

## DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



November 30, 1992

ALL-COUNTY LETTER NO. 92-105

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CHILD WELFARE SERVICES  
PROGRAM MANAGERS

<u>REASON FOR THIS TRANSMITTAL</u>	
<input checked="" type="checkbox"/>	State Law Change
<input type="checkbox"/>	Federal Law or Regulation Change
<input type="checkbox"/>	Court Order or Settlement Agreement
<input type="checkbox"/>	Clarification Requested by One or More Counties
<input type="checkbox"/>	Initiated by SDSS



SUBJECT: EMERGENCY RESPONSE PROTOCOL

The purpose of this letter is to provide information and instructions for implementing the Emergency Response (ER) Protocol as mandated by Assembly Bill (AB) 60 (Chapter 780, Statutes of 1991).

Legislative Mandate; Form Development

As you are aware, current regulations regarding screening of reports of abuse and neglect specify 34 types of referrals which "after screening and in the absence of any additional risk elements are inappropriate for emergency response assessment". These regulations were enacted in 1991 to implement program reductions which resulted from budget reductions. They were greeted with mixed response by county personnel and community services agencies, and opposition from child advocacy organizations which expressed concern that they focus on screening out referrals. In addition, counties have different forms and processes for screening emergency response calls. Decisions on whether an in-person response will be made are based in part on county-specific criteria which differ among counties.

In order to address the issue of screening in a more systematic and uniform fashion, AB 60, sponsored by the California Children's Lobby, was enacted. It requires that the Department, in consultation with the Child Welfare Training Advisory Board (CWTAB), contract with the University of California or California State University system to develop a statewide protocol for telephone screening of emergency response referrals. It also requires that the protocol be incorporated into the child welfare training program and directs the Department to adopt emergency regulations to implement the protocol.

The Department contracted with California State University, Fresno (CSUF) to develop the ER Protocol and training curriculum. The development process included extensive review of state and nationwide screening practices and models, national

guidelines and empirical studies relative to screening in child protective services. The specific protocol criteria and format and the training curriculum were developed in consultation with the CWTAB. In addition, both the form and training curriculum were presented in April 1992 to representatives from 13 county welfare departments and were revised based on their input.

The ER Protocol form (SOC 423, 10/92) is based on an inclusionary policy; its focus is on gathering sufficient information to screen appropriate cases into the child welfare system, refer other nonappropriate cases to alternative resources, or decide that no investigation or services are required. The purpose of the protocol is to provide a standardized method for screening referrals and ensure that all referrals are considered in a uniform manner. The protocol is designed to support decision-making within the context of professional skill and judgement.

Two versions of the ER Protocol form (SOC 423, 10/92) are being provided in response to feedback from county welfare department representatives during early training sessions. There is a three-page vertical version and a two-page horizontal version. Both have the same elements. Each format has advantages and disadvantages. Counties may use whichever version best meets their needs, or an approved substitute county form or process.

#### Regulations; Implementation

To implement AB 60, the Department has drafted regulations (copy attached). The regulations require the counties to use the Protocol form (SOC 423, 10/92), or an approved substitute, to determine whether an in-person investigation is required. They also specify those elements and considerations which must be contained in a substitute form in order for it to be approved by the Department.

The proposed regulations package was reviewed by CWTAB and California Welfare Directors Association (CWDA) representatives and that input has been incorporated. The ER Protocol regulations have been filed on an emergency basis and are effective December 1, 1992. The public hearing will likely be held in January, 1993.

Regulations which mandate use of the ER Protocol form or approved substitute are effective immediately upon filing. The Department recognizes, however, that counties will likely need some start-up time to convert from their current forms and processes to use of the new form or to request and obtain approval for current forms or automated processes to be used as a substitute. Therefore, counties are expected to implement use of the ER Protocol form or approved substitute as soon as feasible. All counties will be expected to be in full compliance with the regulations by March 1, 1993.

As part of the SB 1125 regulations process, it was agreed that county welfare department representatives would continue their consultation role in the development of the Department's revised Program Review manual which will focus on

counties' compliance in administering Child Welfare Services regulations. This will include identifying questions regarding the ER Protocol. County welfare departments will have the opportunity to participate and provide input during this task.

#### Ordering Forms

Included with this letter are copies of the ER Protocol form (SOC 423, 10/92), in both vertical and horizontal format, and the ER Protocol Instructions (SOC 423 (10/92) Instructions). These documents are of reproducible quality and counties may make their own copies for use in implementing the AB 60 regulations.

If counties prefer a camera ready copy to use in duplicating either version of the form, this can be requested from the California Department of Social Services (CDSS), Forms Management Bureau by calling (916) 657-1907. Camera ready copies of the Instructions are not available at this time.

#### Requesting Approval for Substitute Form

Counties may request that the Department approve a substitute form, including an automated form or process, in place of the ER Protocol. In order to be approved, the substitute form must contain specific elements. These elements are identified in the ER Protocol regulations, Section 30-132.21.

