

## 2. Social Work Investigations

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**2.0 PURPOSE:** Each report or referral accepted by the Department must be substantiated or unsubstantiated by the gathering of information in order to determine whether or not the child has been harmed or threatened with harm, and to determine the departmental response needed to ensure the child's safety.

**2.1 AUTHORITY:**

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|----|---|
| A. | CFR 1340.14 (d-i) Investigations, institutional child abuse and neglect, emergency services, guardian ad litem, prevention and treatment services, confidentiality  |
| B. | CFR 1340.15 Services and treatment to disabled infants  |
| C. | CHAP 346-14 (1), HRS Establish and administer programs and standards, and adopt rules as deemed necessary for all public assistance programs  |
| D. | CHAP 346-14 (2), HRS Establish, extend and strengthen services for the protection and care of neglected children and children in danger of becoming delinquent  |
| E. | CHAP 346-14 (3), HRS Assist in preventing family breakdown  |
| F. | CHAP 346-14 (4), HRS Place, or cooperate in placing, neglected children in suitable private homes or institutions and place, or cooperate in placing, children in suitable adoptive homes   |
| G. | CHAP 346-14 (5), HRS Have authority to establish, maintain, and operate receiving homes for the temporary care and custody of neglected children until suitable plans are made for their care; and accept from the police and other agencies, for temporary care and custody, any neglected child until satisfactory plans are made for the child |
| H. | CHAP 350-1.1, HRS Review of who must report, how  |

		reports are to be submitted, confidentiality of reports
I.	CHAP 350-2, HRS	Action on reporting
J.	CHAP 350-3, HRS	Immunity from liability
K.	CHAP 587-21, HRS	Investigative process
L.	CHAP 587-22, HRS	Protective custody by police officer without court order
M.	CHAP 587-23, HRS	Authorization for color photographs, x- rays, and radiological or other diagnostic examination
N.	CHAP 587-24, HRS	Temporary foster custody without court order
O.	P.L. 115-271 106(b)(2)(B)(xii) (CAPTA)	Child Abuse Prevention and Treatment Act

## 2.2 SUBSTANTIATION/UNSUBSTANTIATION OF A REPORT OF ABUSE OR NEGLECT

### 2.2.0 INITIAL CONTACT WITH THE INDIVIDUAL WHO IS THE SUBJECT TO A CHILD ABUSE AND NEGLECT INVESTIGATION/ASSESSMENT

Initial contact with the individual who is subject to a child abuse and neglect investigation/assessment

1. Initial Contact.
  - a. Initial contact with the individual who is subject to a child abuse and neglect investigation/assessment (hereafter referred to as the alleged perpetrator) includes phone calls, face-to-face meetings, and letters.

- b. Attempted contacts with the alleged perpetrator via voice message, business cards, and door notes, shall not constitute initial contact; these are attempted contacts.
- 2. Advise the alleged perpetrator of the complaints, allegations, and/or concerns against him/her.
  - a. At the initial time of contact with the alleged perpetrator, Child Welfare Services (CWS) and Differential Response System (DRS) workers shall advise the alleged perpetrator of the complaints, allegations, and/or concerns made against the alleged perpetrator, in a manner that is consistent with laws protecting the rights of the complainant.
  - b. At the time of initial contact, the CWS and DRS workers shall describe the information in the report related to the complaints, allegations, and/or concerns and reason for agency involvement.

Guideline: At the time of initial contact, CWS and DRS workers should provide enough information so the alleged perpetrator of the child abuse and neglect investigation or assessment understands why the agency is conducting an investigation or assessment, while protecting the identity of the complainant at the same time.

Prior to asking the alleged perpetrator, who is subject to a child abuse and neglect investigation or assessment, any questions about the alleged harm, CWS and DRS workers are to consider using direct, non-inflammatory techniques that address the following elements:

- i. That a report was made to the agency;
- ii. That the agency is required by law to investigate or assess the report;
- iii. That the report states abuse or neglect (whichever is the case) may have occurred or the child is at risk of abuse or neglect;
- iv. A general description or paraphrase of the complaints, allegations, and/or concerns in the report;

- v. That the report states that he/she was possibly involved in the situation;
  - vi. This is an opportunity for the alleged perpetrator to share his/her perspective on the situation including strengths, what is working, and what may be challenging for the family; and
  - vii. The agency is present to offer support for children and families and ensure safety of the child(ren).
- b. If the CWS or DRS worker is unable to contact the alleged perpetrator who is subject to a child abuse and neglect investigation or assessment by face-to-face or phone, the worker may make other attempts, including mailing letters.

