



**State of Florida
Department of Children and Families**

Rick Scott
Governor

David E. Wilkins
Secretary

DATE: January 11, 2013

TO: Regional Managing Directors

FROM: Pete Digre, Assistant Secretary for Operations

SUBJECT: CFOP 175-12, Intakes and Response to Foster Care Referrals and Investigations Involving a Foster Parent

PURPOSE:

The purpose of this memo is to provide guidance in implementing and training for response to foster care referrals and child protective investigations involving foster parents. Please find attached CFOP 175-12 and the training Power Point for Investigations Involving Foster Parents for your review, training and implementation.

BACKGROUND:

In June 2012, Secretary David Wilkins held a press conference announcing the Fostering Florida's Future Initiative and the Department's partnership with Community Based Care Lead Agencies (CBCs) to recruit and support foster parents to provide high quality care for children. Assistant Secretary for Operations Pete Digre met with over 100 staff and foster parents in August 2012 to discuss recommendations for practice and policy improvements and a workgroup subsequently reviewed and examined statewide processes being performed by staff receiving and responding to investigations and referrals involving foster parents. The workgroup, led by Operations Manager, Charles Scherer, provided high level recommendations that encourage normalcy for children in our care and incorporated best practices into statewide policy.

ACTION REQUIRED:

Please widely distribute the operations procedure, accompanying training materials and brochure. Schedule training sessions for investigators, case managers and licensing specialists on the new approach to these case assignments no later than Friday, February 1st. This is an excellent opportunity for professional development continuing education credits.

CONTACT INFORMATION:

For additional information, please contact Charles Scherer with the Office of the Assistant Secretary for Operations at (850) 228-9715 or Charles_Scherer@dcf.state.fl.us.

Cc: Sheriff Office's Child Protective Investigation Divisions
Community Based Care Lead Agencies
Florida State Foster/Adoptive Parent Association

1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

Mission: Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

Office of Child Welfare

INTAKES AND RESPONSE TO FOSTER CARE REFERRALS
AND INVESTIGATIONS INVOLVING A FOSTER PARENT

1. Purpose. This operating procedure discusses the steps of the department's response to intakes of child abuse, neglect or abandonment involving a foster parent and the assignment of foster care referrals.

2. Scope. This operating procedure is applicable to all intakes of child abuse, neglect or abandonment involving a foster parent and to all foster care referrals accepted by the Florida Abuse Hotline Command Center.

3. Responsibilities, Assignments, and Response.

A) The Florida Abuse Hotline Command Center shall:

- 1) Train and develop the expertise of Hotline Counselors and Command Center Counselors on responding to complaints about a foster parent and community resources available for a foster parent through the local Community-Based Care (CBC) lead agencies.
- 2) Train and develop the expertise of Hotline Counselors and Command Center Counselors on Foster Care Referral criteria.
- 3) Train and develop the expertise of Hotline Counselors and Command Center Counselors to make determinations to accept and generate an investigation intake involving a foster parent based on maltreatment determination criteria.

B) Children and Families Operating Procedures related to the investigative response shall be followed and shall include the following:

- 1) Command Center Counselors shall review each intake involving a foster parent that has been screened in and screened out to verify accuracy of the information and to ensure the appropriate screening decision has been made.
- 2) Foster Care Referrals: The Hotline Command Center will assign the foster care referral to the Child Protective Investigation (CPI) receiving unit where the child is currently located. The CPI receiving unit shall immediately forward the foster care referral to the local Community-Based Care Lead Agency for response and management of the referral.
 - a) Each Region shall develop a process for responding to foster care referrals involving group homes and licensing agencies that are not under contract with the local CBC.
- 3) Investigation Intakes: The Hotline Command Center will forward the child protective investigation intake to the CPI receiving unit where the child is currently located for CPI assignment and response.

C) The Community-Based Care Lead Agencies (CBCs) shall:

- 1) Manage and respond to all foster care referrals as directed by Florida Administrative Code. Although at this time the Administrative Code allows for an exception during weekends and holidays, all CBCs have on call staff who should handle these referrals, and the DCF Regional office shall ensure this process is in place with each CBC located within their region.
- 2) Train and develop the expertise of its licensing staff and/or its designated staff on receiving, managing, and responding to foster care referrals. Staff shall be trained to assess whether there is reasonable cause to suspect child abuse or neglect as defined in statute, regardless of whether it involves a foster parent or other caregiver, and if a reasonable cause to suspect is determined, to immediately report the concerns to the Florida Abuse Hotline Command Center.
- 3) At the time a foster care referral is received, the designated CBC staff shall notify the following parties if the following parties are involved with the child or family at the time of the foster care referral: Child Protective Investigator, Case Manager, Children's Legal Services attorney, and the Guardian ad Litem. Notification shall occur the date the referral is received by the CBC. Notification may occur by email, phone, in person, or by Florida Safe Families Network (FSFN) automated notification when a party is already assigned to the FSFN case.
- 4) Law enforcement shall not be requested to respond on foster care referrals unless there is a realistic concern for the safety of an employee, household member, or other's safety and/or if any criminal activity is suspected or becomes known.