Please send requests along with a copy of the proposed substitute form and the name of a county contact person to the following address. The Department will make every effort to respond within two weeks from receipt of the request.

Jackie Triplett  
Family and Children's Services Policy Bureau  
Department of Social Services  
744 P Street, M.S. 9-103  
Sacramento, CA 95814

Counties which need to revise existing automated screens in order to conform with ER Protocol requirements may request approval for such revisions via an Advanced Planning Document (APD) in accordance with the interim system policy outlined in ACL 90-91, dated September 25, 1990. The interim system policy has been modified to allow pay back for enhancements by January 1994, the first month statewide implementation of the Child Welfare Services Case Management System (CWS/CMS) is scheduled. Please send these requests to the following:

Gino Maiolini  
Statewide Automated Welfare System Branch  
Approvals Section  
744 P Street, M.S. 19-63  
Sacramento, CA 95814

ER Protocol elements will be incorporated into the CWS/CMS.

## Instructions for Completing Form

The ER Protocol form is a tool which provides a uniform guide for decision-making. It guides the screener through a specific information gathering and decision process. The ER Protocol (or approved substitute) must be used to determine whether an in-person investigation is necessary.

As specified in regulations, screeners are to record all available and appropriate information about the referral on the ER Protocol (or approved substitute). For purposes of information gathering, the elements identified in Sections A - F of the form are intended to be used as prompts for questions to be asked of the reporter.

The Sufficiency Screen (Section J) is a guide to decision making which includes those items which the research indicates are typically examined to determine whether or not an in-person investigation is warranted. It does not mandate a specific decision but rather provides a framework for applying the screener's professional judgement. It is intended to assist both the screener in making decisions and the supervisor in reviewing the basis for those decisions.

The Allegation Decision (Section K) is intended to be completed for all referrals which are evaluated out or accepted for in-person investigation. The "Information and Referral Services" portion of Section K was included for county use.

For referrals which are evaluated out (either with or without a referral to another community agency), the Rationale in Section L, and the supervisor's approval in Section K #4 and signature under Section M, are intended to be completed. If the county wishes to count the completed form as one Emergency Response Assessment Case for reporting purposes, this information, along with enough information to document the decision to evaluate out, must be documented.

For clarification, the following inquiries and respnses are provided regarding the ER Protocol form or approved substitute:

1. Does the ER Protocol need to be completed when an in-person investigation is already required; e.g., a referral from law enforcement?

Regulations require that the Emergency Response Protocol is completed "...to determine whether an in-person investigation is required..." (emphasis added). Therefore, if a decision does not need to be made, it is not necessary to use the Emergency Response Protocol. Counties may at their option, however, use the ER Protocol form as an intake document or to record relevant information for use in making the in-person investigation.

2. When is the ER Protocol form considered "complete"?

Regulations state that the social worker must initiate and complete the ER Protocol process by recording all available and appropriate information for

any referral alleging child abuse, neglect or exploitation to determine whether an in-person investigation is required. Therefore, a completed form or process will contain the information necessary to make that determination. There are no documentation requirements beyond this instruction. However, while not explicitly required, both the Sufficiency Screen (Section J) and Allegation Decision (Section K) are intended to be completed as they identify the basis for the decision and the actual decision itself.

3. Does every question and section on the ER Protocol form need to be completed?

Each question or section does not need to be completed if the information is not available or is not applicable to the specific referral.

4. What must be documented on the ER Protocol form in order to receive credit for an Emergency Response Assessment Case?

If counties wish to receive credit for an Emergency Response Assessment Case when the referral is evaluated out, the following must be documented: enough information to document the decision, the specific decision outcome, the rationale for evaluating out, and the supervisor's approval. If counties do not wish to receive this credit, they do not need to provide this documentation.

5. When is supervisor approval/signature required?

Supervisor approval and sign-off is only necessary for referrals which are evaluated out and which the county wishes to count as an Emergency Response Assessment Case for reporting purposes.

6. Does information obtained after the screening process and/or in-person investigation need to be added to the ER Protocol?

Information obtained after the screening process is over and an in-person investigation is made does not have to be added to the form at a later time. However, the county welfare department may provide instructions to do so or add information in order to utilize the form for additional purposes (e.g., to replace the county intake form). Section I may be used to record any other information required by the county welfare department.

7. Does the Sufficiency Screen in an approved substitute form or process need to be displayed in a grid format?

No. The elements of the Sufficiency Screen must be included in an approved county substitute form or process, but do not need to be displayed in grid format.

#### Evaluation of Form

In order to ensure that the form and process enhances sound practice and is user friendly, CSUF will be evaluating both in selected counties in early 1993.

They are currently in the process of selecting the evaluation counties. Based on the experience of the evaluation counties and other feedback received, revisions will be made to the ER Protocol as necessary. We are in the process of working with CSUF and the CWTAB to design the evaluation component and will provide more information on this subject at a later date.