The letter to the alleged perpetrator shall minimally state the following:

- i. That a report was made to the agency;
  - ii. That the agency is required by law to investigate/assess the report;
  - iii. That the report states abuse or neglect (whichever is the case) may have occurred or the child is at risk of abuse or neglect;
  - iv. The general type of alleged abuse described: Harm or Threatened Harm shall be used for CWS reports and Threatened Harm shall be used for DRS reports;
  - v. That the report states that the alleged perpetrator was possibly involved in the situation;
  - vi. This is an opportunity for the alleged perpetrator to share his/her perspective on the situation including strengths, what is working, and what may be challenging for the family; and
  - vii. The agency is here to offer support for children and families.
3. Documentation of the initial contact.
- a. The CWS and DRS workers shall document the date, time, and with whom the initial contact occurred. For all contacts initiated by letter, the CWS and DRS workers shall document the date the letter was mailed.

4. Considerations for initial contact.
  - a. Contacts with the alleged perpetrator who is subject to a child abuse and neglect investigation or assessment may be delayed, with supervisory approval, to ensure safety of the child, other children, caregiver, worker, and others, as applicable.
  - b. In some cases, it may be appropriate to consult with law enforcement about the initial contact requirement and how this may be done without jeopardizing any law enforcement efforts. Contacts with the alleged perpetrator who is subject to a child abuse and neglect investigation or assessment may be delayed, with supervisory approval, to coordinate with law enforcement efforts.

### **2.2.1 Review of report**

Review the initial child abuse/neglect (CA/N) report for:

- A. Allegations contained in the report;
- B. Number of household members, if indicated;
- C. Age and relationship of household members, if indicated;
- D. Age and number of children Involved In the report;
- E. Location of household;
- F. Prior CA/N reports;
- G. Income resource indicated;
- H. Indication of community involvement, i.e., reporter is from a school, counselor, medical staff, etc.

### **2.2.2 Planning contact**

In reviewing the above categories, the CWS social worker needs to begin planning his/her first contact with the family and reviewing what strengths or stresses may be indicated for the family.

Information should be obtained from but not limited to the following sources:

A. Contact with the reporter

The reporter, when known, shall be contacted for further detail about the report to assist in determining the child's safety.

B. Closed service case

If there is a closed child welfare service case, obtain the closed record to review relevant information: purpose of earlier intervention, services provided, outcome. To obtain the closed record, follow the Instructions as described in Chapter III, Section 1: INTAKE.

C. Income maintenance case

If there is an income maintenance (IM) case open for financial medical and/or food stamp assistance per HAWI check, contact the IM worker if immediate information is needed to clarify the address, phone number, household members.

For IV-E purposes, notify the IM worker via FC-IM notice DHS 1567, "Notification of Foster Care Placement and Removal."

D. Criminal history check

Complete a criminal history check through the Hawaii Criminal Justice Data Center (HCJDC) using the DSSH 1639 form.

1. During work hours: Supervisor or designee to call the HCJDC at Ph. 587-3106 to request an immediate check. Sections will provide the HCJDC with the names of the supervisors and updating when changes occur. HCJDC will complete a form with information provided, indicate it is a telephone request and return the check.
2. After work hours: Enlist the cooperation of the police (this does not preclude the worker from requesting a check through the HCJDC).
3. Criminal history check is to be used only for purposes authorized by Chapter 587, HRS.

E. Indian Child Welfare Act

Determine whether or not the child meets the provisions of the Indian Child Welfare Act. Refer to Chapter III, Section 10: Case Management.

F. Baby Doe

For “**Baby Doe**” cases (withholding of medically indicated treatment from an infant with life-threatening conditions), the designated hospital liaison shall be involved to assist in the coordination of the preliminary assessment or investigation. Refer to Reference section for the list of liaisons.

If the designated hospital liaison is not available, the chief of staff should be contacted to coordinate the investigation.

Refer to Chapter III, Section 1: **INTAKE**.

CWS social worker shall evaluate the information gathered and, if appropriate, provide needed services.

### 2.2.3 Law enforcement/police coordination

Telephone contact shall be made with the appropriate law enforcement agency to coordinate contact with family members in following up on CA/N reports accepted for further assessment. If law enforcement (military or civilian police) is unavailable, proceed to initiate contact with child, siblings and non-offending parent/caregiver to assess the immediate safety of the child victim. Coordinate contact with law enforcement where possible before contact with the maltreater.

