ARD Assessment Instrument Instructions
Revised 10/13/10

1. **Was the referral appropriately assigned, in accordance with Volume 7? (7.202.4 F, H) (C.R.S. 19-1-103)**

   - Answer **"Yes"** if the information available in the referral meets the criteria for assignment outlined in Volume 7.202.4 F, and the referral was assigned for assessment/investigation.
   - Answer **"No"** if the information available in the referral does not meet the criteria for assignment outlined in Volume 7.202.4 F, and the referral was assigned for assessment/investigation (the referral should not have been assigned).
   - **"NA"** should not be used.

Intent: The reviewer will determine if the referral met the threshold for assignment, based on definitions, and was appropriately assigned for investigation/assessment.

VOLUME VII
7.202.4

F. The county department shall assign a referral for assessment and investigation if it: *Eff 10/01/2008*

1. Contains specific allegations of known or suspected abuse or neglect as defined in statutes and regulations. A "known" incident of abuse or neglect would involve those reports in which a child has been observed being subjected to circumstances or conditions that would reasonably result in abuse or neglect. "Suspected" abuse or neglect would involve those reports that are made based on patterns of behavior, conditions, statements or injuries that would lead to a reasonable belief that abuse or neglect has occurred or that there is a serious threat of harm to the child. *Eff 10/01/2008*
2. Provides sufficient information to locate the alleged victim. *Eff 10/01/2008*
3. Identifies a victim under the age of 18. *Eff 10/01/2008*
4. Meets the conditions of #2 and #3 above, results in a third report of suspected child abuse or neglect within a two year period and the two previous reports were not accepted for investigation. *Eff 10/01/2008*

All reports with a child welfare concern occurring in any jurisdiction concerning any child in the family are to be counted towards the three or more reports. At the time of a third report, the county department shall review the prior reports, assessments, and applicable cases. *Eff 10/01/2008*

Prior involvement is to be reviewed in terms of actions taken and services provided and used to inform further action. The review shall be documented in the automated case management system. The supervisor is to ensure that the review and the documentation have occurred. *Eff 10/01/2008*

Upon completion of the investigation, the count starts over with the next report of suspected abuse or neglect that is not accepted for investigation. *Eff 10/01/2008*

H. The county department shall ensure that referrals that do not need to be assigned for assessment and investigation are documented in the automated case management system with the reasons why further investigation was not needed. In those reports in which a full investigation is not going to be conducted the supervisor shall approve that decision. *[Eff. 1/1/09]*

19-1-103. Definitions
As used in this title or in the specified portion of this title, unless the context otherwise requires:

(1) (a) "Abuse" or "child abuse or neglect", as used in part 3 of article 3 of this title, means an act or omission in one of the following categories that threatens the health or welfare of a child:

(I) Any case in which a child exhibits evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling, or death and either: Such condition or death is not justifiably explained; the history given concerning such condition is at variance with the degree or type of such condition or death; or the circumstances indicate that such condition may not be the product of an accidental occurrence;

(II) Any case in which a child is subjected to unlawful sexual behavior as defined in section 16-22-102 (9), C.R.S.;

(III) Any case in which a child is a child in need of services because the child's parents, legal guardian, or custodian fails to take the same actions to provide adequate food, clothing, shelter, medical care, or supervision that a prudent parent would take. The requirements of this subparagraph (III) shall be subject to the provisions of section 19-3-103.

(IV) Any case in which a child is subjected to emotional abuse. As used in this subparagraph (IV), "emotional abuse" means an identifiable and substantial impairment of the child's intellectual or psychological functioning or development or a substantial risk of impairment of the child's intellectual or psychological functioning or development.

(V) Any act or omission described in section 19-3-102 (1) (a), (1) (b), or (1) (c);

(VI) Any case in which, in the presence of a child, or on the premises where a child is found, or where a child resides, a controlled substance, as defined in section 18-18-102 (5), C.R.S., is manufactured or attempted to be manufactured;

(VII) Any case in which a child tests positive at birth for either a schedule-I controlled substance, as defined in section 18-18-203, C.R.S., or a schedule-II controlled substance, as defined in section 18-18-204, C.R.S., unless the child tests positive for a schedule-II controlled substance as a result of the mother's lawful intake of such substance as prescribed.

2. Is the assigned response time appropriate, as defined by Volume 7? (7.202.3 I) (7.202.4 I & J 1 - 3) (7.202.601 D)

- Answer **"Yes"** if the information available in the referral matches the level of safety or risk concerns necessary for the selected assigned response time, as defined by Volume 7.
- Answer **"Early"** if the information available in the referral indicates that a *later* response time should have been assigned to meet the definition in Volume 7.
- Answer **"No, late"** if the information available in the referral indicates that an *earlier* response time should have been assigned to meet the definition in Volume 7.
- Answer **"NA"** if the referral should not have been assigned (if answer to Question 1 is NO).

Intent: The reviewer will determine if the assigned response time, for this specific referral, is appropriate based on Volume 7 definitions.

NOTE: Answer this question based on the referral specifically identified for review.
NOTE: If response assessment information cannot be obtained from the reporting party, the county department shall make an immediate response to determine the child's level of safety.
NOTE: If the referral was received after hours, IMMEDIATE means within 8 hours, effective 2/1/07.

VOLUME VII
7.202.3

I. "Moderate to severe harm" refers to the consequence of maltreatment at a level consistent with a medium, severe or fatal level of physical abuse, sexual abuse or neglect, as defined in Section 7.202.601.

7.202.4

I. The county department's decision of how quickly to initiate an investigation is based on specific reported information that is credible and that indicates whether a child may be unsafe or at risk of harm. *[Eff. 1/1/09]*

J. The county department shall assign priority in response time using the following criteria: *[Eff. 1/1/09]*

1. Immediate and/or same day response is required when the report indicates that: *[Eff. 1/1/09]*
   a. Without immediate response, the child is in danger of moderate to severe harm, or *[Eff. 1/1/09]*
   b. The child's vulnerability or factors such as drug and alcohol abuse, violence, isolation, or risk of flight from one county to another county or state, increase the need for immediate response. *[Eff. 1/1/09]*

   If the report is received after regular business hours, the time frame is immediate and/or up to eight hours. *[Eff. 1/1/09]*
2. End of the third calendar day following receipt of the report when the report indicates that: *[Eff. 1/1/09]*
   a. Without a response within three days, the child is in danger of moderate to severe harm, or *[Eff. 1/1/09]*
   b. Factors such as drug and alcohol abuse, violence, isolation, or risk of flight from one county to another county or state, increase the need for intervention in the near future. *[Eff. 1/1/09]*
3. Within five (5) working days from the date the report is received when the report indicates maltreatment or risk of maltreatment to a child and indicates an absence of safety concerns. *[Eff. 1/1/09]*

7.202.601 D

D. "Severity level" means the assessment of the harm to the child victim or the act of abuse or neglect as minor, medium, severe or fatal as defined in these rules. Upon confirmation of the allegation(s) of abuse, neglect, or sexual abuse, the county department shall use the following definitions when determining the severity of the incidents:

1. Physical Abuse
   a. "Minor physical abuse" means excessive or inappropriate force used resulting in a superficial injury;

b. "Medium physical abuse" means excessive or inappropriate force used resulting in an injury that may require medical attention;

c. "Severe physical abuse" means excessive or inappropriate force used resulting in a serious injury that requires medical attention or hospitalization;

d. "Fatal physical abuse" means excessive or inappropriate force used resulting in a child's death.

2. Neglect

a. "Minor neglect" means the physical or emotional needs of the child are marginally or inconsistently met, but there is little or no impact on the child's functioning;

b. "Medium neglect" means the physical or emotional needs of the child are inadequately met resulting in some impairment in the child's functioning;

c. "Severe neglect" means the physical or emotional needs of the child are not met resulting in serious injury or illness;

d. "Fatal neglect" means that the physical or emotional needs of the child are not met resulting in death.

3. Sexual abuse severity is to be determined based upon the type of contact, duration of contact, and the emotional impact upon the child.

3. **Was the alleged victim interviewed/observed within the assigned response time? (CRS 19-3-308 (1)(a) & (3)(a)) (7.202.3 I) (7.202.4 I & J 1 - 3) (7.202.52 A) (Agency Letter CW-07-12-P) (Item 1)**

- Answer **"Yes"** if there is documentation that the alleged victim was interviewed/observed face-to-face by a county caseworker within the assigned response time.
- Also answer **"Yes"** if no response time was assigned, but the alleged victim was seen immediately.
- Also answer **"Yes"** if there is documentation that the alleged victim was interviewed/observed face-to-face by a county caseworker in a timely manner according to the assigned response time, although earlier than the assigned response time.
- Also answer **"Yes"** if the case involves sexual abuse and an interview needs to be coordinated with law enforcement but cannot be completed within the response time, as long as there is documentation of reasons/need to coordinate with law enforcement (7/15/05 Consistency Training) AND the safety of the alleged victim is addressed during the time the county is waiting.
- Answer **"No"** if there is no documentation that the alleged victim was interviewed/observed face-to-face by a county caseworker in a timely manner according to the assigned response time.
- Also answer **"No"** if no response time was assigned, and the alleged victim was not seen immediately.
- **"NA"** should not be used.