Questions have been raised about why the evaluation of the form will not be completed before implementing regulations. AB 60, effective October 1991, specifies that the ER Protocol training be initiated and the ER Protocol regulations be adopted by February 15, 1992. Due to the extensive developmental and review activities involved, the Department requested an extension through September 1992 and has committed to implementing the ER Protocol by this time. We do not anticipate that the regulations will be impacted as a result of the evaluation process. However, if changes are determined to be needed, regulations will be revised.


### Training

In addition to the ER Protocol, Child Welfare Training Program staff at CSUF developed an ER Protocol training curriculum. The training is a two-day session which is intended for county welfare department staff who perform the emergency response telephone screening function. It is an interactive training which includes segments on philosophy and rationale of screening; legal mandates; application of protocol; and process and skills necessary for effective intake. The training addresses the process of intake evaluation. Subsequent minor changes in the form will not invalidate or impact the relevance of the training.

This training component has been incorporated into the Child Welfare Training Program (which includes Basic Social Worker and Risk Assessment training components). It has been scheduled statewide on a priority basis from September through December 1992 in order to train all current screening staff. After December, the ER Protocol training sessions will be scheduled on an on-going basis for new staff as are the other training components.

We feel that Child Welfare Training Program staff have done an excellent job in developing both the ER Protocol and training curriculum. We would like to thank the members of the Child Welfare Training Advisory Board for their ongoing contributions in the development process. We would also like to thank county welfare department staff who provided feedback during the field test.

If you have any questions regarding implementation of the ER Protocol, please contact your Child Welfare Services Operations consultant at (916) 657-2189.

  
 LOREN D. SUTER  
 Deputy Director  
 Adult and Family Services

Attachments

cc: Dr. Wynn Tabbert, CSUF  
 Child Welfare Training Advisory Board  
 CWDA



<b>E</b>	<b>ALLEGED PERPETRATOR</b>					<b>RELATIONSHIP</b>	
	<b>SS#</b>	<b>DOB</b>	<b>AGE</b>	<b>ETH</b>	<b>LANG</b>	<b>PHONE # INDICATE (H) (W)</b>	
	<b>ADDRESS/WHEREABOUTS</b>						

<b>F</b>	<b>CHILDREN'S NAMES</b>		<b>DOB</b>	<b>AGE</b>	<b>SEX</b>	<b>TYPE REFER</b>	<b>LANG</b>	
	1.							
	2.							
	3.							
	4.							
	5.							
	6.							
	<b>LOCATION</b>			<b>SCHOOL/DAY CARE</b>				
	1.							
	2.							
	3.							
	4.							
	5.							
6.								
<b>ABSENT PARENT: NAME, PHONE, LOCATION</b>								
1.								
2.								
3.								

<b>G</b>	<b>RECORDS CHECK - RELEVANT INFORMATION</b>		<b>INC</b>	<b>DEC</b>

<b>H</b>	<b>COLLATERALS CONTACTED - DATE &amp; NAME</b>		<b>AGENCY/RELATIONSHIP</b>		<b>PHONE NUMBER</b>		
	1.				( )		
	2.				( )		
	3.				( )		
	4.				( )		
	<b>PERTINENT INFORMATION</b>					<b>INC</b>	<b>DEC</b>
	1.						
	2.						
	3.						
	4.						





**EMERGENCY RESPONSE PROTOCOL**

CASE NUMBER/CASE NAME		AKA X-FILE	DATE	TIME	RESPONSE (CO. USE)
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**A**

REPORTER'S NAME	RELATIONSHIP/AGENCY	ADDRESS	PHONE # (Home/Work)	INFORM FAM.	LOCATION OF INCIDENT
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**B**

IF INFORMATION ONLY GO TO SECTION K, #1B

ALLEGATIONS (Who, What, Where, When, How, Who Else Knows, Why Now?) COLLECT AND RECORD INFORMATION ABOUT THE FOLLOWING RISK FACTORS:

- PRECIPITATING INCIDENT (Severity, frequency; location and description of injury; history of abuse)
- CHILD CHARACTERISTICS (Age, vulnerability, special circumstances; perpetrator's access; behavior, interaction with caretakers, siblings and peers)
- CARETAKER CHARACTERISTICS (Capacity for child care; interaction with children, other caretakers; skill, knowledge; substance abuse, criminal behavior, mental health)
- FAMILY FACTORS (Relationships, support systems; history of abuse; presence of parent substitute; environmental conditions; family strengths)

**C**

PARENT/CARETAKER/OTHER ADULTS IN HOME	RELA.	SS#	DOB	AGE	ETH	LANG	PHONE # INDICATE (H) (W)	ADDRESS/WHEREABOUTS

**D**

ALLEGED PERPETRATOR	RELA.	SS#	DOB	AGE	ETH	LANG	PHONE # INDICATE (H) (W)	ADDRESS/WHEREABOUTS

**E**

CHILDREN'S NAMES	DOB	AGE	SEX	TYPE REFER	LANG	LOCATION	SCHOOL/DAYCARE	ABSENT PARENT: NAME, PHONE, LOCATION

**F**



## EMERGENCY RESPONSE PROTOCOL INSTRUCTIONS FOR COMPLETION

The following material provides instructions and clarification regarding completion of the Emergency Response Protocol. Should any of these directions conflict with prevailing county policy, a decision will need to be made as to which procedure will be followed. The directions pertain to items listed from the top to the bottom of each page and from left to right on lines with more than one item.

