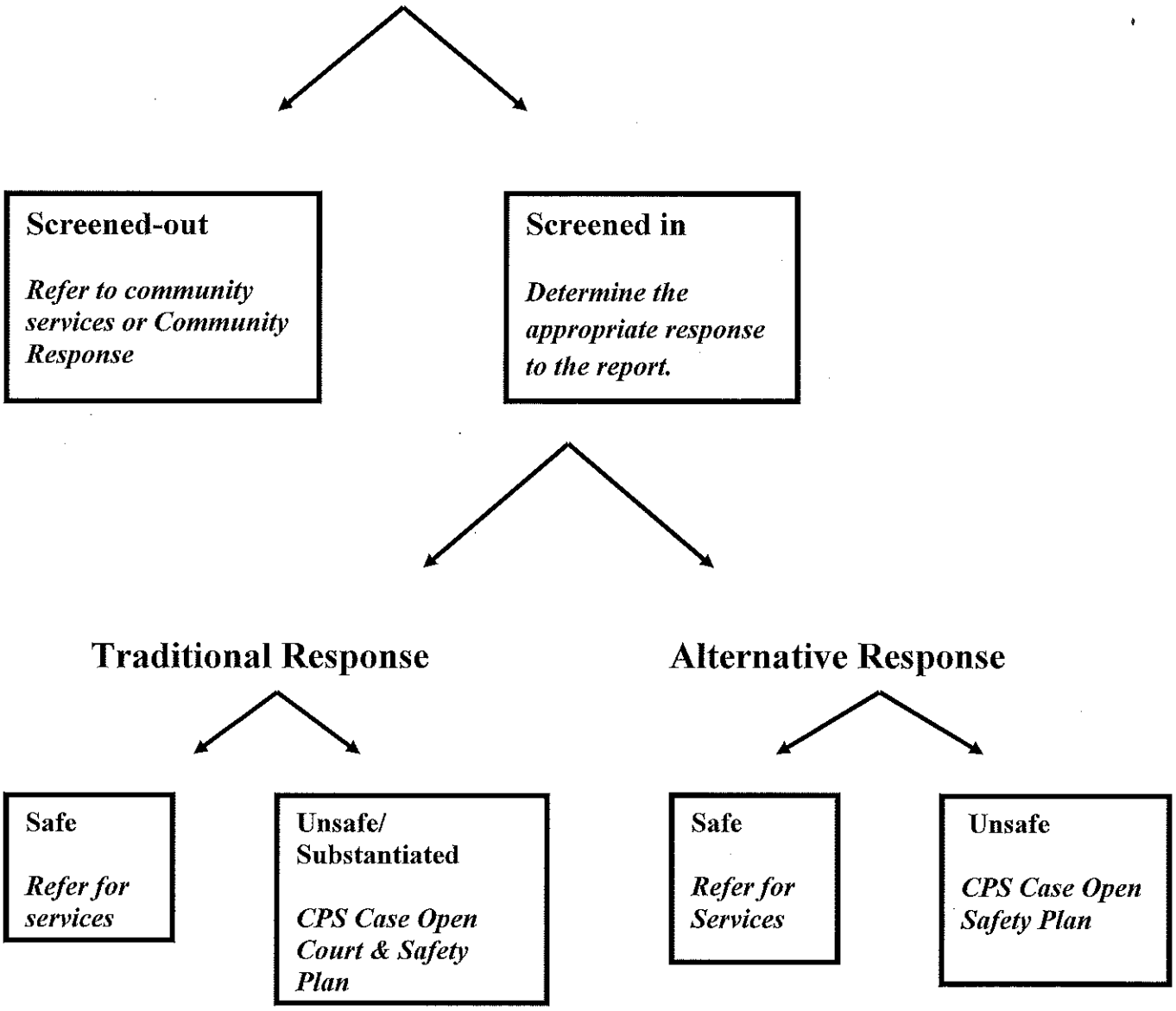
Overview of Alternative Response Program Approach

Pilot program sites are required to use three responses/tracks and are expected to implement practice that responds to CPS reports based on the screening decision:

1. Screened out CPS: Referral to Community Services or Community Response Program
2. Screened in CPS: Alternative CPS Response
3. Screened in CPS: Traditional CPS Response

Pilot Site Case Process Flow Chart

Report of Alleged Child Maltreatment



The following are supplemental requirements and guidelines to be used in conjunction with the current CPS Access and Initial Assessment Standards:

Chapter 6: The Screening Decision & Assignment of Response Pathway

Alternative Response (AR) Pilot Program sites are required to gather and document information received at access as outlined in the "CPS Access and Initial Assessment Standard." The addendum to this chapter outlines the different screening decisions and pathways for case assignment.