Intent: The reviewer will determine if the alleged victim(s) was seen within the assigned response time – yes or no.

NOTE: This question is not determining whether the assigned response time is accurate, only that the county responded within the response time that was assigned.
NOTE: To calculate "within the assigned response time," measure from the date the referral was *received*, not from the date the referral was assigned. A calendar may be necessary to calculate the time periods.
NOTE: On 3- and 5-day response times, count excludes the day of the report.
NOTE: A medical or police check will not be accepted. If someone other than agency personnel conducted the interview, the county must have a hard copy waiver approved by Child Welfare.
NOTE: If the answer to this question is "YES", then the answer to Question 4 will most likely be "YES."

COLORADO CHILDREN'S CODE
19-3-308. Action upon report of intrafamilial, institutional, or third-party abuse - child protection team - rules.
(1) (a) The county department shall respond immediately upon receipt of any report of a known or suspected incident of intrafamilial abuse or neglect to assess the abuse involved and the appropriate response to the report. The assessment shall be in accordance with rules adopted by the state board of social services to determine the risk of harm to such child and the appropriate response to such risks. Appropriate responses shall include, but are not limited to, screening reports that do not require further investigation, providing appropriate intervention services, pursuing reports that require further investigation, and conducting immediate investigations. The immediate concern of any assessment or investigation shall be the protection of the child, and, where possible, the preservation of the family unit.
(3) (a) The investigation shall include an interview with or observance of the child who is the subject of a report of abuse or neglect. The investigation may include a visit to the child's place of residence or place of custody or wherever the child may be located, as indicated by the report. In addition, in connection with any investigation, the alleged perpetrator shall be advised as to the allegation of abuse and neglect and the circumstances surrounding such allegation and shall be afforded an opportunity to respond.

VOLUME VII
7.202.3
I. "Moderate to severe harm" refers to the consequence of maltreatment at a level consistent with a medium, severe or fatal level of physical abuse, sexual abuse or neglect, as defined in Section 7.202.601.

7.202.4

I. The county department's decision of how quickly to initiate an investigation is based on specific reported information that is credible and that indicates whether a child may be unsafe or at risk of harm. *[Eff. 1/1/09]*

J. The county department shall assign priority in response time using the following criteria: *[Eff. 1/1/09]*

1. Immediate and/or same day response is required when the report indicates that: *[Eff. 1/1/09]*

a. Without immediate response, the child is in danger of moderate to severe harm, or *[Eff. 1/1/09]*

b. The child's vulnerability or factors such as drug and alcohol abuse, violence, isolation, or risk of flight from one county to another county or state, increase the need for immediate response. *[Eff. 1/1/09]*

If the report is received after regular business hours, the time frame is immediate and/r up to eight hours. *[Eff. 1/1/09]*

2. End of the third calendar day following receipt of the report when the report indicates that: *[Eff. 1/1/09]*

a. Without a response within three days, the child is in danger of moderate to severe harm, or *[Eff. 1/1/09]*

b. Factors such as drug and alcohol abuse, violence, isolation, or risk of flight from one county to another county or state, increase the need for intervention in the near future. *[Eff. 1/1/09]*

3. Within five (5) working days from the date the report is received when the report indicates maltreatment or risk of maltreatment to a child and indicates an absence of safety concerns. *[Eff. 1/1/09]*

7.202.52 Investigation/Assessment Requirements [Eff. 02/01/2009]

The investigation of intra-familial, institutional, or third party abuse shall be conducted as set forth in Sections 19-3-308(2), (3), (4) through 19-3-308.5, C.R.S. To the extent that is reasonably possible, this shall occur as soon as possible following the receipt of the referral according to the county's prioritization of the incident. *Eff 02/01/2007*

A. Within the assigned response timeframe, the investigation shall include a face-to-face interview with or observation of the child who is the subject of a report of abuse or neglect. An interview shall occur if the child has verbal capacity to relate information relevant to safety decisions; otherwise, an observation of the child is sufficient. *Eff 02/01/2007*

<u>Agency Letter CW-07-12-P dated Marcy 19, 2007</u>

For the last two response times ["end of the third calendar day…" and "within five (5) working days…")], the response time "clock" excludes the date of the report.

4. **Did the county make reasonable efforts to interview/observe the alleged victim within the assigned response time? (CRS 19-3-308 (1)(a) & (3)(a)) (7.202.3 I) (7.202.4 I & J 1 - 3) (7.202.52 A) (Agency Letter CW-07-12-P) (Item 1)**

   - Answer **"Yes"** if there is documentation that the county made reasonable efforts to interview/observe the alleged victim face to face within the assigned response time.
   - Also answer **"Yes"** if no response time was assigned, but the alleged victim was seen immediately.
   - Also answer **"Yes"** if there is documentation that the alleged victim was interviewed/observed face to face by a county caseworker in a timely manner within the assigned response time.
   - Also answer **"Yes"** if the case involves sexual abuse and an interview needs to be coordinated with law enforcement but cannot be completed within the response time, as long as there is documentation of reasons/need to coordinate with law enforcement (7/15/05 Consistency Training) AND the safety of the alleged victim is being addressed during the time the county is waiting.
   - Answer **"No"** if there is no documentation that the county made reasonable efforts to interview/observe the alleged victim face to face in a timely manner according to the assigned response time.
   - Also answer **"No"** if no response time was assigned, and the alleged victim was not seen immediately.
   - **"NA"** should not be used.

Intent: The reviewer will determine if there is documentation that the county made <u>reasonable efforts</u> to interview/observe the alleged victim face to face within the assigned response time.

<u>NOTE:</u> If the child/alleged victim is not seen but the referral proceeds to case, this question could still be answered "NO."
<u>NOTE:</u> Use reviewer judgment if the attempts were reasonable, based on the allegation(s).
<u>NOTE:</u> This question is not determining whether the assigned response time is accurate, only that the county made reasonable efforts to respond within the response time that was assigned.
<u>NOTE:</u> To calculate "within the assigned response time," measure from the date the referral was *received*, not from the date the referral was assigned. A calendar may be necessary to calculate the time periods.
<u>NOTE:</u> On 3- and 5-day response times, count <u>excludes</u> the day of the report.
<u>NOTE:</u> A medical or police check will not be accepted. If someone other than agency personnel conducted the interview, the county must have a hard copy waiver approved by Child Welfare.
<u>NOTE:</u> "Regular attempts" may be considered as follows:

- **For immediate responses, documentation of active, daily attempts to contact the child/alleged victim (unless there is information that the family is not available, i.e. out of town).**
- **For 3- and 5-day responses, documentation of attempts to contact the child/alleged victim every 3 or 5 days, dependent upon the respective assigned response time (unless there is information that the family is not available, i.e. out of town).**

<u>NOTE:</u> This question should most likely be answered "YES" if Question 3 was answered "YES."

<u>COLORADO CHILDREN'S CODE</u>
<u>19-3-308. Action upon report of intrafamilial, institutional, or third-party abuse - child protection team - rules.</u>

(1) (a) The county department shall respond immediately upon receipt of any report of a known or suspected incident of intrafamilial abuse or neglect to assess the abuse involved and the appropriate response to the report. The assessment shall be in accordance with rules adopted by the state board of social services to determine the risk of harm to such child and the appropriate response to such risks. Appropriate responses shall include, but are not limited to, screening reports that do not require further investigation, providing appropriate intervention services, pursuing reports that require further investigation, and conducting immediate investigations. The immediate concern of any assessment or investigation shall be the protection of the child, and, where possible, the preservation of the family unit.

(3) (a) The investigation shall include an interview with or observance of the child who is the subject of a report of abuse or neglect. The investigation may include a visit to the child's place of residence or place of custody or wherever the child may be located, as indicated by the report. In addition, in connection with any investigation, the alleged perpetrator shall be advised as to the allegation of abuse and neglect and the circumstances surrounding such allegation and shall be afforded an opportunity to respond.

VOLUME VII

7.202.3

I. "Moderate to severe harm" refers to the consequence of maltreatment at a level consistent with a medium, severe or fatal level of physical abuse, sexual abuse or neglect, as defined in Section 7.202.601.

