

Questions and Answers

DSS 1402 Intake Report

1. Can we make formatting changes to the report form?

Yes. If there are formatting changes that make the report form more user-friendly, your county agency may make those organizational changes. The important thing here is that all counties are asking, at a minimum, the questions on the report form. If there is other information you feel will be helpful for your agency to include (a place to indicate what services the family is receiving in your county) you may add this information.

2. Where do we note the telephone number of the reporter?

All reporter information is documented in Section #19. Reporter Information on the DSS 1402, Structured Intake Report.

3. How is the form provided to the county?

The form is available on-line with other DSS forms.

4. Where does a supervisor sign?

Structured Intake Policy requires two-level review of all reports those accepted for investigation and those screened-out. This is a policy change previously counties were required to conduct a two-level screening on screened-out reports only. It is crucial that reports that are accepted for investigative assessment clearly invoke DSS's statutory authority to provide child protective services. **All CPS reports require two-level review.** There is a signature line at the end of the intake form.

5. Children's other relatives, are these interviews optional?

If the reporter shares information with the county DSS that these relatives have knowledge about the abuse/neglect/dependency, your county must interview these relatives or document why contacts were not made.

6. Why are we asking about the family's culture?

Strengths-Based, Structured Intake is one of the seven strategies of the Multiple Response System (MRS) and with the implementation of MRS, we are moving into an entirely different direction in child welfare. Recognizing strengths and partnering with families from initial contact is an important aspect of this new approach. Obtaining information regarding culture allows you to provide family centered services and gives you valuable information about the family. We have a rapidly growing Asian and Hispanic population in North Carolina and being able to respond in a culturally respectful manner is important.

Screening Decisions

1. How do we deal with differing individual perspectives and how we interpret meanings and definitions while screening?

Strengths-based Structured Intake provides more specificity than has ever been provided. This policy does not address every situation. That would be impossible. This policy is meant to aid in your decision-making at screening. Screening is a two-level decision and is guided by your statutes, administrative code and policy; this has not changed. Professional judgement is required throughout the spectrum of child welfare services and policy is provided to inform your decision-making.

2. It seems that information from the Central Registry is critical in order to make a screening decision. Why can't we use Central Registry at Intake?

The North Carolina Administrative Code only allows access to the Central Registry once a report has been accepted. The Central Registry was designed for the following purpose: the tracking of children who may have suffered as a result of abuse, neglect, and/or dependency. Departments of Social Services are required to conduct a Central Registry check as a part of a thorough investigative assessment of reports alleging abuse, neglect, or dependency, the tracking of information regarding child fatalities, the gathering of data to enable research to be done on the nature and extent of child abuse, neglect, and dependency and for other appropriate disclosure, and the gathering of data to enable the system to produce statistics and management reports for county Departments of Social Services, and for use in making program decisions about protective services in the State. The use of Central Registry to make a screening decision is not appropriate. However, you are able to use agency history at screening.

3. Can we call other counties for CPS history to make a screening decision?

Your county agency does not have the legal authority to contact other counties for CPS history in order to make a screening decision. This additional contact initiates an investigative assessment.

4. How will this impact after-hours work?

Child Protective Services are mandated services 24 hours per day, 7 days per week. Reports received and initiated outside of normal business hours are treated in the same manner as reports received during normal business hours.

5. How do we deal with reports in group and foster homes?

The county agency follows the Structured Intake policy for reports on foster homes, child care centers, residential facilities licensed by the Division of Social Services and Division of Facility Services. Structured Intake policy does not change the manner in which you conduct an investigative assessment.

6. One county screens a report in and then finds out the family is actually a resident of another county and transfers the investigation to the county. The receiving county says they wouldn't screen the report in. What is the decision process for that situation?

When the investigative assessment has begun, the receiving county shall conduct a prompt and thorough investigative assessment. With the implementation of Structured Intake, this inconsistency regarding screening should be minimized.

7. How do you handle a report when the only information you have is that a child is afraid to go home?

It is important to talk with the reporter and obtain as much information as possible. A child being afraid to go home because they have not done well in school and are expecting to be disciplined is not enough information to accept a report.

General Policy Questions

1. What can be done about false reporting?

DSS is responsible for screening all reports of abuse/neglect/dependency. If an agency refuses to respond to allegations based on their belief that the reporter is deliberately misleading the agency, the agency is put in an extremely vulnerable position and needs to carefully document the basis for believing the report was fraudulent.

In a situation where a person is frequently making reports which are unsubstantiated, it is disruptive for families to undergo multiple investigations and depletes agency resources. If the agency is able to identify the reporter, it may be advisable to review the situation with the agency attorney and ask that a letter be written to the reporter advising of the consequences of reports not made in good faith.