For reports that have been screened in for a CPS response, initial pathway assignment depends on an array of factors (e.g., presence of imminent danger, level of risk, the number of previous reports, the source of the report, and/or presenting case characteristics such as type of alleged maltreatment and age of the alleged victim). Initial pathway assignment can change based on new information that alters safety threats or levels of risk.

Reports assigned to receive an alternative response are CPS cases and receive the same prompt and active attention as a traditional response. These are not low priority cases; rather they can be served more effectively with a supportive, collaborative approach.

VI.B.4. Criteria for Screening in an Access Report: Traditional CPS Response

This response is used when the CPS agency receives a report of alleged child maltreatment and after required information is gathered the report is screened-in because it meets the criteria under VI.B.1

Assignment to a Traditional CPS Response is appropriate if the allegations are serious in nature, the assessment will likely result in collaboration with law enforcement, juvenile or criminal court action, or substantial abuse or neglect has or is likely to occur. Substantial abuse or neglect includes:

- Identified Present Danger threats
- All sexual abuse cases ***
- Egregious incidents
- Great bodily harm
- Substantial bodily harm
- Abandonment [s.48.13(2),Stats.],
- Chronic neglect,
- Child fatalities due to abuse or neglect,
- Hospitalization due to suspected child maltreatment,
- Physical abuse requiring medical evaluation and/or treatment,
- Injury due to use of weapons such as guns or knives,

- Methamphetamine abuse by a parent/caregiver,
- Investigation otherwise necessary to ensure the safety of child/family
- A child who us placed for care or adoption in violation of the law [s.48.13(5),Stats.],
- A child who is receiving inadequate care during the period of time a parent is missing, incarcerated, hospitalized, or institutionalized [s.48.13(8),Stats.],
- Abuse or neglect in a licensed foster home or facility
- All secondary and non-caregiver reports

*** Agencies have discretion in how to respond to cases of sexual contact/abuse between siblings. Factors to consider include, but are not limited to, the age of the children; parental knowledge or involvement; family history; etc.

VI.B.5. Criteria for Screening in an Access Report: Alternative CPS Response

This response is used when the CPS agency receives a report of alleged child maltreatment and after required information is gathered the report is screened-in because it meets the criteria under VI.B.1. The types of allegations, however, are less severe than those in the Traditional CPS Response track and are less likely to warrant collaboration with law enforcement or court intervention.

Case characteristics or criteria indicative of assignment to an Alternative CPS Response pathway:

- Abuse or neglect has or is likely to occur (Threatened Harm)
- A lack of identified Present Danger threats
- Lack of necessary care due to poverty
- Parent fails to provide necessary care for religious reasons
- Possible medical neglect of a disabled infant (Baby Doe)
- Reclaiming a relinquished infant
- Possible impending danger
- Presence of domestic violence,
- Lack of supervision,
- Lack of necessary medical care,
- Food, clothing, and shelter needs are inconsistently met by parents/caregivers,
- Untreated physical injuries, illnesses, or impairments,
- Emotional damage [s.48.13(11),Stats.],
- Situational/one time non-accidental injuries,
- Substance exposed/effected infants,
- Unborn child abuse [s.48.133,Stats.]

VI.C.3. Screening Out an Access Report: Community Response Pathway

Following an agency decision to screen out an Access report based on a determination that there is no reason to suspect abuse or neglect has or is likely to occur, Alternative Response Pilot Program sites must refer the family to a service provider in the community for provision of appropriate services on a voluntary basis.

If the Alternative Response Pilot Program site has within its community an established Community Response Program, a referral for services must be made to this program.

Referral to Community Services or Community Response Program

A referral to community services is used when the CPS agency receives a report of possible child maltreatment, but after information is gathered by the Access worker the supervisor or her/his designee determines that it does not meet state criteria for abuse or neglect or threatened harm. These are situations, however, where the family is experiencing problems or stress that could be addressed by community supports or services. The CPS agency screens-out the report, refers the family to the appropriate community resources, and is no longer involved with the family.

There are no requirements to conduct an assessment, refer the matter to law enforcement, or make maltreatment or maltreater determinations.

Chapter 14: Primary Assessment Standard

In order to fulfill the CPS role of assuring children are safe and protected, a comprehensive assessment is required for both the Alternative CPS Response and Traditional CPS Response pathway in order to:

- assess and analyze present and impending danger threats to child safety,
- take action, when necessary, to control threats to child safety, and
- engage families in providing protection for their children.

Allegations made at Access are a focus in a Traditional CPS Response as CPS determines whether a child was maltreated and who maltreated them. For cases that receive an Alternative CPS Response, the CPS role focuses on engaging with a family to help identify supports or services they may need. The allegations made at Access are only used to explain why the family has come to the attention of CPS and a beginning point to understand the situation and struggles a family is facing.