7.202.4

I. The county department's decision of how quickly to initiate an investigation is based on specific reported information that is credible and that indicates whether a child may be unsafe or at risk of harm. *[Eff. 1/1/09]*

J. The county department shall assign priority in response time using the following criteria: *[Eff. 1/1/09]*

1. Immediate and/or same day response is required when the report indicates that: *[Eff. 1/1/09]*
   a. Without immediate response, the child is in danger of moderate to severe harm, or *[Eff. 1/1/09]*
   b. The child's vulnerability or factors such as drug and alcohol abuse, violence, isolation, or risk of flight from one county to another county or state, increase the need for immediate response. *[Eff. 1/1/09]*

   If the report is received after regular business hours, the time frame is immediate and/r up to eight hours. *[Eff. 1/1/09]*
2. End of the third calendar day following receipt of the report when the report indicates that: *[Eff. 1/1/09]*
   a. Without a response within three days, the child is in danger of moderate to severe harm, or *[Eff. 1/1/09]*
   b. Factors such as drug and alcohol abuse, violence, isolation, or risk of flight from one county to another county or state, increase the need for intervention in the near future. *[Eff. 1/1/09]*
3. Within five (5) working days from the date the report is received when the report indicates maltreatment or risk of maltreatment to a child and indicates an absence of safety concerns. *[Eff. 1/1/09]*

7.202.52 Investigation/Assessment Requirements [Eff. 02/01/2009]

The investigation of intra-familial, institutional, or third party abuse shall be conducted as set forth in Sections 19-3-308(2), (3), (4) through 19-3-308.5, C.R.S. To the extent that is reasonably possible, this shall occur as soon as possible following the receipt of the referral according to the county's prioritization of the incident. *Eff 02/01/2007*

A. Within the assigned response timeframe, the investigation shall include a face-to-face interview with or observation of the child who is the subject of a report of abuse or neglect. An interview shall occur if the child has verbal capacity to relate information relevant to safety decisions; otherwise, an observation of the child is sufficient. *Eff 02/01/2007*

Agency Letter CW-07-12-P dated March 19, 2007

For the last two response times ["end of the third calendar day…" and "within five (5) working days…")], the response time "clock" excludes the date of the report.

5. **If the county indicated a Safety Assessment was not required, does the documentation support this decision? (7.202.532 B 5)**

   - Answer **"Yes"** if the documentation in the file supports the county's decision *not* to complete the Safety Assessment.
   - Answer **"No"** if the documentation in the file does *not* support the county's decision *not* to complete the Safety Assessment
   - Answer **"No Safety Assessment and no documentation"** if the checkbox (in Trails) indicating that a Safety Assessment is not required is not checked *and* the Safety Assessment is not completed.
   - Answer **"NA"** if the county completed the Safety Assessment.

Intent: After reading the assessment, the reviewer will determine if the county's decision not to complete the safety assessment was supported by documentation in the assessment.

NOTE: Answer this question based on documentation that both the alleged victim and alleged PRAN were interviewed and that the initial contact supports the county's decision.
NOTE: Answer this question based on the initial Safety Assessment regarding the referral being reviewed.
NOTE: The "Safety Assessment Not Required" check box is located in Trails as follows:
Assessments
Assessment Closure
Safety Assessment
Safety Assessment Not Required
When "Safety Assessment Not Required" is checked, one of the following drop-down options must be selected (mandatory field):

- **Caregiver has abandoned the child;**
- **Fatality Investigation and No Surviving Siblings;**
- **Institutional Abuse Investigation;**
- **Other;**
- **PA 4 – Youth in Conflict Assessment; or**
- **Third Party or Law Enforcement Only Investigation.**

NOTE: Trails action needed when the safety assessment is not required (per email correspondence with Child Welfare 5/24/10):

- **Assign in Trails as an assessment with the appropriate response time**
- **Interview alleged victim and alleged PRAN**

If it is clear that no child abuse/neglect occurred, then complete:

- **Interview/contacts with the alleged victim and alleged PRAN**
- **Case connection request**
- **Findings (enter "unfounded")**
  Answer the two questions in the Findings tab:
  1) Family view of the referral and investigation/assessment, and
  2) Worker impressions of child/caregiver capabilities, etc.
- **Assess Close**

NOTE: If answer "Yes" or "No" to this question, answer "NA" on questions #6 and #8. (9/9/10 3-day)

VOLUME VII
7.202.532 Parameters for Use of the Colorado Safety Assessment Instrument [Eff. 1/1/09]

B. Completion of the Colorado Safety Assessment Instrument is required for all Program Area 5 reports being investigated or assessed, except:

1. Institutional abuse investigations.

2. Third party investigations.
3. Fatality investigations when there are no surviving siblings.
4. When caregivers have abandoned the child.
5. When there is clear evidence, upon initial contact with the alleged victim and person alleged to be responsible for abuse or neglect that no incident of child abuse or neglect occurred. The reasons for making this determination shall be documented in the automated case management system.

Colorado Assessment Continuum Guidelines and Policy

Instrument	What Cases	When
Safety Assessment *Safety Plan*	*Required for all PA 5 reports being investigated or assessed, except:* ♦ *Institutional abuse investigations* ♦ *Third party investigations* ♦ *Fatality investigation and no surviving sibling(s)* ♦ *Caregivers have abandoned child* ♦ *When there is clear evidence, upon initial contact with the alleged victim and alleged person responsible for the abuse or neglect that no incident of child abuse or neglect occurred. The reasons for making this determination shall be documented in the automated case management system.* *A Safety Plan shall be developed for all situations in which an in-home Safety Plan can reasonably be expected to control safety concerns. It shall be documented in the automated case management system. All children in the household assessed to be unsafe shall be included in the plan*	*Documentation in TRAILS is required within thirty (30) calendar days from the date the investigation/assessment was received* *As part of an assessment including when there are new allegations on an open child protective services case.* *Whenever there is a significant change in family circumstances or situations that might pose a new or renewed threat to child safety.* *Prior to reunification on an open CPS case.* *Prior to supervisory approval for closing a CPS case* *The Safety Plan shall be documented in TRAILS within thirty (30) calendar days from the date the referral was received*
Risk Assessment *Risk Reassessment*	*Required for all PA 5 cases except:* ♦ *Same exceptions as the Safety Assessment* *Required on all PA 5 cases that have remain home or reunification as the permanency goal.* *Required on all PA 5 cases for which remaining at home or reunification was the permanency goal identified in the automated case management system.*	*<u>Documentation</u> must be completed in TRAILS within thirty (30) calendar days from the date the referral was received (i.e., at or before completion of the CPS assessment)* *<u>Must</u> be completed prior to case closure.*
NCFAS and NCFAS-R	*NCFAS is required on all PA 5 cases that have a goal of remain home. Must be completed prior to completing the FSP Treatment Plan* *NCFAS-R is required on all PA 5 cases that have a goal of return home.* *May be completed in PA 4 and PA 6 cases*	*Shall be completed within 60 days of the date the assessment was assigned.* *Shall be completed prior to case closure or change of program area to PA 4 or PA 6* *R domains are completed prior to reunification and closing the removal in TRAILS*

Handout from The Butler Institute For Families

6. Was the safety assessment process completed accurately, in accordance with Volume 7? (Check all no responses that apply) (7.202.533 A, B, C, D, E)

- Answer **"Yes"** if documentation indicates that the safety assessment process was completed and applied accurately, in accordance with Volume 7.
- Answer **"No, not completed"** if the Safety Assessment tool was not completed although required.
- Answer **"No, not timely"** if the Safety Assessment was not completed in Trails within thirty calendar days of the date the referral was received.
- Answer **"No, six assessment areas not completed"** if the six assessment areas (under the General Information tab in the Safety Assessment instrument) were not completed.