Sexual Abuse Maltreatment Screening Tool

1. Is it sexual abuse if a child is having sex without the parent's knowledge?

It is not considered sexual abuse. The county DSS would screen reports (neglect) of children under age 16 having sex without parental knowledge as improper supervision reports. Age 16 is the age of consent; therefore reports of 16 and 17 year olds having sex do not meet the neglect definitions. **A report alleging that a child under the age of 16 is having sex without the parents knowledge does not necessarily constitute a CPS investigative assessment. There are several things to be considered in the screening process, such as the child s age, the child s developmental level, the parent s supervision plan, the alleged perpetrator s relationship to the child and any other allegations of abuse/neglect/dependency. These questions also need to be asked when a report alleges that a child under the age of 16 is pregnant or delivering a baby. If the **only** allegation is that the child is having sex without the parents knowledge or the child is pregnant, these reports should be screened out.**

2. What about situations where the reporter says the kids are having sex at school?

We would not accept these reports for investigation an exception to this would be when a child is displaying sexualized behaviors that are inconsistent with normal childhood development. Information regarding normal child sexual development is provided below:

<i>Normal Child Sexual Development</i>
Infancy (birth to one year)
<ul style="list-style-type: none"> • Pair Bonding • Genital Play • Identification of gender
Toddler/Early Childhood (2 to 5 years)
<ul style="list-style-type: none"> • Toilet training • Genital play • Interpersonal games: family, marriage, doctor, store
Latency (6 to 9 years)
<ul style="list-style-type: none"> • Concrete interest in anatomic differences, pregnancy, birth • Private, occasional masturbation • Modesty about bodies • Increased secretive behavior among peers • Interest in socialization
Preadolescence (10 to 12 years)
<ul style="list-style-type: none"> • Adaptation to initial signs of puberty • Development of secondary sexual characteristics • Strong friendships and budding romances • Playful hitting or tickling among peers

Clear guidance regarding when a juvenile is able to consent to sexual activity, age 16, was provided in Structured Intake. There has been much discussion regarding what specific situations require a sexual abuse investigation versus a neglect investigation based on improper supervision. It is impossible to create case examples to encompass every possible report. Social work judgement continues to remain an integral part of the screening decision-making process. In an effort to clarify screening decisions, the following guidance applies:

Reports alleging sexualized behavior not consistent with the child's developmental level would require a CPS investigative assessment focusing on the parent's level of supervision. This guidance applies for any allegations relating to sexual activity/exploration. In order to accept for an investigative assessment, the sexualized behavior should be inconsistent with normal childhood development. If you are able to determine at Intake that the parent responded in a protective manner, for example, separating the children, altering the supervision plan, then an investigative assessment is not required.

Reports involving juveniles age 16 or over engaging in sexual activity or living with an older person do not require investigative assessment. An exception would be a situation where the parent has kicked the child out of the home or has not allowed the juvenile to return home when the juvenile wished to do so. This referral would be screened and accepted for improper care, not sexual abuse.

- 3. You receive a report of sexual abuse with Dad as alleged perpetrator that states that Dad is abusive when Mom is not there and it is 2:00 a.m. and Mom, Dad and child are all home and are sleeping. Does this situation require an immediate response?**

If the decision is made to initiate the report later than immediately, document your rationale for delaying response. The intent of an immediate response time is that your response occurs at once, you respond by initiating the investigation after completing the Intake report. Your response should never exceed 24 hours in a sexual abuse report. Your responsibility to ensure safety begins at Intake. If you believe that delaying response in fact serves to better protect the child, document your reasoning clearly: for example, Interview/contact postponed until 8:30, as reporter stated Dad leaves for work at 8:00. It is important to remember that North Carolina Administrative Code defines initiation as, having face-to-face contact with the alleged victim child or children. (10 NCAC 70A .0105d)

- 4. You receive a report that a sex offender is living in the home with children. Should this report be screened in?**

This guidance is provided in consultation with our child welfare attorneys. If a substantiated perpetrator or an individual convicted of a sexual offense against a child has reestablished residence where previously uninvolved juveniles reside, those persons having suspicion of risk in the new environment are obligated to report. Your screening decision should be based on current risk. If you believe the children are at risk, the report should be screened in as injurious environment.

Screen-Out Tool

- 1. Lack of immunizations alone is screened out. What about child well-being?**

Parents have a right to make informed decisions regarding immunizations of their children. If the reporter is making allegations that the child is currently experiencing health risks as a result of the absence of immunizations, you would screen this report in for investigative assessment.