D) CPI Investigation Intake:

- 1) If a concern against a foster parent is received and it meets the criteria for acceptance of an investigation, CBC staff (licensing and case management) shall coordinate with the CPI staff. The CPI shall be the lead during the investigation, and communication to foster parents or other parties involved as it relates to the open investigation shall be authorized and coordinated by the CPI.
- 2) The Child Protective Investigation Units shall be trained appropriately on how to respond to a Foster Parent's questions related to the investigation.
- 3) Identified Units shall be assigned all investigations involving a foster parent. In certain areas of the state, such as rural areas, where developing a specific unit is not feasible, a CPI may be designated to be trained and to respond to all investigations involving foster parents.
- 4) Request by a CPI for a joint response with law enforcement shall occur in limited circumstances when there is a plausible and realistic concern for the safety of a CPI, household member, or other person's safety, or when criminal activity is suspected, to preserve evidence, or when the statutory requirement to have law enforcement present is met.
- 5) CPIs shall adhere to Florida Statute, Florida Administrative Code, and Children and Families Operating Procedures as they relate to the child protective investigative

response, when responding to investigations involving foster parents and shall implement the following:

- a) All parties involved shall be sensitive to the fact that there may be other children placed in the home who could potentially be traumatized the unannounced arrival of a CPI, Case Manager, Licensing Staff and/or law enforcement.
- b) The CPI shall advise a foster parent that he/she shall not inform or discuss the allegations with the alleged child victim unless authorized by the CPI.
- c) Upon initial assignment of the investigation to the CPI, CPI staff shall make notification to all involved parties, including, but not limited to, the assigned Case Manager, CLS attorney, GAL, and the alleged child victim's biological parents if rights remain intact. The notification shall include all pertinent information regarding the case.

6) Approaches: Time, place, and manner shall be taken into

- a) **APPROACH A**: When an investigation is accepted with allegations of child abuse, neglect, or abandonment against a foster parent and the alleged child victim is currently placed with that foster parent:

Upon assignment of the intake, the CPI shall contact the licensing coordinator and case manager to coordinate a home visit; the licensing staff shall respond on a joint visit with the CPI when feasible and determined appropriate by the CPI. The CPI may respond without a joint response in limited and appropriate situations. At no time should the availability of staff preclude response to assess child safety and to initiate the investigation.

- b) **APPROACH B**: When an investigation is received with allegations against a foster parent and the alleged child victim is not currently placed with that foster parent and no other child is placed with or in the care of that foster parent:

Upon receipt, the CPI shall contact the licensing coordinator to coordinate a home visit to the foster parent. The CPI shall also arrange a joint visit with the assigned case manager at the location of the alleged child victim. The licensing staff shall participate in a joint visit with the CPI when feasible and determined appropriate by the CPI. The CPI may respond without a joint response in limited and appropriate situations.

The initial visit with the alleged child victim shall be unannounced in accordance with statute.

If other children are known or suspected to be in the care of the foster parent against whom the allegations are alleged, the home visit shall be unannounced.

- c) **APPROACH C**: When an intake is received and there are no allegations against a foster parent, but the child under Department supervision about whom concerns were reported is placed with a foster parent, notification by

the CPI to licensing staff and a joint response by licensing staff are not required.

- 7) When the CPI makes initial contact with the foster parent, the Child Protective Investigations Involving Foster Parents Information Sheet (Attachment I) shall be provided, listing the intake number, CPI name and contact number, and the CPI Supervisor's name and contact number. The CPI shall explain the investigative process to the foster parent and inform the foster parent that he/she may contact the CPI or CPIS at any time with questions/concerns regarding the investigation.
- 8) An initial staffing shall occur within the first two weeks of receipt of the investigation. All parties with pertinent information shall be notified and the CPIS may determine who shall attend (discretion in inviting foster parents shall be utilized when there are pending criminal charges, if the staffing would interfere in the CPI investigation, when there are safety reasons, or when this would not be in the best interest of the child). If an investigation closure decision is not known at the time of the staffing, a follow-up staffing shall occur to include the same parties involved; CPI staff will notify the parties of the investigation outcome and how the investigation maltreatment(s) will be founded and closed.

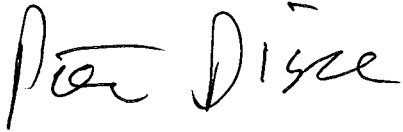
Notifications and scheduling of staffings shall be developed by each region or circuit to best suit the individual community needs.