### A. CASE IDENTIFICATION

- \* **Case Number** - use your county's system for case identification.
- \* **Case Name** - use your county's system for identification of case name.
- \* **AKA/X-File** - record any aliases or other names under which relevant information may be filed.
- \* **Date/Time** - record the date and time of the report.
- \* **Response** - for county use only.

### B. REPORTER IDENTIFICATION

- \* **Reporter's Name** - record the name of the reporting party when that information is available. If the reporter refuses to be identified, record anonymous.
- \* **Relationship/Agency** - if the reporter is a mandated one, record his/her agency affiliation. If the reporter is not a mandated one, record his/her relationship to the child/children who was allegedly abused or neglected.
- \* **Address/Phone** - record the daytime address and phone number of the reporting party.
- \* **Inform Family** - if the reporter has informed the family that the report was made, record yes; if not, record no.

**B. CONTINUED**

- \* **Location of Incident** - record the specific location, if known. This is necessary for law enforcement involvement.

**C. ALLEGATIONS/RISK FACTORS**

- \* **Allegations** - record as complete and behaviorally specific a description of the alleged incident as possible. Probing questions around who, what, where, when, how, who else knows and why now should be asked. Consider information regarding the precipitating incident, child characteristics, caretaker characteristics and family factors that has been collected from the reporter, record review and collateral contacts. Information regarding the identity of the alleged perpetrator is very important. If the call was for information only, briefly summarize the content here and go to Section K, Allegation Decision and place a check by item 1.B.

**D. ADULTS IN HOME**

- \* **Parent/Caretaker/Other Adults in Home** - record the names of all of the adults living in the home.
- \* **Relationship** - record the relationship of each adult to the child/children allegedly abused or neglected.
- \* **SS#** - record the social security number of each adult living in the home.
- \* **DOB/Age** - record the birth date and age of each adult.

**D. CONTINUED**

\* **Eth** - record the ethnic background of each adult, using the code below. If unknown, use code 04:

- 01 **White** (Not of Hispanic Origin) - all persons having origins in any of the original peoples of Europe, North Africa or the Middle East.
- 02 **Hispanic** - all persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.
- 03 **Black** (Not of Hispanic Origin) - all persons having origins in any of the Black racial groups of Africa.
- 04 Unknown.
- 05 **American Indian** or **Alaskan Native** - all persons having origins in any of the original peoples of North America, who maintain cultural identification through tribal affiliation or community recognition.
- 06 **Chinese** - all persons having origins in the original peoples of China.
- 07 **Filipino** - all persons having origins in the original peoples of the Philippine Islands.
- 08 **Japanese** - all persons having origins in the original peoples of Japan.
- 09 **Korean** - all persons having origins in the original peoples of Korea.
- 10 **Samoan** - all persons having origins in the original peoples of the Samoan Islands.
- 11 **Hawaiian** - all persons having origins in the original peoples of the Hawaiian Islands.
- 12 **Guamian** - all persons having origins in the original peoples of Guam.
- 13 **Asian Indian** - all persons having origins in the original peoples of the Indian Subcontinent.
- 14 **Vietnamese** - all persons having origins in the original peoples of Vietnam.
- 15 **Laotian** - all persons having origins in the original peoples of Laos.
- 16 **Cambodian** - all persons having origins in the original peoples of Cambodia.
- 17 **Other Asian/Pacific Islander** - all persons having origins in the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands not mentioned above.

\* **Lang** - if the adult is non-English speaking, record his/her primary language.

\* **Phone, Address/Whereabouts** - record the telephone number and address of the residence and the work phone and location for each adult; indicate (H) or (W).

**E. ALLEGED PERPETRATOR**

- \* **Alleged Perpetrator** - record the name of the alleged perpetrator. If the perpetrator is someone other than the adults listed above, record the same information on him/her as for the adults living in the home.

**F. CHILDREN IN FAMILY**

- \* **Children's Names** - record the full names of all minor children in the family. Place a V by the name of the victim or victims.
- \* **DOB/Age** - record the date of birth and age of each child listed.
- \* **Sex** - record the sex of each child listed.
- \* **Type Refer** - record the type of alleged child maltreatment, using the codes below. If no maltreatment was alleged record NA, not applicable.