Refer to Chapter III, Casework Services, Section 7: **REPORTS OF HARM, SERIOUS HARM AND DEATH ON ACTIVE CASES** if reports relate to serious reports of harm on active cases or child deaths.

### 2.2.4 Response time

Once a decision has been made to accept a report of abuse or neglect for further assessment the CWS social worker must decide whether an immediate response to the report is needed based on the level of risk and the safety issues of the child.

Response is defined as a face-to-face contact by the CWS social worker with the victim. Contacts shall also be made with the family of the victim including the maltreater.

There are two categories of response:

- A. Immediate response within two business days of the Department's accepting the report for CWS assessment.
- B. Another response occurs within five working days of the receipt of the report by the Department.

1. Reports Requiring an Immediate Response:

The department shall immediately (preferably within 2 hours, but no later than two business days) respond to a report that falls in the "severe" and "high" range of the risk and safety assessment matrices which are considered life threatening such as;

- a Any physical abuse of a child under three years old;
- b Any severe physical abuse of a child who is not hospitalized or in another safe setting;
- c Any life-threatening physical abuse or medical neglect;
- d Homicidal actions;
- e Sexual abuse cases where the alleged maltreater is in the home and/or has access to the child;
- f Abandoned children - generally under the age of 12;
- g Unsupervised children under nine years old or with physical, emotional or mental handicap;
- h Reports alleging that parents of infants or young children are not able to care for, or present a risk to their children as they reportedly are psychotic, behaving in a bizarre manner or under the influence of drugs;
- i Upon the death of a child especially when other children are in the family.

2. Response to Reports of Low or Moderate Harm or Threatened Harm:



The department shall divert a report which falls in the "moderate" or "low" range of the risk and safety assessment matrices. These are considered non-life threatening. The type of response following the assessment may include referral to community agencies/individuals for support, outreach, short-term counseling and follow-up as available.

### **Efforts to Identify, Locate and Contact Child and Parent During CWS Assessment**

Identifying, locating, contacting, and engaging child and parent is essential to assessing the child's safety.

When there is a report of alleged maltreatment to a child, all children and parents shall be identified, located, and assessed as part of the family assessment.

- C. Identify
  - 1. The caseworker shall identify:
    - a. All children living at home and those living out of the home;
    - b. All parents including these:
      - i. Legal parents;
      - ii. Non-custodial parents;
      - iii. Alleged fathers.
    - c. Other adults who are responsible for or providing care to the child as applicable.
- D. Locate and Contact
  - 1. The caseworker shall make contact with all minor children and parents.
    - a. Within two (2) business days of case acceptance, caseworker shall make a face to face visit with:
      - i. Child living in the family home.**
      - ii. Child living outside the family.**

- Assess all minor children to include length of time living with adult caregiver.
- Refer to HRS 587-11(4) for child living outside the home.
- Take appropriate actions based on child safety assessment and comprehensive risks assessment results.
- Obtain supervisory approval prior to removal or return of child.

**iii. Parent living in or outside of the family home. Parent include:**

- Legal parents including non-custodial, incarcerated, or deployed parents;
- Alleged fathers including incarcerated parents, deployed parents who are involved in the child's life.

**iv. Child or Parent living on a different island (from where the report is initiated).**

- Initiate verbal and/or email request for courtesy investigation/assessment to the appropriate section.
- Receiving Section shall make a face-to-face contact no later than one (1) business day of the verbal request.

- b. Within two (2) business days of case acceptance, the caseworker shall initiate efforts to contact child who is not residing in Hawaii, and with parent who is deployed, incarcerated or not residing in Hawaii.

**i. Efforts to contact parent who is deployed include:**

- Contact with the Family Advocacy Center, gather information on the family including history, strengths, involvement in services
- Contact Command to coordinate intervention and assessment.

- Consultation with supervisor to address barriers.
- Telephone contact, email, fax, or mail documents to parent when face-to-face contact is not possible.

**ii. Efforts to contact parent who is incarcerated include:**

- Identify the facility in which the parent is incarcerated.
- Schedule visit with the parent for assessment interview.
- Request for a courtesy assessment from the applicable Section;
  - a. Receiving Section shall assign a courtesy worker to schedule a face-to-face visit with the parent.
- Consult with supervisor to address other barriers.
- Telephone and mail information to incarcerated parent when a face-to-face contact is not possible.