  The six assessment areas include:
  1. **Extent of Maltreatment;**
  2. **Surrounding Circumstances of Maltreatment;**
  3. **Child Functioning;**
  4. **Adult Functioning;**
  5. **General Parenting Practices; and**
  6. **Disciplinary Parenting Practices.**
- Answer **"No, inaccurate documentation of six assessment areas"** if the six assessment areas (under the General Information tab in the Safety Assessment Instrument) were inaccurately completed, based on information available in the referral and case record.
- Answer **"No, 15 standardized safety concerns not completed"** if the 15 standardized safety concerns in the Safety Assessment instrument were not completed, although required. Please note in comments which of the standardized safety concerns was not completed.
- Answer **"No, inaccurate documentation of 15 standardized safety concerns"** if the 15 standardized safety concerns in the Safety Assessment instrument were inaccurately completed, based on information available in the referral and case record. Please note in comments which of the standardized safety concerns was inaccurately documented. In order to identify an issue as a safety concern, documentation must be located to support that the following threshold criteria are met:
  1) specific and observable threats to the child (7.202.533 A 1-5),
  2) harm is likely to occur if not controlled,
  3) conditions could reasonably result in moderate to severe harm to the child,
  4) child's vulnerability (7.202.533 A 4),
  5) the caregiver's capacity and willingness to assure the child's protection and ability to control conditions and behavior that threaten the child's safety (7.202.533 A5 and D4)
- Answer **"No, inaccurate documentation of caregiver protective capacity"** if the assessment of the caregiver's protective capacity as part of the safety conclusion is inaccurate based on information available in the referral and assessment.
- Answer **"No, inaccurate documentation of Safety Intervention Analysis"** if the intervention analysis regarding an in-home Safety Plan (rather than OOH placement) is not supported in the information available in the referral and assessment.
- Answer **"NA"** if the family could not be located, in spite of attempts.
- Also answer **"NA"** if the county appropriately documented that the Safety Assessment tool is not required. *Reviewer must select this answer response if the answer to question 5 is "Yes" or "No."* Also answer **"NA"** if the answer to question #5 is "Yes" or "No." (9/9/10 3-day)

Intent: After reading the assessment/investigation, the reviewer will determine that the safety assessment process was completed accurately, according to Volume 7 rules.

NOTE: Answer "NA" to this question, if the answer to #5 was "Yes" or "No."
NOTE: Answer this question based only on information that was known at the time the Safety Assessment tool was completed, not on issues that came up after the Safety Assessment was completed.
NOTE: Answer this question based on the initial Safety Assessment regarding the referral being reviewed (the Safety Assessment used to determine need for a Safety Plan, etc.).

VOLUME VII

7.202.533 The Colorado Safety Assessment Instrument [Eff. 1/1/09]

A. The following safety threshold criteria must be present to determine that a safety concern exists. Meeting these criteria indicates that the family's behavior, condition or situation threatens the safety of a child.

1. The threat to child safety is specific and observable.
2. Conditions reasonably could result in moderate to severe harm to a child.
3. This harm is likely to occur if not resolved.
4. A child is vulnerable to the threat of harm due to his/her age, developmental level, cognitive impairment, physical disability, illness, ability to communicate, ability to meet basic needs, or similar factors.
5. The caregiver(s) is unable to control conditions and behavior that threaten child safety.

B. County departments shall assess for child safety using the fifteen (15) standardized safety concerns. The fifteen standardized safety concerns are as follows:

1. Caregiver(s) in the home is out of control and/or violent.
2. Caregiver(s) describes or acts toward child in predominately negative terms and/or has unrealistic expectations likely to cause moderate to severe harm.
3. Caregiver(s) has caused harm to the child or has made a credible threat of harm.
4. Caregiver(s)' explanations of injuries present are unconvincing.
5. The caregiver(s) refuses access to the child or there is reason to believe that the family will flee.
6. Caregiver(s) is unwilling or unable to meet the child's immediate needs for food, clothing, and shelter.
7. Caregiver(s) is unwilling or unable to meet the child's significant medical or mental health care needs.
8. Caregiver(s) has not or is unable to provide sufficient supervision to protect child from potentially moderate to severe harm.
9. Child is fearful of caregiver(s), other family members, or other people living in, or having access to, the home.
10. Child's physical living conditions seriously endanger the child's immediate health and safety.
11. Caregiver(s)' alleged or observed substance use may seriously affect ability to supervise, protect or care for the child.
12. Child sexual abuse is suspected and circumstances suggest that child safety is of immediate concern.
13. Caregiver(s)' alleged or observed emotional instability, developmental delay or cognitive impairment seriously affects his/her ability to supervise, protect, or care for the child.
14. Domestic violence exists in the home and places the child in danger of physical and/or emotional harm.
15. Caregiver(s) has previously abused or neglected a child or is suspected of such, and the severity of the past maltreatment or caregiver's response to previous intervention suggests the child may be unsafe.

C. The list of safety concern definitions shall be referenced when assessing threats to child safety and prior to checking safety concerns in the Colorado Safety Assessment Instrument.

D. Safety Assessment Conclusion

1. If none of the fifteen (15) safety concerns are identified at the conclusion of the safety assessment process, then it is reasonable to conclude that the child is safe and no further safety intervention is required.
2. If assessment of the child and family determines that the child is safe and emergency out-of-home placement occurred prior to the completion of the safety assessment, efforts should be made to return responsibility for the child's safety back to the caregiver(s).
3. If assessment of the child and family determines that the child is unsafe, analysis and planning are necessary.

4. The caregiver protective capacity shall be assessed to determine whether a caregiver has the capacity and willingness to assure the child's protection and, if so, no further safety intervention is necessary. If the caregiver is unwilling or the protective capacity is insufficient to assure the child's protection, then further analysis and planning are necessary.

E. Safety Intervention Analysis

To determine whether an in-home Safety Plan can sufficiently manage the safety concerns, consider and document how the following are met:

1. The home environment is stable enough to support an in-home Safety Plan;
2. Caregivers are willing to accept and cooperate with the use of an in-home Safety Plan; and,
3. Resources are accessible and the level of effort required is available to sufficiently control safety concerns without it being necessary to rely on the person responsible for abuse/neglect to initiate protective actions.

7. If the county determined that a Safety Plan(s) was required, was it used in accordance with Volume 7 requirements and of sufficient quality to protect the child? (Check all that apply) (7.202.3 L 3) (7.202.534)

- Answer **"Yes"** if a Safety Plan was required, it contains all required elements, and it was entered into Trails, and a hard copy of the plan contains the required signatures.
- Answer **"No least restrictive response for assuring safety**" if a Safety Plan was required, but this element is not sufficiently addressed or is missing. Select this answer response based on the least restrictive response for assuring safety *within* the Safety Plan. Only select this answer response in situations in which it is obvious that the child/family is being provided with excessive services that would not be required to assure the child's/youth's safety.
- Answer **"No immediate impact on controlling safety concerns"** if a Safety Plan was required, but the Safety Plan does not include safety responses that have an immediate impact on controlling for safety concerns.
- Answer **"No activities that correspond to each specific safety concern and describe the frequency of each action"** if a Safety Plan was required, but this element is not sufficiently addressed or is missing.
- Answer **"No safety response is readily accessible at the level required to assure safety"** if a Safety Plan was required, but this element is not sufficiently addressed or is missing. For example, there is a waiting list for services, or the child/youth requires monitoring seven days a week and monitoring is only available one day a week.
- Answer **"No identification of each family member and safety management provider participating in the plan"** if a Safety Plan was required, but this element is not sufficiently addressed or is missing.
- Answer **"No parental acknowledgement of safety concerns and a willingness to participate in the Safety Plan"** if a Safety Plan was required, but this element is not sufficiently addressed or is missing.
- Answer **"No caseworker activities to oversee the Safety Plan"** if a Safety Plan was required, but the caseworker activities to oversee the Safety Plan are not sufficient or are missing.
- Answer **"No signatures of parents, caregivers, and others"** if a Safety Plan was required, but any required signature is absent.
- Answer **"No person other than PRAN to implement plan"** if a Safety Plan is required but relies on the person responsible for the abuse or neglect to initiate protective actions in order to implement the plan, or does not identify a person who is *not* the PRAN to control for safety.
- Answer **"No documentation in Trails"** if a Safety Plan was required, but it was not entered into Trails.
- Answer **"No hardcopy"** if a hardcopy of the Safety Plan is not located in the case file.
- Answer **"NA"** if the county determined that a Safety Plan was not required. This applies even if a Safety Plan was completed when it was not required. Also answer **"NA"** if the child/youth is placed.

Intent: The reviewer will determine, that if a safety plan was required, the safety plan met all of the Volume 7 requirements, and mitigated identified safety needs – allowing the child(ren) to not be placed out of the home via court order.

NOTE: The need for a Safety Plan may become applicable at any time during the assessment.
NOTE: Default to hard copy to answer above question areas.

VOLUME VII

7.202.3 DEFINITIONS [Eff. 1/1/09]

L. "Safety Plan" refers to a written plan that:

3. Does not rely on the person responsible for abuse or neglect to initiate protective actions in order for the plan to be operationalized.

7.202.534 Safety Planning and Documentation

A. Safety Plans do not have to be developed if the safety analysis results in a decision that out-of home placement is the only plan that is sufficient to control impending danger safety concerns.

B. A Safety Plan shall be developed for all other situations in which the safety intervention analysis has indicated that an in-home Safety Plan can sufficiently control safety concerns. It shall be documented in the state's automated system. All children in the household assessed to be unsafe shall be included in one plan.