**TYPE REFERRAL**

- 01 - Sexual Abuse
- 02 - Physical Abuse
- 03 - Severe Neglect
- 04 - General Neglect
- 05 - Emotional Abuse
- 06 - Exploitation
- 07 - Caretaker Absence or Incapacity

- \* **Lang.** - if the child is non-English speaking, record his/her primary language.
- \* **Location** - if the child is living at home, write home. If the child is living elsewhere, identify the location by type (i.e., with a relative, foster care, juvenile institution, etc.) and record the address. If a child is being temporarily detained, identify the location by type (i.e., police station, hospital, etc.) and record the address.
- \* **School/Daycare** - if applicable, record the name and address of each child's school or day care facility.

**F. CONTINUED**

- \* **Absent Parent: Name, Phone, Location** - record the requested information regarding absent parents for each child listed. If the parent is not absent, write NA, not applicable. If the absent parent is deceased, write DEC. If the absent parent is incarcerated, write INC. and give the facility name and location. If the absent parent is hospitalized write HOSP. and give the facility name and address.

**G. RECORDS CHECK**

- \* **Records Check - Relevant Information** - indicate whether a records check was made or not and whether or not any priors were revealed. The child abuse registry and Department of Justice records can be checked. Briefly summarize the nature, number and time-frame of prior reports.
- \* **Inc Dec** - Indicate change in level of risk. If the record check revealed information which increased or decreased level of risk, check the appropriate box + (plus) or - (minus). If the information had no impact on the risk level or its impact cannot be determined, leave these boxes blank.

**H. COLLATERAL CONTACTS**

- \* **Collaterals Contacted-Date & Name** - record the date and the name of each person contacted.
- \* **Agency/Relationship** - identify the specific agency affiliation of each person contacted or the person's relationship to the child (i.e., sibling, grandmother, aunt, neighbor, friend, etc.).
- \* **Phone Number** - record the telephone number of each collateral.
- \* **Pertinent Information** - briefly summarize the information obtained and indicate whether or not it increased or decreased the perceived level of risk by checking the appropriate box + or -. If the information had no impact on the risk level or its impact cannot be determined, leave this column blank.



**I. COMMENTS/ADDITIONAL INFORMATION**

- \* **Comments/Additional Information** - include in this section any special information such as: dangerous/hostile client or area, communicable disease, known drug use, significant others, recent relocation from another jurisdiction, custody case, etc.

**J. SUFFICIENCY SCREEN**

- \* **Sufficiency Screen** - the purpose of the sufficiency screen is to provide a guide to decision making rather than to drive the decision. It includes the items that are generally used to determine whether or not an in-person investigation of an alleged report of abuse or neglect is warranted. The vertical columns to the left summarizes the questions to be asked in the decision-making process. The columns to the right under "no" and "yes" indicate the "typical decision" which is made depending upon whether the answer to a question is "yes" or "no". The recommendation column represents your decision as to what should be done based upon the information collected and your professional judgment. Your decisions need not concur with the "typical decision" if you have reason to believe that a child is at risk. An explanation of the questions and "typical decisions" is presented below, followed by an example of how to complete the screen.
- \* **Can Locate** - Is there sufficient information to locate the family? If the reporter was unable to provide a name, address, or school attended by the child and you are unable to locate the family by other means, then place an N in the upper left hand box under Can Locate. Under the response column labeled "no," the "typical decision" would be to evaluate the report out, and in this instance there is no alternative.
- \* **Open Case** - Is this an open service case in the Department of Social Services? If the answer is "yes", report the allegation to the appropriate DSS unit and follow local county procedure. If the family is not being served, continue.

## J. CONTINUED

- \* **Legal Def.** - Does the allegation meet one or more of the definitions of child abuse, sexual abuse, or neglect contained in Penal Code 11165.1 to 11165.6 or MPP 30-002? If the allegation meets one or more of the definitions, continue. If it is clear that the allegation does not meet one or more of the definitions, evaluate the case out or refer it to the agency charged with addressing the problem. If it is unclear from the information gathered during the telephone screening whether the allegation meets one or more of the definitions, continue.
  
- \* **In Fam. Perp./Fail to Prot.** - Is the perpetrator a caretaker of the child or is there reason to believe that the caretaker was negligent in allowing or unable or unwilling to prevent the perpetrator having access to the child? If the answer to any part of the question is "yes", continue. If the answer is "no", refer the case to law enforcement, licensing or other appropriate agency or evaluate the report out.
  
- \* **Spec. Acts/Behav. Ind.** - Are specific acts and/or behavioral indicators suggestive of abuse, neglect, or exploitation included in the allegation? If sufficient acts or indicators are described, continue or refer. If, after a full evaluation, the allegations are insufficient, evaluate the report out. If the case warrants intervention by an alternative community agency, it would be referred. If there is reason to believe that there is risk to the child, override the decision-making guide and continue.
  
- \* **Add'l Info. Invalid** - Does additional information obtained from collateral contacts or record material invalidate the report? If the answer is "no" and additional information either validates the report or has no impact, continue. If the allegation is invalidated, evaluate the report out or refer it to the appropriate agency.
  