**iii. Efforts to contact child and parent who are out of state include:**

- Telephone and/or email contact with the out-of-state parent;
  - Mail letters to inform the parent of CWS' involvement;
  - Consult with supervisor to request courtesy services from other States.
- c. Within thirty (30) calendar days of the date the case is accepted for services, and/or the child enters foster care, the caseworker shall make contact with:
- i. Alleged father who is not involved in the child's life.
- d. Within sixty (60) calendar days of the date the case is accepted for services, the casework shall make a face to face visit with:

- i. Alleged father who wishes to be involved in the child's life.
- e. If a face-to-face contact cannot be made within the specified timeframes in a-d, the caseworker shall continue to document efforts to locate and contact all minor children and parent throughout the assessment phase (60 days from the date the report is accepted for CWS assessment).
- f. If any parent of child cannot be located, continue to document efforts to contact all children and parent through the life of the case, as applicable.
- g. Document in the CWS database actions, efforts, and information related to the child's living situation outside the family home including, caregivers name, address, phone number, employment, and appropriateness of living situation.

2. **Efforts to locate and contact child and parent during a CWS assessment**

- a. Gather information and follow up with resources/contacts to locate child and parent including, but not limited to:
  - i. Databases including the reporter.
  - ii. The family's child welfare services record (including Voluntary Case Management and Family Strengthening Services records, as applicable) including the CWS databases.
  - iii. Gather information from birth certificates, paternity orders or birth data, social security numbers, last known addresses, names of individuals who may have current information, (relatives, DOE, employers, professionals who have worked with the family), if applicable.
  - iv. Parent, child, known relatives, friends and co-workers of the parent and others that may know or have information on the family such as:
    - Neighbors;

- Professionals who have had recent contact with the family;
  - Parent's place of employment;
  - Hospitals
  - Utility companies
  - Internet searches
  - Landlord-resident managers in apartment building;
  - Primary Care Physician;
  - Law enforcement;
  - Probation or Parole Officers; and,
  - Professionals and agencies that have worked with the family.
- v. The DOE locator, as applicable.
  - If the child is no longer at the school, inquire with school personal as to the address they have on file such as on the child's emergency form.
  - Other DHS program files as available, such Temporary Assistance for the Needy Families (TANF).
- vi. All other available tools and resources including:
  - Family Advocacy Center for parents involved in the military and identify the Command;
  - Criminal Justice Information System, Ho`ohiki, and sex offender registries;
  - Contacting correctional facilities to see if parent is incarcerated (see Correctional Facilities List Appendix);
  - Locate Action Request Form;
  - Child Support Enforcement Agency (CSEA).
- b. Make efforts to contact all parents and children including, but not limited to:
  - i. Go to the school and/or family home as appropriate;
  - ii. Leave a business card at the home in a sealed discreet envelope (except when the report

indicates a concern or history of domestic violence\*);

- iii. Send letter to parent if attempts to meet face-to-face have been unsuccessful;
  - iv. Continue efforts to contact the child and parent throughout the life of the case.
- c. Document in the CWS database actions, efforts, and information related to the children's living situation outside the family home including, caregivers name, address, phone number, employment, and appropriateness of living situation.

3. **When child and parent are located, but contact cannot be made**

- a. When child and parent have been located, but attempted face-to-face contacts are unsuccessful, the caseworker shall:
  - 1. Leave a business card at the home in a sealed discreet envelope (except when the report indicates a concern or history of domestic violence\*);
  - 2. Send letter to parent if attempts to meet face-to-face have been unsuccessful;
  - 3. Continue efforts to contact the child and parent shall continue throughout the life of the case.

\*Note: When searching for a parent who has a history of domestic violence with the other parent, it is important to note that the contact may compromise safety of a family member. The caseworker shall:

- 1. Refer to Guidelines for Assessing Families for Domestic Violence;
- 2. Consult with a supervisor to determine appropriate course of action;
- 3. Notify the adult victim that an attempt to notify the other parent will be made; and,

4. Refer or support the adult victim to make a safety plan, as needed.

E. When a Family Cannot Be Contacted

1. The CWS worker shall:

- a. Continue efforts to locate all children and parents listed in Part A above for 60 days from the date the report is accepted for CWS assessment.
- b. Document all efforts made to identify and locate children and parents.
- c. Enter a disposition of "Unconfirmed" when the worker is unable to assess the family regarding the allegations in the report.
- d. Consult and obtain supervisory approval for closing the case within 60 days (HAR 17-1610-45 (16))

F. Addressing Prior allegations that have not been assessed because the Department was unable to locate the family or complete the assessment when the Department received another subsequent allegation of abuse for the family.

