


To: DCF Area Administrators  
Child Placing Agency Directors  
Child Welfare Agency Directors  
County Departments of Community Programs Directors  
County Departments of Human Services Directors  
County Departments of Social Services Directors  
Group Home Providers  
Tribal Social Service/Indian Child Welfare Directors  
Private Child Placing Agencies  
Residential Care Center Providers  
Shelter Care Providers  
Tribal Chairpersons

From: Fredi-Ellen Bove   
Administrator

Re: Notifying Tribal Indian Child Welfare Agencies of Child Protective Services Reports

## **PURPOSE**

This memo clarifies that 1) all county agencies must provide notice to the tribal agent of the appropriate tribe or band of all Child Protective Services (CPS) Reports (screened-in and screened-out) pertaining to a child or unborn child the agency knows to be or has reason to believe is an Indian child or an Indian unborn child, and 2) CPS information can be disclosed to tribal social services departments at the point of Access.

## **BACKGROUND**

Department policy to date directed that a county that has wholly or partially within its boundaries a federally recognized Indian reservation or a bureau of Indian affairs service area for the Ho-Chunk tribe provide notice to the appropriate tribal agent of a CPS Report pertaining to an Indian child or an Unborn Indian child. This notice consists of the name and address of the Indian child or expectant mother and the fact that a report has been received about that Indian child or Indian unborn child.

This practice does not support a uniform, consistent application of the notification process statewide. The purpose of the notice is to alert a tribal Indian Child Welfare Agency that a CPS report has been received regarding an Indian child or an unborn Indian child and to promote early collaboration between county and tribal child welfare agencies. Tribal child welfare agencies may be in a position to offer services to families when county agencies screen-out reports. Additionally, sharing information enhances a coordinated response to ensure children are safe and protected, and improves practices designed to improve case outcomes.

## **POLICY AND PROCEDURE REQUIREMENTS**

Notification to the appropriate tribal agent that a CPS Report pertains to an Indian child or an unborn Indian child applies to all counties in Wisconsin regardless of whether there is a tribal reservation or trust land in the area. This policy replaces the requirements found in Chapter 11 "Notifications" of the Child Protective Services Access and Initial Assessment Standards",

<https://dcf.wisconsin.gov/files/cwportal/policy/pdf/access-ia-standards.pdf>

### **Notifying the Tribal ICW Agency of a CPS Report**

1. All county agencies must provide notice to the tribal agent for the appropriate tribe or band, of all CPS Reports received (screened-in and screened-out reports) pertaining to a child or unborn child whom the agency knows to be an Indian child or Indian unborn child.
2. The notice must be made within 24 hours from the receipt of the report and include the eWiSACWIS case I.D. The CPS Report must be sent as part of the notice for the Menominee Nation, only.
3. To meet the 24-hour deadline, notice must be given by fax, phone or e-mail.

Pursuant to s. 48.981(7)(a)2., Stats., the CPS agency is able to disclose information to the tribal social services department to support tribal staff in clearly identifying the child, facilitate a county-tribal collaborative response whenever possible, and facilitate the delivery of prevention and supportive services by the tribe.

### **eWiSACWIS DOCUMENTATION**

The "Notice of Child Protective Services Report to Tribal Agent" template is available to county agencies in eWiSACWIS to ensure notice is provided when a CPS Report pertains to an Indian child or an unborn Indian child. The template can be found in the Options drop-down in the CPS Report.

### **ACTION SUMMARY**

Effective immediately, all county agency or contract staff completing the CPS Access function must comply with the notification and information sharing requirements outlined above.

REGIONAL OFFICE CONTACT: DCF Area Administrator

CENTRAL OFFICE CONTACT: Child Welfare Policy Section Manager  
Division of Safety and Permanence  
Bureau of Safety and Well-being  
608.422.6961

MEMO WEB SITE: <https://dcf.wisconsin.gov/cwportal/policy>