Improper Discipline Maltreatment Screening Tool

- 1. What is the rationale for requiring response within 24 hours to all bruises? Who decided a bruise is an injury and why?**

Refer to your prioritization for response on the former Intake Report form, discipline resulting in injury required a response within 24 hours. A child receiving improper discipline not resulting in injury requires a response within 72 hours. The distinction is that a bruise is defined as an injury. The Children's Services Committee discussed this and agreed that all bruises would be responded to within 24 hours. The decision was

made to define a bruise as an injury based on information obtained from the American Academy of Pediatrics who define significant trauma as any injury beyond temporary redness of the skin. **However, we have determined that if the bruises reported are not currently visible, you have up to 72 hours to respond.**

2. If bruising is there and it is less than 24 hours, can it be screened in?

Yes.

3. If a teen is physically aggressive and the parent is defending themselves and leaves a bruise on the teen, what is the protocol?

Refer to page 45 of the Structured Intake Policy. Situations where a child is injured as a result of a parent's defensive action when the child is attacking them are problematic and require an investigative assessment regarding family violence.

4. On page 45, what is meant by, "A reporter's knowledge that this was the parent's first time inflicting such an injury or that the injury is just a small bruise does not impact screening."

You would screen a report in when a child has a non-accidental inflicted injury, regardless if it's the first time the parent disciplined inappropriately, or if it's just a small bruise. These issues are relevant when you make your case decision, not during the screening process.

Improper Supervision Maltreatment Screening Tool

1. In regards to supervision and juvenile delinquents, how many times would you keep investigating?

Refer to page 42 of the Structured Intake Policy. In instances where the juvenile is participating in a delinquent activity without the encouragement, direction or approval of the caregivers, inappropriate supervision may be a concern. If you are able to determine at Intake that the parent/caretakers responded in a protective manner, you would not accept this as a report. If you are not able to determine at Intake that the parents responded in a protective manner, your screening decision should be based on whether the parent had reason to believe the child needed a more stringent supervision plan. You would continue to investigate reports when you have knowledge that the child is participating in delinquent activities, the parent is aware of the behavior and does nothing to try to change the child's behavior. The fact that the parent has given up is in fact problematic, as parents have the responsibility for their child's care until that child reaches age 18.

2. What is a "protective response" for an undisciplined juvenile?

In situations where a child is participating in juvenile delinquent activities, responding in a protective manner would mean that the parent talked with the child regarding what behaviors are acceptable, disciplined the child appropriately, cooperated with law enforcement, and adjusted their supervision plan based on the child's behavior. There is no blanket protective response for any situation; the parental response is based on the child and the specific incident.

Substance Abuse Maltreatment Screening Tool

1. Is substance abuse enough to screen in?

The parent's use/behaviors and the impact on the child are relevant. Refer to page 57. Is the parent/caretaker using money for basic necessities to buy alcohol/drugs without making arrangements to provide basic necessities? Is the parent/caretaker's use of alcohol/drugs impairing their ability to care for the child in the absence of an alternative child care arrangement? Has the parent's alcohol/drug use resulted in a positive screening at the child's birth? If the answer to any of these questions is yes; screen the report in and begin an investigative assessment.

2. Is it a report when the parents have/use drugs in the child's presence?

The parent's use/behaviors and the impact on the child are relevant. Simply using drugs or having a drink in the child's presence does not meet the neglect definition. If the parent's use impacts their caretaking ability in such a manner that they are not providing proper supervision and care, then the county agency would screen in those reports.

3. Is it a report when parents pick up their children at school/day care and the reporter says the parent "smelled of alcohol"?

Simply smelling of alcohol is not enough to screen in a report, what is the reporter saying about how the parent's use of alcohol impacts their ability to provide proper care and supervision? If the parent is obviously impaired—stumbling, and unable to drive safely, this would be enough information to screen in a report.

Domestic Violence Maltreatment Screening Tool

1. If there are adults in the home who are children of the parent and domestic violence is going on, is that an issue if smaller children are in the home?

When there is domestic violence in the home, regardless if it's between the parents, or other adult relatives, and the children are being exposed to that violence, you would screen this in as a report and begin an investigative assessment.

Abandonment Maltreatment Screening Tool

1. Does an abandonment report require an immediate response when the child is with the grandparents and grandparents are willing to provide care?

You do not have a report in this situation. There are no allegations of abuse, neglect, or dependency. If the grandparents were not willing to provide care, and the parent had no intention of returning to care for the child, you would have an abandonment report which requires immediate response.

Distinguishing between Abandonment and Dependency

There has been much discussion regarding the differences in abandonment and dependency. Abandonment is a willful act. The legal definition of abandonment is, Abandonment imports any willful or intentional conduct on the part of the parent which evidences a settled purpose to forego all parental duties and relinquish all parental claims to the child. Abandonment has also been defined as willful neglect and refusal to perform the natural and legal obligations of parental care and support. It has been held that if a parent withholds his presence, his love, his care, the opportunity to display filial affection, and willfully neglects to lend support and maintenance; such parent relinquishes all parental claims and abandons the child.