The assigned CWS worker shall:

1. Assess any allegations not previously addressed because the Department was unable to locate the family in the previous report. This shall include, but not limited to:
  - Discussion and assessment of the prior allegations with the family and others as applicable;
  - Consider all information about prior allegations in the current Child Safety Assessment; and,
  - Document the assessment of the prior allegations.
2. Consult with supervisor about change of disposition if information supports a different disposition.

### **2.2.5 Interviewing**

Family assessments shall be initiated within one to three business

days to a week depending on the severity of the report (see Chapter II, Section 1: **FAMILY ASSESSMENT**). The initial contact with a family may be via telephone before making a home visit. The CWS social worker must weigh the pros and cons and discuss and obtain supervisory approval where possible.

Interviewing order should be: child victim, siblings, non-maltreater parent/caregiver alone, and lastly the alleged maltreater, unless the case situation requires a different order of interviewing. Where possible, coordinate the interview of the alleged maltreater with law enforcement for the serious/severe cases.

Positives to scheduling this contact are:

- Scheduling the first face-to-face contact with the family provides the family with some initial decision-making, empowering them prior to that first face-to-face contact;
- Scheduling allows a family to have all family members at home who are needed to begin the assessment; and
- Setting a time for the first face-to-face contact allows a worker to schedule the time needed to begin the assessment.

Negatives to scheduling this contact are:

- Family may flee;
- Children may be "coached" and/or threatened;
- The home environment may be altered prior to the initial visit;
- Family may not have a phone and the nature of the report is such that immediate contact is critical.
- Different reactions: anger, fear, anxiety, hostility, etc., which may place workers safety in jeopardy.

A. Interviewing the child victim:

If the child is attending school/pre-school, see the child victim alone first. If child is initially seen alone away from the family home, make contact with the parents soon thereafter to inform parents of interview.



A home visit must be made as part of the assessment (investigation) although the initial visit may be made in the office if there is past history of family violence, use of drugs and/or weapons:

1. Show photo ID card when interviewing family if CWS social worker has never met family before. Give family a copy of the pamphlets, "A Guide for Parents" and DSSH 1451, "Your Rights-Fair Hearing, Confidentiality, Non-Discrimination."
2. See the subject child within 24 hours in emergency situations;
3. See the subject child within a week for non-emergency situations;
4. Advise parent/child of report and concerns;
5. Observe condition of child in relation to the allegation;
  - a. Conduct a visual examination of the child if report indicates injuries from CA/N. In completing a cursory examination, the age and sex of the child and the sex of the CWS social worker should be taken into consideration to avoid further distress to the victim. Caution and good judgment should be exercised;
  - b. Arrange for photographs if necessary. Each unit should have access to a digital or polaroid camera for picture taking;
  - c. Document child's injuries;
  - d. Ask parent/child their version of how the incident occurred. If the child is under age 6, has developmental language delays, or is unable to verbally provide an account of the incident, drawing material or other props may be used to enhance the interview but they should not minimize or replace the direct interview or the judgment of the CWS social worker;
6. Gather all facts relating to the incident - what happened,

how it happened, when, where, who was involved, and witnesses;

7. Assess level of family functioning:
  - a. Observe behavior during interviews: non-verbal communication, and physical and behavioral indicators of abuse or neglect;
  - b. Identify with the assistance of the family, the active family stressors, i.e., economic and social situation, family interaction;
  - c. Observe and/or take photographs of the conditions of the home environment which pose a threat to the safety and well-being of the child;
  - d. Identify with the assistance of the family, the services needed to resolve the key stresses which threaten the safety and well-being of the child;
  - e. Assess level of risk to the child and the appropriate safety plan based on the above information
  - f. Request the name and address of non-custodial parent, other family members, and close family friends to identify possible placement, if necessary.

Identification of and notification to all adult relatives of their option to be placement resources is required within 30 days of the child's removal.

B. Interviewing of siblings

Determine safety to other children in the family (steps 1-7 above).

C. Interviewing parents (caregiver)

Refer to steps 1-7 above. Interview alleged maltreater with law enforcement to the extent possible. The alleged maltreater should be interviewed last. This allows the CWS social worker to present the facts and evidence collected.

If the alleged maltreater refuses to cooperate, assess the need for Family Court intervention if the non-abusive parent is unable to take necessary steps to insure the safety and well-being of the child victim.