C. All Safety Plans must include the following:

1. Safety responses that are the least restrictive response for assuring safety;
2. Safety responses that have an immediate impact on controlling safety concerns;
3. Activities that correspond to each specific safety concern and describe the frequency of each action;
4. Safety response(s) that are readily accessible at the level required to assure safety;
5. Identification of each family member and safety management provider participating in the plan;
6. Parental acknowledgement of safety concerns and a willingness to participate in the Safety Plan; and;
7. Caseworker activities to oversee the Safety Plan.

E. Parents, caregivers, and others who are a part of a Safety Plan shall sign the Safety Plan and receive a copy, and the signatures and paper form shall be retained in the file.

F. The Safety Plan shall be documented in the State's automated system by the conclusion of the investigations or assessment.

8. Was the Risk Assessment tool completed, in accordance with Volume 7? (Check all no responses that apply) (7.202.54 A - D)

- Answer **"Yes"** if the risk assessment tool was completed in accordance with Volume 7 and matches the information included in the referral and initial assessment. The Risk Assessment must address all of the following factors and must have been completed in Trails within 30 calendar days of the date the referral was received:
    - Current type of allegation;
    - Previous child welfare investigations services and placement;
    - Number of children in household;
    - Age of youngest child in household;
    - Primary caregiver's description of incident;
    - Primary caregiver's provision of physical care or supervision;
    - Caregiver(s)' use of alcohol and controlled substances;
    - Characteristics of children in the household;
    - Recent or historical domestic violence in the household;
    - Caregiver(s)' history of homelessness and mental health treatment;
    - Primary caregiver's history of abuse or neglect as a child;
    - Caregiver(s)' use of excessive/inappropriate discipline; and
    - Caregiver(s)' involvement in disruptive/volatile adult relationships.
- Answer **"No, not completed"** if the Risk Assessment was not completed although required.
- Answer **"No, not timely"** if the Risk Assessment was not completed in Trails within thirty calendar days of the date the referral was received.
- Answer **"No, not thorough (all 13 risk factors not addressed)"** if all 13 risk factors were not addressed.
- Answer **"No, inaccurate documentation of risk factors"** if the risk factors identified/not identified in the risk assessment do not match the information available in the referral and other case file documentation.
- Answer **"NA"** if risk assessment was not necessary/required. Answer **"NA"** if this is not a PA5 assessment, or:
    - If this was an institutional abuse investigation;
    - If this was a third party investigation;
    - This was a fatality investigation when there were no surviving siblings;
    - If the caretaker abandoned the child;
    - If the investigation determined that there was no basis for the allegations; or
    - If the family could not be located.

  Also answer **"NA"** if the answer to question #5 is "Yes" or "No." (9/9/10 3-day)

Intent: The reviewer will determine if the risk assessment tool was completed thoroughly, accurately and timely.

NOTE: Answer "NA" to this question, if the answer to #5 was "Yes" or "No."
NOTE: If the answer is "No, inaccurate documentation of risk factors", describe in the comments what was inaccurate and/or not supported in the available documentation.
NOTE: The Risk Assessment is a family-based assessment.
NOTE: Answer this question based on completing a Trails search for history of cases involving identified parents (as adults). Use ARD face sheets for referral history information.
NOTE: Do not include the current allegation in the historical count of referrals.
NOTE: In the Risk Assessment, answer question N2 based on previous referrals involving all parents/caretakers in the current household composition, and only as adults (not referrals on the parents/caretakers as children).

NOTE: In the Risk Assessment, answer question A1 based on all types of prior investigations, including neglect investigations.
NOTE: In the Risk Assessment, answer question A7 based on the current circumstances involving caregiver(s) involvement in disruptive/volatile adult relationships.
NOTE: If the county determined that the Safety Assessment was not required, the risk assessment does not need to be completed. (8/26/10)

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7.202.54 Colorado Family Risk Assessment ***[Eff. 10/01/2008]***

A. The assessment/investigation shall include use of the risk assessment to: *Eff 10/01/2008*
   1. Determine risk for future abuse or neglect, and *Eff 10/01/2008*
   2. Aid in determining if case services should be provided, and *Eff 10/01/2008*
   3. Aid in determining the appropriate level of case services. *Eff 10/01/2008*

B. The risk assessment is required for all Program Area 5 assessments except: *Eff 10/01/2008*
   1. Institutional abuse investigations, *Eff 10/01/2008*
   2. Third party investigations, *Eff 10/01/2008*
   3. Fatality investigations when there are no surviving siblings, *Eff 10/01/2008*
   4. When caregivers have abandoned the child, *Eff 10/01/2008*
   5. When the investigation determined no basis for the allegations. *Eff 10/01/2008*

C. The risk assessment shall address the following factors: *Eff 10/01/2008*
   1. Current type of allegation, *Eff 10/01/2008*
   2. Previous child welfare investigations, services, and placement, *Eff 10/01/2008*
   3. Number of children in household, *Eff 10/01/2008*
   4. Age of youngest child in household, *Eff 10/01/2008*
   5. Primary caregiver's description of incident, *Eff 10/01/2008*
   6. Primary caregiver's provision of physical care or supervision, *Eff 10/01/2008*
   7. Caregiver(s)' use of alcohol and controlled substances, *Eff 10/01/2008*
   8. Characteristics of children in the household, *Eff 10/01/2008*
   9. Recent or historical domestic violence in the household, *Eff 10/01/2008*
   10. Caregiver(s)' history of homelessness and mental health treatment, *Eff 10/01/2008*
   11. Primary caregiver's history of abuse or neglect as a child, *Eff 10/01/2008*
   12. Caregiver(s)' use of excessive/inappropriate discipline, *Eff 10/01/2008*
   13. Caregiver(s)' involvement in disruptive/volatile adult relationships. *Eff 10/01/2008*

D. The risk assessment documentation is to be completed in the automated case management system within thirty (30) calendar days from the date the referral was received. *Eff 10/01/2008*

CRS 19-3-208. Services – county required to provide- rules

(1) Each county or city and county shall provide a set of services, as defined in subsection (2) of this section, to children who are in out-of-home placement or meet the social services out – of-home placement criteria and to their families in the state of Colorado eligible for such services as determined necessary by an assessment and a case plan. A county or city and county may enter into an agreement with any other county, city and county, or group of counties to share in the provision of these services. Each county, city and county of group of counties may enter into contracts with private entities for the provision of these services. Each county or city and county shall have a process in place whereby services can readily be accessed by children and families determined to be in need of such services described in subsection (2) of this section. For the purposes of this subsection (1), the requirements of providing services or a process shall be made available based upon the state's capacity to increase federal funding or any other moneys appropriated for these services.

(2) (a) "Services" shall be designed to accomplish the following goals:

(I) Promote the immediate health, safety, and well-being of children eligible for these services based upon the case assessment and individual case plan;

(II) Reduce the risk of future maltreatment of children who have previously been abused or neglected and protect the siblings of such children and other children who are members of the same household who may be subjected to maltreatment;

(III) Avoid the unnecessary placement of children into foster care resulting from child abuse and neglect, voluntary decisions by families, or the commission of status offenses;

(VI) Promote the best interests of the child.

(b) The following services shall be available and provided, as determined necessary and appropriate by individual case plans, commencing on or after July 1, 1993:

(I) Screening, assessments, and individual case plans;

(II) Home-based family and crisis counseling;

(III) Information and referral services to available public and private assistance resources;

(V) Placement services including foster care and emergency shelter.

(d) The following services shall be made available and provided based upon the state's capacity to increase federal funding or any other moneys appropriated for these services and as determined necessary and appropriate by individual case plans:

(I) Transportation to these services when other appropriate transportation is not available;

(II) Child care as needed according to a case plan, when other child care is not available;

(III) In-home supportive homemaker services;

(IV) Diagnostic, mental health, and health care services;

(V) Drug and alcohol treatment services;

(VIII) Financial services in order to prevent placement; and

(IX) Family preservation services, which are brief, comprehensive, and intensive services provided to prevent the out-of-home placement of children or to promote the safe return of children to the home.