- \* **Prev. Unsub./Unf.** - Does this report represent one in a series of previously investigated, unsubstantiated/unfounded reports from the same party in which no new allegations or risk factors are revealed? If the answer to the question is "no", continue. If the answer is "yes" and there is no reason to believe the child is at risk, evaluate the report out.

**J. CONTINUED**

\* **Decision-Making Guide** - circle appropriate response. Recommend column is used only when professional judgment overrides the typical response in the previous column.

An example of a completed sufficiency screen on a case that was accepted for CPS investigation follows:

S U F F I C I E N C Y  S C R E E N	CAN LOCATE	OPEN CASE	LEGAL DEF.	IN FAM. PERP./ FAIL TO PROT.	SPEC ACTS/ BEHAV. IND	ADD'L INFO. INVALID	PREV. UNSUB/DINE	DECISION-MAKING GUIDE		
								Response		Recommend
								NO	YES	
	Y							Eval. Out	Cont	
		N						Cont	Refer	
			Y					Refer Eval. Out	Cont	
			Y					Refer Eval. Out	Cont	
				Y				Refer Eval. Out	Cont	
						N		Cont	Refer Eval. Out	
							N	Cont	Eval. Out	

**K. ALLEGATION DECISION**

\* **Allegation Decision** - in this portion of the protocol, a decision will be made about the disposition of the reported allegation. Only one of the five choices outlined under items 1-2 is to be checked. The report may only receive information and referral services because there is insufficient information to locate the family or because no allegations of abuse or neglect were made. A report may be evaluated out with no referral out when no services from an alternative community agency are needed. In those cases where services are indicated, the report may be referred to another agency or accepted for C.P.S. investigation. For example, situations in which the perpetrator is not a caretaker and there is no indication of caretaker neglect would be referred to law enforcement. Health conditions such as head lice or ringworm are appropriate for the public health agency, and chronic truancy is the responsibility of the schools.

In item 3 of the Allegation Decision portion of the protocol, indicate if a cross-report was made to another agency and identify that agency.

In item 4, the supervisor indicates concurrence with the screener's recommendation or decides that an alternative decision is appropriate. This is only necessary if it is the screener's recommendation to evaluate out, either with or without a referral.

**L. RATIONALE**

**Rationale (Complete Only If "K" Results In Eval-Out)** - complete when the allegations do not require mandatory face-to-face intervention. Reasons may include: other information gained from collateral contacts and/or record checks invalidates; repeated unfounded allegations; obvious attempt at harassment; insufficient information to proceed; no specific act or threat of harm that meets the legal definition, or more appropriate for another agency.

**M. SIGNATURE**

\* **Worker, Supervisor Signature/Date** - the final lines of the protocol require signatures and dates of action by workers. Supervising signatures are only required in those cases that are evaluated out, either with or without a referral. Signatures must be legible and the dates accurate.

Amend Section 30-132 to read:

30-132 RESPONSE TO REQUESTS AND REFERRALS

30-132

.1 The county welfare department shall respond to the following:

.11 All law enforcement referrals.

.12 Any other referrals for service which allege that a child is endangered by abuse, neglect, or exploitation.

*1121 The following referrals/ after screening and in the absence of any additional risk element/ are inappropriate for an emergency response assessment/ as defined in section 30-002c(1)(1)(A). An emergency response assessment on any of the following referrals may be appropriate if additional risk is present to the child/ If it is determined that Child Welfare Services are unnecessary/ but that the services of another community agency are appropriate/ the social worker shall refer the child and/or family to such agency/*

*(a) Abuse/ neglect or lack of supervision in day care/*

*(b) Bruises with no evidence of abuse/*

*(c) Child is a runaway/*

*(d) Children not using seat belts or car seats in moving vehicles/*

*(e) Children 12 or over left unsupervised for two to three hours in the daytime or early evening where no clear and present danger can be cited/*

*(f) Custody issues where no abuse is alleged to have occurred/*

*(g) Death of a child where there are no other children in the family or in the home/*

*(h) Dirty homes with only teenage minors/*

*(i) Drug/alcohol abuse of parents/*

*(j) Families or children that are reported as nuisances in the neighborhood/*

*(k) Head lice/*

*(l) History of childhood physical or sexual abuse of a child who is now an adult/*