- 9) Investigation closure letters shall be sent out for all investigations no later than 15 calendar days from investigation closure. When Approach A or B is practiced, closure letters shall be sent to the foster parent involved and to the child's parents if rights remain intact.

E) Training:

- 1) CPIs or CPI Supervisors who are designated to investigate allegations involving foster parents and CBC licensing or designated staff who respond to foster care referrals shall participate in all foster parent pre-service training (or other foster parent department approved curriculum). This shall be coordinated by the CBC or designated agency licensing staff.
- 2) Pre-service and ongoing in-service training for foster parents shall be implemented by the CBC on the process of and response to an investigation and foster care referrals. This training shall include information about the local system of care, whom to call and what to expect if an investigation or referral is accepted about a department supervised child's care while residing in or placed in their home, and the general process of an investigation (requirements for unannounced visits, possible need for law enforcement, timeframes for investigation completion, etc).
- 3) Pre-service and ongoing in-service trainings for all CPIs shall include information on the role of the foster parent in the child welfare system. This shall include information about normalcy, sensitivity and trauma informed care to both the child and the foster parent when conducting the investigation.
- 4) Training for Case Managers on child protective investigations involving foster parents and on the foster care referral process shall be provided. This shall be coordinated by the CBC or designated agency licensing staff.

BY DIRECTION OF THE SECRETARY:

A handwritten signature in black ink, appearing to read "Pete Digre". The signature is fluid and cursive, with the first name "Pete" written in a more compact, stylized manner and the last name "Digre" written in a more open, flowing script.

PETE DIGRE
ASSISTANT SECRETARY FOR OPERATIONS



Child Protective Investigations Involving Foster Parents

Information Sheet

What is the goal of Florida's Child Protection System?

The goal of Florida's Child Protection system is to ensure that children are safe from abuse and neglect while doing everything we can to keep families together.

How do I know the person at my door is really a Child Protective Investigator?

The Child Protective Investigator (CPI) should present proper identification before entering your home. You may verify that the person is employed as a Child Protective Investigator by calling the CPI's local office or the statewide Florida Abuse Hotline Command Center's toll-free number at 1-800-96ABUSE (1-800-962-2873). The Child Protective Investigator and Supervisor's name and phone numbers are provided on the back of this information sheet. You are encouraged to contact the CPI or supervisor with any questions/concerns you may have during the investigation.

What is a Child Protective Investigation and how am I involved as a Foster Parent?

An investigation results when someone has reported a concern to the Florida Abuse Hotline Command Center claiming a child under your supervision has been abused or neglected. The incident resulting in the allegations of abuse or neglect may have occurred while the child was in the care of a biological parent, other caregiver, or while in your care. When such an allegation is received, state law requires that it be investigated by a Child Protective Investigator who will explain what the allegations are and your involvement in the investigation.

When allegations are reported against you or an adult member of your home, the CPI will advise you of the allegations and address them with you as state law requires. The CPI will talk to you and other individuals who may be associated with the child. You can help the CPI by being truthful and by providing information that is necessary to determine whether a concern exists that affects the safety and well being of the child in your care.

Note, state law specifically directs visits and interviews with the child, family, and caregivers to be unannounced whenever possible, which may result in your child being interviewed without you being present. The law also requires you to notify the CPI within two business days if you move or if your child's location or living arrangement changes.

You may video or audio tape your interview with the CPI, using your own equipment, if it is immediately available. An attorney may represent you at any point during the investigation. Even if you choose to delay your interview with the CPI in order to be represented by an attorney, the investigation will continue.

What are the possible results of the investigation?

When the allegations are not alleged against you or any adult member of your home, your involvement may be limited.

If allegations are alleged against you or an adult member of your home, it is possible that the investigation will reveal that there is no indication of child abuse or neglect and the investigation will be closed with no further action. The child protective investigation is required to be completed within 60 days, except for investigations involving a child death, missing child, and/or when law enforcement has an open criminal investigation. Investigations may be staffed by the

CPI with licensing staff, case managers, law enforcement, Guardian ad Litem, Children's Legal Services, and any other parties with pertinent information relating to the investigation. The recommendations of the staffing will be forwarded to the supervising agency's licensing staff which may result in a corrective action plan, suspension or revocation of your foster parent license. If the CPI determines that it is in the best interest of the child's safety and well being, the child may be removed from your care.

If you have any questions, you may contact the CPI or CPI Supervisor below.

Child Protective Investigator: _____

Telephone Number: _____

CPI Supervisor: _____

Telephone Number: _____

Office Address: _____

Intake Number: _____

Florida State Foster/Adoptive Parent Association, Inc. Support Team (F.A.S.T.) is available to provide support to a foster parent when an allegation has been or might be brought against him or her. You may contact F.A.S.T. at 1-800-327-8119 or fast@floridafapa.org