9. Were all required parties interviewed as part of the assessment/investigation? (Check all no responses that apply) (7.202.52 A - F)

- Answer **"Yes"** if interviews with/assessment of all required parties were conducted.
- Answer **"No interviews conducted"** if NO interviews were conducted with any of the required parties, although parties were available. Also answer **"no interviews conducted"** if no documented attempts were made to conduct interviews. If this answer response is selected, no other answer response should be selected.
- Answer **"No, victim/target child"** if an interview with/assessment of the alleged victim was not conducted.
- Answer **"No, sibling/other children residing in the household"** if interview(s) with/assessment(s) of the other children in the household, including siblings, were not held. If the parent refuses to allow the county to interview the siblings/other children in the household, select this answer option and comment that the parent refused.
- Answer **"No, PRAN"** if an interview with/assessment of with the alleged PRAN was not conducted. If the worker made attempts to interview the PRAN, do NOT give a "NO." (8-26-10)
- Answer **"No, other caregiver"** if interview(s) with/assessment(s) of any other caregiver(s) in the home were not conducted. This answer response includes the other parent.
- Answer **"No, family members in the household"** if other family members reside in the household and were not interviewed/assessed.
- Answer **"No, others who may have information regarding the alleged maltreatment"** if there are other parties who may have information regarding the alleged maltreatment who were not interviewed/assessed, although it was possible. Please indicate in comments who should have been contacted for more information.
- Answer **"NA"** if, despite attempts, the caseworker was unable to locate the family. This includes situations in which the caseworker attempts to locate the family and learns that the family has moved, and the caseworker is unable to complete the interview(s)/assessment(s). Also answer **"NA"** if the county determined that no safety assessment is required. (9/9/10 3-day)

Intent: The reviewer will determine if all of the parties that needed to interviewed as part of the investigation were interviewed.

NOTE: This question must be answered for *all* required parties. If you answer "no" for one party, the overall response is "no." Check each applicable no response.
NOTE: For assessments in which the county determines no Safety Assessment is required upon first contact with the alleged PRAN and the alleged victim, answer this question for the alleged PRAN and alleged victim only.
NOTE: Letters to the alleged PRAN can be accepted as notification of the allegations and attempts to contact the alleged PRAN.

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7.202.52 Investigation/Assessment Requirements [Eff. 02/01/2009]

The investigation of intra-familial, institutional, or third party abuse shall be conducted as set forth in Sections 19-3-308(2), (3), (4) through 19-3-308.5, C.R.S. To the extent that is reasonably possible, this shall occur as soon as possible following the receipt of the referral according to the county's prioritization of the incident. *Eff 02/01/2007*

A. Within the assigned response timeframe, the investigation shall include a face-to-face interview with or observation of the child who is the subject of a report of abuse or neglect. An interview shall occur if the child has verbal capacity to relate information relevant to safety decisions; otherwise, an observation of the child is sufficient. *Eff 02/01/2007*

B. The interview shall be conducted out of the presence of the suspected person(s) responsible for the abuse or neglect. *Eff 02/01/2007*

C. The investigation shall determine the names and conditions of any children living in the same place as the child who is the subject of the report. *Eff 02/01/2007*

D. Any person(s) alleged as responsible for the abuse or neglect at any time during the referral or investigation, an attempt shall be made to interview as part of the investigation, advised of the report, and given an opportunity to respond. Reasonable efforts shall be made to advise the person(s) alleged as responsible for the abuse or neglect when whereabouts or contact information is unknown. *Eff 10/01/2008*

E. The investigation shall include use of the Safety Intervention Model as described in Section 7.202.53. To assess for safety, interviews shall be conducted with all children, caregivers, and family members in the home to gather information that is relevant for determining whether a child is safe. These interviews shall determine: *Eff 10/01/2008*

1. Extent of child maltreatment; *Eff 10/01/2008*
2. Circumstances surrounding the child maltreatment; *Eff 10/01/2008*
3. Child functioning on a daily basis; *Eff 10/01/2008*
4. Adults and caregiver functioning on a daily basis; *Eff 10/01/2008*
5. Parenting practices; and, *Eff 10/01/2008*
6. Disciplinary practices. *Eff 10/01/2008*

F. Other persons identified through the investigation who may have information regarding the alleged maltreatment shall be interviewed, if possible, as part of the investigation. *Eff 10/01/2008*

10. Does documentation of the assessment/investigation contain required content? (Check all no responses that apply) (7.202.5 A, B) (7.202.52 E, F)

- Answer **"Yes"** if interviews with/assessment of required parties were conducted, and documentation contains information regarding:
  - The extent of child maltreatment;
  - The circumstances surrounding the child maltreatment;
  - Child functioning;
  - Adults and caregiver functioning;
  - Parenting practices;
  - Disciplinary practices; and
  - Overall assessment of safety, risk, needs, and strengths.
- Answer **"No interviews conducted"** if NO interviews were conducted with any of the required parties, although parties were available. Also answer **"no interviews conducted"** if no documented attempts were made to conduct interviews. *If this answer response is selected, no other answer response should be selected.*
- Answer **"No, extent of child maltreatment"** if documentation does not indicate that this information was gathered during the interviews/assessment with required parties.
- Answer **"No, circumstances surrounding the child maltreatment"** if documentation does not indicate that this information was gathered during the interviews/assessment with required parties.
- Answer **"No, child functioning"** if documentation does not indicate that this information was gathered during the interviews/assessment with required parties.
- Answer **"No, adults and caregiver functioning"** if documentation does not indicate that this information was gathered during the interviews/assessment with required parties.
- Answer **"No, parenting practices"** if documentation does not indicate that this information was gathered during the interviews/assessment with required parties.
- Answer **"No, disciplinary practices"** if documentation does not indicate that this information was gathered during the interviews/assessment with required parties.
- Answer **"No, safety, risk, needs, and strengths"** if documentation does not indicate that this information was gathered during the interviews/assessment with required parties.
- Answer **"NA"** if, in spite of attempts, the caseworker was unable to locate the family. This includes situations in which the caseworker attempts to locate the family and learns that the family has moved, and the caseworker is unable to complete the interviews/assessment(s). Also answer **"NA"** if the county determined that no safety assessment is required. (9/9/10 3-day)

Intent: The reviewer will determine that the assessment/investigation contains required content as it pertains to interviews, extent of child maltreatment, circumstances surrounding the maltreatment, child functioning, adult/caregiver functioning, parenting practices, disciplinary practices, and safety, risk, needs and strengths of the family.

NOTE: The above information is not required from each individual, as long as it is obtained from someone during the interviews/assessment process. The above information may be obtained throughout the assessment.

VOLUME VII

7.202.5 INVESTIGATION/ASSESSMENT PROCEDURES [Eff. 1/1/09]

The county department shall: *[Eff. 1/1/09]*

A. Assess for safety and take action to secure safety, if indicated; *[Eff. 1/1/09]*

B. Assess risk, needs, and strengths of children and families; *[Eff. 1/1/09]*

7.202.52 Investigation/Assessment Requirements [Eff. 02/01/2009]

E. The investigation shall include use of the Safety Intervention Model as described in Section 7.202.53. To assess for safety, interviews shall be conducted with all children, caregivers, and family members in the home to gather information that is relevant for determining whether a child is safe. These interviews shall determine: *Eff 10/01/2008*

1. Extent of child maltreatment; *Eff 10/01/2008*
2. Circumstances surrounding the child maltreatment; *Eff 10/01/2008*
3. Child functioning on a daily basis; *Eff 10/01/2008*
4. Adults and caregiver functioning on a daily basis; *Eff 10/01/2008*
5. Parenting practices; and, *Eff 10/01/2008*
6. Disciplinary practices. *Eff 10/01/2008*

F. Other persons identified through the investigation who may have information regarding the alleged maltreatment shall be interviewed, if possible, as part of the investigation. *Eff 10/01/2008*

11. If a visit to the child/youth's place of residence/custody was warranted as part of the investigation, did a visit occur? (7.202.52 G 1, 2, 3) (CRS 19-3-308)(3)(a)(b)

- Answer **"Yes"** if a visit to the child/youth's place of residence/custody was necessary and completed.
- Answer **"No"** if a visit to the child/youth's place of residence/custody was necessary and not completed. Examples: allegation of dirty house, unsafe living conditions, lack of food, inadequate shelter, discipline includes being locked in a closet, etc.
- Answer **"NA"** if a visit to the child/youth's place of residence/custody was not necessary or if a visit to the child/youth's place of residence/custody was completed but not necessary or if the family could not be located.

Intent: The reviewer will determine that a visit to the child/youth's home was completed, if based on the investigation, a home visit was warranted.

NOTE: Quality is not assessed in this question.

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G. A visit to the child's place of residence or place of custody shall be completed as part of the investigation if: *Eff 10/01/2008*

1. Home conditions are the subject of the referral; or, *Eff 10/01/2008*
2. Information obtained in the interview process indicates assessment of the home environment is necessary due to safety issues. *Eff 10/01/2008*
3. The visit will assist the investigator to determine the truth of the allegations. *Eff 10/01/2008*

CRS 19-3-308. Action upon report of intrafamilial, institutional, or third-part abuse-child protection team-rules.