*(m) Homeless family/overcrowded housing/*

- 1n) Mandated reporters meeting their reporting responsibilities but the report does indicate child abuse/ exploitation/ or neglect as defined in sections 30-002a/11/ 30-002e/12/ or 30-002h/
- 1o) Minors exhibiting behavior pursuant to Welfare and Institutions Code sections 801 or 802/
- 1p) Minors living apart from relatives/
- 1q) Minors with mental health problems/
- 1r) Neglect cases which have been closed as unfounded or unsubstantiated within the previous month and there are no new allegations or evidence/
- 1s) Sounds of children crying or being spanked with no indication of injury/
- 1t) Parent/child conflict where there is no evidence of physical or sexual abuse/
- 1u) Parents sleeping or bathing with children/ considering age of child/ sex and circumstances/
- 1v) Past physical abuse which occurred over one year ago and there has been no evidence of subsequent physical abuse/
- 1w) Physical or sexual abuse referrals which have already been investigated and there are no new allegations or evidence/
- 1x) Pregnancy/ in and of itself/ of a minor/
- 1y) Reasonable and ageappropriate spanking/ as defined in Welfare and Institutions Code Section 300(a)/ to the buttocks where there is no evidence of serious physical injury/
- 1z) Repeated unfounded or unsubstantiated referrals from the same reporter/
- 1aa) Sibling physical abuse/ unless parent demonstrates negligence through inability or unwillingness to protect the child victim/
- 1bb) Spousal abuse only/
- 1cc) Teenager is beyond parental control/
- 1dd) Truancy/lack of school attendance/

- (ee) Third party physical or sexual abuse by someone outside the home and the parent can protect the child.
- (ff) Unreliable complaints, e/g// details given by the reporter are contradictory.
- (gg) Unsupervised teens disturbing the neighborhood.
- (hh) Vague or general information without any reasonable basis.

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- (i) Examples of vague or general information include "The house is dirty," "I think the child was molested," or "The children are abused," with no credible reason to suspect abuse or neglect.

HANDBOOK ENDS HERE

- (ii) Verbal abuse only.

.2 Emergency response staff The social worker shall initiate and complete the Emergency Response Protocol process by recording all available and appropriate information on the Emergency Response Protocol form, SOC 423 (10/92), or an approved substitute, immediately upon receipt of any referral alleging child abuse, neglect or exploitation immediately assess all referrals/ excluding the referrals specified in Section 30-132.121/ to determine whether an in-person response investigation is required.

.21 In order to be approved as a substitute for the Emergency Response Protocol form, the substitute shall at a minimum contain all of the following elements:

.211 The following identifying information:

- (a) Information regarding the child alleged to be abused, neglected, or exploited, which shall include:
  - (1) Information specified in Section 30-132.211(f),
  - (2) Case name, and
  - (3) Case number.
- (b) Information regarding the referral, which shall include:
  - (1) Time and date referral received, and
  - (2) Location of alleged incident.

(c) Information regarding the reporter, which shall include:

- (1) Name,
- (2) Relationship to child,
- (3) Agency affiliation, if a mandated reporter,
- (4) Address, and
- (5) Phone number (home/work).

(d) Information regarding each adult in the household, which shall include:

- (1) Name,
- (2) Relationship to child,
- (3) Age and birthdate,
- (4) Ethnic background,
- (5) Primary language, if non-English speaking,
- (6) Current location, and
- (7) Phone number(s).

(e) Information regarding the alleged perpetrator, which shall include:

- (1) Name,
- (2) Information specified in Section 30-132.211(d), and
- (3) Access to the child.

(f) Information regarding each minor child in the family, which shall include:

- (1) Name,
- (2) Age and birthdate,
- (3) Sex,
- (4) Primary language, if non-English speaking,
- (5) Current location,
- (6) Name and address of school/daycare, if applicable, and



(7) Current location and phone number of each absent parent.

.212 A description of the alleged incident, including consideration of the following risk factors:

(a) Precipitating incident including the following:

(1) Severity and frequency;

(2) Location and description of injury on child's body; and

(3) History of child abuse.

(b) Child characteristics including the following:

(1) Age, vulnerability, special circumstances; and

(2) Behavior, interaction with caretakers, siblings, and peers.

(c) Caretaker characteristics including the following:

(1) Capacity for child care;

(2) Interaction with children, other caretakers;

(3) Skill/knowledge; and

(4) Substance abuse, criminal behavior, and mental health.

(d) Family factors including the following:

(1) Relationships, support systems;

(2) History of abuse;

(3) Presence of parent substitute;

(4) Environmental conditions; and

(5) Family strengths.

.213 Information regarding a records review.

.214 Information regarding the collateral contacts, including the following:

(a) Date of contact,

(b) Name and phone number of each person contacted,

(c) Agency affiliation or person's relationship to the child, and

(d) Summary of information obtained.

.215 Decision criteria. The decision whether or not an in-person investigation is necessary shall include, but not be limited to, consideration of the following factors:

(a) The ability to locate the child alleged to be abused and/or the family.

(b) The existence of an open case and the problem described in the allegation is being adequately addressed.

(c) The allegation meets one or more of the definitions of child abuse, exploitation or neglect contained in Sections 30-002a.(1), 30-002e., or 30-002n.

(d) The perpetrator is a caretaker of the child or the caretaker was negligent in allowing, or unable or unwilling to prevent, the perpetrator access to the child.

(e) The allegation includes specific acts and/or behavioral indicators which are suggestive of abuse, neglect, or exploitation.