The legal definition of a dependent juvenile is, A juvenile in need of assistance or placement because the juvenile has no parent, guardian, or custodian responsible for the juvenile s care or supervision or whose parents, guardian, or custodian is unable to provide for the care or supervision and lacks an appropriate alternative child care arrangement. Dependency is not willful; it refers to a parent s absence or lack of capacity to provide care and supervision.

Neglect Response Priority Decision Tree

1. What is the response time for children at school with welts from a spanking?

This report would be screened in as improper discipline as it is an inflicted injury beyond temporary redness of the skin. The response time would be within 24 hours, refer to page 66, Has the child received discipline resulting in injury? Discipline that results in injury requires a 24-hour response; all other inappropriate discipline reports require response within 72 hours.

Emotional Abuse Response Priority Decision Tree

1. What is the response time for emotional abuse?

The Emotional Abuse Response Priority Decision Tree was inadvertently omitted from the policy. It is now available on the web and a copy is enclosed in this document.

Moral Turpitude Response Priority Decision Tree

1. What is the response time for moral turpitude?

The Moral Turpitude Response Priority Decision Tree was inadvertently omitted from the policy. It is now available on the web and a copy is enclosed in this document.

Investigative Assessment Questions

1. What is the correct procedure for notifying law enforcement and district attorney? _Is it upon receipt of report or when evidence is found?

The statute reads, If the director finds evidence that a juvenile may have been abused as defined by G.S. 7B-101, the director shall make an immediate oral and subsequent written report of the findings to the district attorney or the district attorney s designee and the appropriate law enforcement agency within 48 hours after receipt of the report.

Within 48 hours after receipt of report affords you the opportunity to report initial findings of the investigative assessment, as you would have responded immediately or within 24 hours. Many counties inform DA and LEA upon receipt of the report and that is acceptable. It is important to note that the statute mandates immediate notification when the director receives information that a juvenile may have been physically harmed in violation of any criminal statute by any person other than the juvenile's parent, guardian or custodian.

2. In situations where a child has been abandoned by the parents, and grandparents have been providing care and are saying they are willing and able to continue caring for the child, how do we ensure a legal, permanent placement?

If there are no child protection issues you can refer the grandparents to community resources for obtaining legal custody. If the only issue is that the grandparents are having difficulties enrolling the child in school, refer to **N.C.G.S. 115C-366 Assignment of student to a particular school**. This statute outlines the procedure for enrolling the child in school in situations where the parent has abandoned the child. Ensuring a legal, permanent placement moves far beyond a discussion of Intake.

3. Our county codes bruises as physical abuse versus neglect based on location of injury instead of severity. Should it be based on severity?

The answer to this question is below; life-threatening injury has been replaced with **serious physical injury**.

If this question is more in relation to whether you accept a report as abuse or neglect, you do not focus solely on location of injury. The county agency completes the physical injury maltreatment screening tool if the reporter was making allegations of physical abuse. Is the parent/caretaker causing serious non-accidental physical injury which creates a substantial risk of death, disfigurement, or impairment? North Carolina General Statutes are clear that physical abuse is considered **serious physical** injury. The screening decision as to whether a report is abuse or neglect should not be based solely on location of injury.

Accessing Agency History

The Stumbo case decision makes reference to patterns of neglect versus single incidents as a factor contributing to screening decision-making. It is important to note that reports alleging single incidents of abuse/neglect/dependency can, and many times do, meet the definitions of abuse/neglect/dependency and invoke the statutory authority to begin an investigative assessment. A valid CPS report does not hinge on the establishment of a pattern of abuse/neglect/dependency. In the Stumbo case decision, North Carolina's Supreme Court concluded that a single report of a naked child, two years of age, unsupervised in a driveway, in and of itself, standing alone, does not constitute a report of abuse, neglect or dependency. The use of Structured Intake gives the agency the opportunity to complete a comprehensive, strengths-based interview that leads to clear screening decision-making the majority of the time. For those few times when the allegations are concerning and the screening decision is not clear, an examination of agency history provides valuable information. A combination of statutory authority, consistent policy, and professional social work judgement forms a strong base

for the delivery of child protective services. It would be impossible and counterproductive to remove professional social work judgement from the day to day work in child protective services.

There are some reports that do not clearly meet legal definitions of abuse, neglect or dependency, however, the allegations are concerning. It may be that the reporter did not have enough information to provide specifics or was not willing to do so. In these situations, it is acceptable to use agency history in your screening decision. If a review of agency history reveals a pattern of substantiations or a particularly egregious substantiation that correlates with the current allegations, it is acceptable to screen in the report and initiate an investigative assessment. At any time a report is concerning, but does not clearly meet the legal definitions of abuse, neglect, or dependency, it is acceptable to review your agency s history in order to make a more well-informed screening decision.