(3) (a) The investigation shall include an interview with or observance of the child who is the subject of a report of abuse or neglect. The investigation may include a visit to the child's place of residence or place of custody or wherever the child may be located, as indicated by the report. In addition, in connection with any investigation, the alleged perpetrator shall be advised as to the allegation of abuse and neglect and the circumstances surrounding such allegation and shall be afforded an opportunity to respond.

(b) If admission to the child's place of residence cannot be obtained, the juvenile court or the district court with juvenile jurisdiction, upon good cause shown, shall order the responsible person or persons to allow the interview, examination, and investigation. Should the responsible person or persons refuse to allow the interview, examination, and investigation, the juvenile court or the district court with juvenile jurisdiction shall hold an immediate proceeding to show cause why the responsible person or persons shall not be held in contempt of court and committed to jail until such time as the child is produced for the interview, examination, and investigation or until information is produced that establishes that said person or persons cannot aid in providing information about the child. Such person or persons may be held without bond. During the course of any such hearing, the responsible person or persons, or any necessary witness, may be granted use immunity by the district attorney against the use of any statements made during such hearing in a subsequent or pending criminal action.

12. Based on documentation, did the county's overall finding match the definition of founded, unfounded, or inconclusive? (7.202.3 D, F, P) (7.202.52 P) (CRS 19-1-103 (1)(a)(b))

- Answer **"Yes"** if there is documentation that supports the county's determination of founded, unfounded, or inconclusive, as defined in Volume 7.
- Answer **"No, did not match the definition"** if there is insufficient documentation to support the county's determination of founded, unfounded, or inconclusive, as defined in Volume 7.
- Answer **"No finding entered when required"** if the county did not enter a finding in Trails, when required.
- Answer **"NA"** if the county selected anything but Founded, Inconclusive, or Unfounded as the overall finding/disposition or if a determination of founded, unfounded or inconclusive is not made due to differential response; or if the family could not be located.

Intent: Based on the information in the assessment/investigation, the reviewer will determine if the finding is appropriate, based on Volume 7 definitions of founded, unfounded, inconclusive.

NOTE: If the county selected that no Safety Assessment was required at their point of first contact with the alleged victim and alleged PRAN, then the overall finding/disposition should be "Unfounded". If the county has selected anything other than "Unfounded" as the overall finding/disposition, then answer, "No, did not match definition."

NOTE: The following information may help clarify when counties should make a determination of "Founded" for abuse and/or neglect in relation to actions that cause "detrimental effects to the child." This information was provided by the Child Abuse/Neglect Dispute Review Section (CANDRS) on 2/1/2010:

> **Because the definition of child abuse or neglect in the Children's Code begins, "an act or omission in one of the following categories that threatens the health or welfare of the child", the ALJ's are now looking at that phrase as an independent variable. So for example, not only do counties need to show that the child was bruised in a spanking, but that it threatened the child's health or welfare. Having said that, the ALJ's still are saying that hitting a child with a belt and leaving a welt is excessive, not reasonable discipline, is a threat to a child's health or welfare, and meets the criteria for abuse.**
>
> **In the example of an allegation of DV where mom hit dad in the back of the head, creating a situation where dad's head hit the head of the infant (whom the dad was holding during the assault), this would be a strong example of an action that threatens the welfare of the child since the hit could cause the father to drop the infant. It most likely would be upheld. This is very different than the cases where the ALJ's would overturn a finding if the infant had been asleep in the crib in the room, which in fact also results in a "Founded" determination some times.**

VOLUME VII

7.202.3 DEFINITIONS [Eff. 1/1/09]

Child abuse or neglect is defined in Section 19-1-103(1), C.R.S.
The following terms shall be defined as:

D. "Founded report" means that the child abuse or neglect investigation established that an incident(s) of child abuse or neglect has occurred, by a preponderance of evidence.

F. "Inconclusive report" means that there was some likelihood that abuse or neglect occurred but the child abuse or neglect investigation could not obtain the evidence necessary to make a founded report of child abuse or neglect.

P. "Unfounded report" means that the child abuse or neglect investigation showed there is clear evidence that no incident of child abuse or neglect occurred.

7.202.52 Investigation/Assessment Requirements [Eff. 02/01/2009]

P. Upon completion of an investigation, the county department shall consider a report founded if there is a preponderance of evidence to support that abuse occurred. *[Eff. 02/01/2009]*

19-1-103. Definitions

As used in this title or in the specified portion of this title, unless the context otherwise requires:

(1) (a) "Abuse" or "child abuse or neglect", as used in part 3 of article 3 of this title, means an act or omission in one of the following categories that threatens the health or welfare of a child:

(I) Any case in which a child exhibits evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling, or death and either: Such condition or death is not justifiably explained; the history given concerning such condition is at variance with the degree or type of such condition or death; or the circumstances indicate that such condition may not be the product of an accidental occurrence;

(II) Any case in which a child is subjected to unlawful sexual behavior as defined in section 16-22-102 (9), C.R.S.;

(III) Any case in which a child is a child in need of services because the child's parents, legal guardian, or custodian fails to take the same actions to provide adequate food, clothing, shelter, medical care, or supervision that a prudent parent would take. The requirements of this subparagraph (III) shall be subject to the provisions of section 19-3-103.

(IV) Any case in which a child is subjected to emotional abuse. As used in this subparagraph (IV), "emotional abuse" means an identifiable and substantial impairment of the child's intellectual or psychological functioning or development or a substantial risk of impairment of the child's intellectual or psychological functioning or development.

(V) Any act or omission described in section 19-3-102 (1) (a), (1) (b), or (1) (c);

(VI) Any case in which, in the presence of a child, or on the premises where a child is found, or where a child resides, a controlled substance, as defined in section 18-18-102 (5), C.R.S., is manufactured or attempted to be manufactured;

(VII) Any case in which a child tests positive at birth for either a schedule-I controlled substance, as defined in section 18-18-203, C.R.S., or a schedule-II controlled substance, as defined in section 18-18-204, C.R.S., unless the child tests positive for a schedule-II controlled substance as a result of the mother's lawful intake of such substance as prescribed.

(b) In all cases, those investigating reports of child abuse shall take into account accepted child-rearing practices of the culture in which the child participates including, but not limited to, accepted work-related practices of agricultural communities. Nothing in this subsection (1) shall refer to acts that could be construed to be a reasonable exercise of parental discipline or to acts reasonably necessary to subdue a child being taken into custody pursuant to section 19-2-502 that are performed by a peace officer, as described in section 16-2.5-101, C.R.S., acting in the good faith performance of the officer's duties.

13. What is documented in the Assessment Closure Summary? (Check all that apply) (7.202.52 K) (Agency Letter CW-09-05-P)

NOTE: Answer this question based on what documentation is *available* in the "Conclusions/Summary/Recommendations" box under the "Assessment Closure" button in Trails.

- Answer **"No documentation**" if there is no information documented in the Conclusions/Summary Recommendations window in Trails.
- Answer **"Specific allegation"** if the Conclusions/Summary/Recommendations window includes documentation regarding how the referral came into the county department.
- Answer **"Family members' account(s) of incident"** if documentation in the Conclusions/Summary/Recommendations window includes a summary of what the family members said about the incident.
- Answer **"Extent of police involvement"** if the Conclusions/Summary/Recommendations window includes documentation of the extent of police involvement, if any, including charges, arrests, etc.
- Answer **"Services offered/utilized by family"** if the Conclusions/Summary/Recommendations window includes documentation regarding any services being offered and/or utilized by the family. This would include services provided by the Department or any other agency (e.g., school makes a referral for services).
- Answer **"CPT/MDT/other team presentation and findings"** if the Conclusions/Summary/Recommendations window includes documentation that the assessment/investigation was presented to a CPT, MDT, or other team, and the team's findings are noted (whether or not they were in agreement with the decision and/or had questions).
- Answer **"Assessment plan"** if an assessment plan (close in intake, transfer for ongoing services, court involved, etc.) is documented in the Conclusions/Summary/Recommendations window.
- Answer **"Family history"** if the family's history of involvement with the department, in Colorado and/or other states, is documented in the Conclusions/Summary/Recommendations window.
- This is in an agency letter, not Volume 7.
- Answer **"Finding"** if the Conclusions/Summary/Recommendations window includes documentation of the finding of the assessment/investigation.
- Answer **"Other (describe in comments)"** if summary information other than listed above is documented in the Conclusions/Summary/Recommendations window.
- Answer **"NA"** if the assessment/investigation is still open.

Intent: The reviewer will determine what is documented in the "Conclusion/Summary/Recommendations" box.

NOTE: Answer based on this assessment/investigation only. The family history may include information regarding previous police involvement, services provided and received, prior legal history, etc.