(f) There is additional information from collateral contacts or records review which invalidates the reported allegation.

(g) There are previously investigated, unsubstantiated or unfounded reports from the same reporter with no new allegations or risk factors.

.216 The decision whether an in-person investigation is required, including the following outcome options.

(a) Evaluate out, with no referral to another community agency;

(b) Evaluate out, with a referral to an appropriate community agency; or

(c) Accept for in-person investigation.

.217 When the decision is to evaluate out, either with or without a referral to another community agency, the following information:

(a) Rationale for the decision; and

(b) Supervisor approval.

.3 The social worker shall complete the Emergency Response Protocol process by determining if an in-person investigation is required.

.31 If it is determined that an in-person investigation is unnecessary but that the services of another community agency are appropriate, the social worker shall refer the reporter to that agency.

.32 For reporting purposes a county shall be permitted to count each completed Emergency Response Protocol form, or approved substitute, as one Emergency Response Assessment Case wherein a referral is evaluated out, either with or without a referral to another community agency.

.321 The Emergency Response Protocol form, or approved substitute, is complete when the social worker has recorded enough information as specified in Section 30-132.2 to document the decision as to whether or not to make an in-person investigation and shall include:

- (a) The specific decision outcome,
- (b) The rationale for evaluating out the referral, and
- (c) The supervisor approval.

.214 An in-person response shall be made immediately under either of the following circumstances:

.2141 A law enforcement agency refers a child who is at immediate risk of abuse, neglect or exploitation.

.2142 The referral indicates the existence of a situation which is likely to imminently cause physical pain, injury, disability, severe emotional harm or death to a child.

.22 The decision whether or not to make an in-person response for all other referrals shall be based on an assessment which shall include collateral contacts, a review of previous referrals and other relevant information to the extent such information or measures are necessary to conduct an assessment.

.221 This assessment shall include, but not be limited to, consideration of the following factors:

(a) The information provided in the referral describes a situation as defined in sections 30-002a(1) abuse, 30-002a(2) exploitation, or 30-002a neglect.

(b) Credibility of reporter.

(c) Relationship and access of alleged perpetrator to the child.

(d) History and disposition of prior referrals.

(e) Items that are considered to increase the risk of danger to the child which include, but are not limited to:

- 11) The severity of the injury/
- 12) When the alleged incident(s) of abuse occurred/
- 13) How frequently the alleged incident(s) of abuse occurs/
- 14) The age of the child/ younger children shall be considered at higher risk/
- 15) The inability or unwillingness of the parent/caretaker to cooperate with the emergency response worker/
- 16) The social isolation or lack of support systems for the parent/caretaker and/or child/
- 17) The location of the injuries/

.75 Upon the county's receipt of a referral that is assessed to require an immediate in-person response, a social worker skilled in emergency response shall have immediate in-person contact with all children and available parent(s)/guardian(s) in situations requiring immediate response.

.751 If all of the following circumstances exist and are documented in the Emergency Response, In-Person Response Case, the decision to contact any additional children in the family who are not present at the time of the initial response shall be at the discretion of the county:

.7511 The county emergency response social worker has had in-person contact with the child(ren) alleged to be abused, neglected, or exploited and all other children present at the time of the social worker's initial response.

.7512 The county emergency response social worker has had in-person contact with the parent(s)/guardian(s) available at the time of the initial response.

.7513 The county social worker has made the necessary collateral contacts with persons having knowledge of the condition of the children.

.46 All other in-person responses shall be made within ten calendar days after receipt of the referral and follow the instructions outlined in Sections 30-132.751 through .7513.

.57 No response is required to a cross-report from a law enforcement agency if the law enforcement agency has investigated and determined that there is no indication of abuse or neglect by a member of the child's household.

.68 Emergency response staff shall request law enforcement assistance under either of the following circumstances:

- .Ø81 The physical safety of family members or county welfare department staff is is endangered.
- .Ø82 A child must be placed in temporary custody and the county welfare department social worker is not deputized as a peace officer or authorized by Welfare and Institutions Code Section 306 to perform such an act.
- .79 Emergency response staff may take a child into temporary custody without the assistance of law enforcement whenever authorized to do so under Welfare and Institutions Code Section 306.
- .791 Welfare and Institutions Code Section 306 specifies in pertinent part as follows:
- .7911 Any social worker in a county welfare department, while acting within the scope of his or her regular duties under the direction of the probation department or juvenile court and pursuant to subsection (b) of Section 272, may do all of the following:
- (a) Take into temporary custody and maintain temporary custody of, without a warrant, a minor who has been declared a dependent child of the juvenile court under Section 300, and is in need of care.
  - (b) Take into temporary custody and maintain temporary custody of a minor without a warrant, when the social worker has reasonable cause to believe that the minor is a person who is described in subdivision (~~a~~b) or (~~b~~g) of Section 300.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections ~~10553~~ 16208 and 16501.1, Welfare and Institutions Code.