Traditional CPS Response

The *Traditional CPS Response* is a fact/evidence gathering process resulting in a determination of whether child maltreatment occurred and if child protective services are needed. The CPS role is to conduct forensic interviews as well as collaborate with law enforcement, the district attorney's office, and the medical community. In addition, CPS assesses child safety and collaborates with parents and formal and informal supports to assure children are safe by enhancing parent/caregiver protective capacities so that children are protected without further CPS intervention.

Traditional CPS Response Investigation:

- comprehensive assessment of the safety of the child/family, risk of subsequent abuse and neglect
- maltreatment determination
- provide an appeal process, when applicable
- provide services, when needed (typically court ordered.)

NOTE: for all initial assessment requirements pertinent to Traditional CPS Response cases, follow the current CPS Access & Initial Assessment Standards

Alternative CPS Response

An *Alternative CPS Response* is a comprehensive assessment of child safety, risk concerns, and parent/caregiver protective capacities resulting in a conclusion of whether a child and family is in need of services. The CPS role in the *Alternative CPS Response* is to assess child safety and collaborate with parents and formal and informal supports to assure children are safe by enhancing parent/caregiver protective capacities so that children are protected without further CPS intervention.

Alternative CPS Response Assessment:

- comprehensive assessment of the safety of the child/family, risk of subsequent abuse and neglect, strengths and needs of the family
- First contact with the family to discuss the issues that have brought them to the attention of CPS
- consent of parent, guardian or legal custodian prior to meeting or interviewing a child
- no maltreatment or maltreater determination
- no referral of case to law enforcement
- provide services, when needed, on voluntary basis or refer the family to appropriate community services.

NOTE: The following is an addendum to the current CPS Access and Initial Assessment Standards relative to requirements for reports that are being assessed as an Alternative CPS Response; for areas not covered, the current policy remains in effect.

XIV.C.1. Interview Contacts – Alternative CPS Response

Face-to-face contact is required with all household members (parents, children, other adults residing in the home).

Although CPS maintains its legal authority to interview children outside the parental home without parental permission, cases assessed as Alternative CPS Response cases are approached in a different manner. CPS is seeking to engage a family in a non-adversarial, non-legal, strengths based partnership in order to identify needed change. In supporting this trust based relationship, CPS typically initiates first contact with a parent to explain the CPS agency role and reason for meeting. CPS will typically meet with parents first or all family members together. On occasion, CPS may meet with a child alone to meet response times to assure child safety.

XIV. E.1. Information that Must be Gathered and Analyzed - Alternative CPS Response

A thorough assessment is necessary to understand present or impending danger threats to child safety, parent/caregiver protective capacities, and risk concerns to develop and implement protective or safety plans and to make decisions about case opening or referrals to community resources.

Information must be gathered and analyzed in the following areas:

- Presenting CPS Issue, Family Strengths and Needs (including family functioning)
- Child Functioning (general functioning of children in the household and effects of any maltreatment).

- Adult Functioning (including both enhanced and diminished parent/caregiver protective capacities) (*See Child Protective Services Safety Intervention Standards Appendix 7: Parent/Caregiver Protective Capacities*).
- Disciplinary Approaches and Parenting Practices (including both enhanced and diminished parent/caregiver protective capacities).

The assessment of an infant born with controlled substances or controlled substance analogs in his or her system must also include any effects of identified substances on the infant and a focus on the mother's use of controlled substances and the impact on her to care for the infant.
(When conducting a Primary Assessment refer to *CPS Access & Initial Assessment Standards Appendix 3: Information to Be Gathered and Analyzed in Primary Assessment Cases and the CPS Safety Intervention Standards*)

XIV. G.1. Conclusion of the Initial Assessment – Alternative CPS Response

In conjunction with the family, the CPS caseworker must make the following decisions and share the information with the parent/caregiver:

- Whether the family or child is in need of protection or services.
- Whether there are any identified threats to child safety and the plan to control those threats.
- How identified threats to child safety are related to the parent/caregivers ability to provide protection (diminished protective capacities).
- The responsibility of the agency to provide CPS Ongoing Services when a child is unsafe (*See CPS Safety Intervention Standards).*
- If the case is going to be closed with CPS, how to access community resources, if needed.

Reassignment of Cases

Cases may be switched to a different response if it is determined the original track assignment is not correct and employing a different approach is warranted to achieve the desired outcome with a family. This decision must be made in consultation with and approval by the CPS supervisor.

Law enforcement must be informed of any changes, according to the updated MOU between the local agency and the law enforcement agencies located within the county, including tribal law enforcement agencies.

Decisions at Access are typically made knowing the least about a family. There may be situations that had the circumstances and family situation been fully known at the time the agency received and screened the CPS report, a different family response decision would have been made.