NOTE: The following is a framework/guideline for information that should be included in a summary, provided by Child Welfare on 6/29/09. This information is not required to be in a summary per rule, but is a suggested framework, to assist in providing helpful information to (other) counties:

- **How the referral came into the county department (specific allegation);**
- **Summary of what family members said about the incident;**
- **Extent of police involvement, if any (charges, arrests, etc.);**
- **Any services being offered and/or utilized by the family;**
- **CPT/MDT - whether or not presented to the team and if they were in agreement or had questions;**
- **Assessment plan (close in intake, transfer for ongoing services, court involved, etc.);**
- **Brief overview of the family history, both in Colorado and/or other states; and**
- **Finding of assessment/investigation (added by instrument workgroup 10/13/09).**

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7.202.52 Investigation/Assessment Requirements [Eff. 02/01/2009]

K. When a county department substantiates child abuse or neglect regarding any child under the age of five years, that county department shall refer the child to the appropriate state or local agency for developmental screening within sixty days after abuse or neglect has been substantiated. *[Eff. 02/01/2009]*

Agency Letter CW-09-05-P

4. As part of the information that results from the investigation that must be documented according to Section 7.202.52, L, the county department shall document the name of the child, the date the referral was made, and the name of the developmental screening resource to which the referral was made, in the assessment summary in the Assessment Closure window in the automated case management system (Trails).

14. Does documentation indicate how the county reached their decision to either open a case or close at assessment? (7.202.4 G) (7.202.52 L, N) (7.202.57 A, B, C)

- Answer **"Yes"** if documentation is available that supports the county's decision to either open a case or close at assessment.
- Also answer **"Yes"** if a referral to community resources is necessary in order to close an assessment, and the referral was made.
- Also answer **"Yes"** if an existing case is already open.
- Answer **"No"** if documentation that supports the county's decision to either open a case or close at assessment is insufficient or missing.
- Answer **"NA"** if the assessment is still open.

Intent: The reviewer will determine how the county reached their decision to either open a case, or close at assessment based on the documentation in the assessment/investigation.

NOTE: An extension can only last for 30 days at a time.

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G. If a county department receiving a referral determines that another county has responsibility, the receiving county department shall forward the referral to the responsible county department by telephone and fax and by entering the referral into the automatic case management system. The sending county department shall contact the receiving county to verify receipt of the referral within the required response time. The timeframe for meeting response time requirements begins when the initial county receives the referral. *[Eff. 1/1/09]*

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L. All of the information resulting from the investigation shall be documented in the automated case management system including details relevant to the allegations gathered during interviews. Any specific evidence gathered, such as photographs or videotapes, shall be filed in the case record and referenced in the automated case management system. *[Eff. 02/01/2009]*

N. Reasonable efforts shall be made to prevent out-of-home placement, unless an emergency exists, and to maintain the family unit. Safety Plans other than placement shall be considered, including but not limited to the provision of in-home and Core Services, if appropriate and available; the possibility of removing the maltreating adult from the home rather than the child; the possibility of the non-maltreating parent placing child and self in a safe environment; or the availability of kinship placement. *[Eff. 02/01/2009]*

7.202.57 Conclusion of Investigation ***[Eff. 10/01/2008]***

A. An investigation shall be completed within 30 calendar days of date the referral was received, unless there are circumstances which have prevented this from occurring. Such circumstances shall be documented in the Department's automated reporting system. *Eff 10/01/2008*

1. The caseworker shall request and document in the assessment extension window of the automated case management system the primary reason(s) for the extension prior to the expiration of the thirty (30) day closure requirement, and *Eff 10/01/2008*

2. The approving supervisor shall document within seven (7) calendar days in the assessment extension window of the Department's automated case management system the time limited extension(s) to the thirty (30) calendar days closure requirement including the rationale and the time frame for the extension(s). *Eff 10/01/2008*

B. Upon completion of an investigation, the county department shall report the outcome of the investigation on the automated case management system. *Eff 10/01/2008*

C. Services provided beyond 60 calendar days of the receipt of the report shall be open for services based on either court involvement or the family's agreement to accept services. *Eff 02/01/2007*

15. Is the level of intervention appropriate given the documented levels of safety and risk? (Check all no responses that apply) (7.202.533 E) (7.202.54)

- Answer **"Yes"** if the level of intervention is appropriate, given the documented levels of safety and risk.
- Answer **"No non-emergent protective orders when needed"** if non-emergent protective orders are/were needed and not in place.
- Answer **"No need for non-emergent protective orders"** if non-emergent protective orders are/were in place but are not needed, or this is not the appropriate level of intervention to address the documented levels of safety and risk.
- Answer **"No voluntary case when needed"** if a voluntary case is/was needed and is/was not open.
- Answer **"No need for voluntary case"** if a voluntary case was/is open but should not have been, or this is not the appropriate level of intervention to address the documented levels of safety and risk.
- Answer **"No community referral(s) when needed"** if referrals to community resources were not made but are/were needed.
- Answer **"No need for community referrals"** if referrals to community resources were made but not needed, or this is not the appropriate level of intervention to address the documented levels of safety and risk.
- Answer **"No Safety Plan when needed"** if a Safety Plan was needed but was not developed.
- Answer **"No need for Safety Plan"** if a Safety Plan was developed although not required.
- Answer **"No, not closed at assessment when needed"** if it appears that the referral should have been closed at assessment and was not.
- Answer **"No D & N filing when needed"** if it appears that a case should be/have been opened (D & N filing) but is/was not.
- Answer **"No need to file D & N"** if a case is open (D & N filed), although it appears that there is/was no need for a case to be opened (D & N filed), or this is not the appropriate level of intervention to address the documented levels of safety and risk.
- Answer **"No removal/county custody when needed"** if it appears that a removal through the county's custody was warranted and not completed.
- Answer **"No need for removal/county custody"** if it appears that the child(ren) were removed through the county's custody, although a removal (through the county's custody) was not needed.
- Answer **"No, other"** if it appears that a level of intervention other than those listed above is indicated but not provided, or is not indicated but is provided.
- Answer **"Unable to determine"** if the reviewer is unable to determine the appropriateness of the level of intervention, due to lack of documentation or other reason(s).
- Answer **"NA"** if the family could not be located.

Intent: The reviewer will determine if the level of intervention given by the County is appropriate given the documented levels of safety and risk.

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E. Safety Intervention Analysis

To determine whether an in-home Safety Plan can sufficiently manage the safety concerns, consider and document how the following are met:

1. The home environment is stable enough to support an in-home Safety Plan;
2. Caregivers are willing to accept and cooperate with the use of an in-home Safety Plan; and,
3. Resources are accessible and the level of effort required is available to sufficiently control safety concerns without it being necessary to rely on the person responsible for abuse/neglect to initiate protective actions.

7.202.54 Colorado Family Risk Assessment ***[Eff. 10/01/2008]***

A. The assessment/investigation shall include use of the risk assessment to: *Eff 10/01/2008*

1. Determine risk for future abuse or neglect, and *Eff 10/01/2008*
2. Aid in determining if case services should be provided, and *Eff 10/01/2008*
3. Aid in determining the appropriate level of case services. *Eff 10/01/2008*

B. The risk assessment is required for all Program Area 5 assessments except: *Eff 10/01/2008*

1. Institutional abuse investigations, *Eff 10/01/2008*
2. Third party investigations, *Eff 10/01/2008*
3. Fatality investigations when there are no surviving siblings, *Eff 10/01/2008*
4. When caregivers have abandoned the child, *Eff 10/01/2008*
5. When the investigation determined no basis for the allegations. *Eff 10/01/2008*

C. The risk assessment shall address the following factors: *Eff 10/01/2008*

1. Current type of allegation, *Eff 10/01/2008*
2. Previous child welfare investigations, services, and placement, *Eff 10/01/2008*
3. Number of children in household, *Eff 10/01/2008*
4. Age of youngest child in household, *Eff 10/01/2008*
5. Primary caregiver's description of incident, *Eff 10/01/2008*
6. Primary caregiver's provision of physical care or supervision, *Eff 10/01/2008*
7. Caregiver(s)' use of alcohol and controlled substances, *Eff 10/01/2008*
8. Characteristics of children in the household, *Eff 10/01/2008*
9. Recent or historical domestic violence in the household, *Eff 10/01/2008*
10. Caregiver(s)' history of homelessness and mental health treatment, *Eff 10/01/2008*
11. Primary caregiver's history of abuse or neglect as a child, *Eff 10/01/2008*
12. Caregiver(s)' use of excessive/inappropriate discipline, *Eff 10/01/2008*
13. Caregiver(s)' involvement in disruptive/volatile adult relationships. *Eff 10/01/2008*

D. The risk assessment documentation is to be completed in the automated case management system within thirty (30) calendar days from the date the referral was received. *Eff 10/01/2008*