#### **2.2.6 Consent for information**

To aid in the fact gathering as well as to complete a thorough history of the family's situation, key information may be needed in assessing family functioning in areas of health, education, employment and community involvement. Refer to Chapter I, Section 2: **CONFIDENTIALITY** regarding the obtaining of information without parental consent.

##### **A. Medical/Mental Health Records**

For those not under the custody of the department, obtain parental consent via DSSH 1466 form to access medical history of child and parents if parents are stating that there are medical problems affecting their care of their child. Contact with the primary physician allows for continuity of medical care. If parent(s) are not consenting and a decision has been made to seek court intervention because of concerns regarding the child's safety, request via a court order to release.

##### **B. Other Sources of Information**

Interview other persons possessing information about the family to verify findings or to gain information not accessible from the family.

### **2.3 ASSESSMENT TOOLS**

Refer to the DHS 1517, "Child and Family Assessment Guidelines" and the DHS 1517, "Child Risk Assessment Summary," and the DHS 1518, "Safety Assessment," to reflect the current level of safety or risk in the home.

### **2.4 MEDICAL EXAMINATION**

All children, after the face to face contact and social work investigation assessed as "High" or "Severe" on the DHS 1517, "Child and Family Assessment Matrix" shall be medically examined to determine the extent of harm and to determine the type of treatment necessary to insure their

safety and well-being.

- A. Encourage the parents or caregivers to seek medical treatment or encourage the parents to accompany you to their physician or hospital should the child require emergency medical attention.
- B. If the parents or caregivers refuse and the lack of medical treatment places the child at serious risk of harm, contact police for assistance.
- C. If the child is taken into police protective custody, accept custody and proceed with a medical exam to insure the child's safety and well-being as well as to meet the required timeframes for the placement physical if the child needs to be removed from the family's home. (see Chapter III, Section 4: **SERVICES TO FAMILIES AND CHILDREN**).

## 2.5 INSTITUTIONAL ABUSE

### 2.5.1 Definition of institutional abuse

Institutional abuse refers to those situations of suspected or actual child abuse or neglect in:

- A. All foster homes, child caring institutions and childcare facilities certified or approved in the State of Hawaii by the Department of Human Services (DHS) or its authorized agent; or
- B. All childcare settings licensed, approved or certified in which the alleged child victim is receiving care.

### 2.5.2 Coordination

Institutional abuse/neglect reports necessitate coordination among varied personnel/agencies; intake, licensing/certification which may or may not be DHS, and the active unit worker:

- A. Intake CWS Social Worker
  - 1. Receive all non-family related reports of alleged abuse and neglect of children;
  - 2. Document information received from complainant and enter into the CPSS system with case registered under the agency foster home/day care name. (Refer to

Chapter III, Section 1, INTAKE);

3. Notify CWS Assessment Unit of report and forwards intake;
4. Forward a copy of the intake to appropriate law enforcement agency and active unit worker if case known to DHS;
5. If report is received after hours, determines the appropriate crisis response.

**B. CWS Assessment Social Worker**

1. Contact appropriate licensing unit and/or ongoing CWS social worker to determine crisis response and to gather information;
2. Contact regulatory/licensing agency, day care facility, family day care operator, director of agency or foster parents concerning the report;
3. Schedule interviews with child(ren) separately from adult caretaker. Scheduling of interviews should be done simultaneous with notification of the report to the facility to minimize problems for the child(ren) such as: intimidation, unnecessary pressure, attempts to get the child(ren) to change their story;
4. Coordinate assessment in accordance with established interagency agreement if other than DHS;
5. Determine disposition of complaint;
6. Only confirmed findings may be shared with the licensing worker and/or applicable agency. A not confirmed finding shall not be shared with the licensing worker and/or applicable agency. This is in compliance with Section 106(b)(2)(B)(xii) of the CAPTA.;
7. Enter the following information on CPSS:

CA22/CU22 Child Data  
CA36/CU36 Victim Data - add

CA40/CU40 Adult Date  
CA50/CU50 Service Data - add  
CA52/CU52 Log of contacts  
CA60 Investigation Summary - add/update documents  
CA62 Investigation Summary - narrative  
CA64 Investigation Summary - ease action  
CU14 General Case Data - update  
CU39 Victim Data - add/update - case status

8. Store case record and documents in locked file.
9. Close out case on CPSS when above completed and labels appropriate destruction code date per Chapter III, Section 11, Record Maintenance, Case Documentation and Filing.

C. Licensing /certification Unit and other appropriate agency Workers

1. Review information, e.g., past and present licensing requirements to determine if there are any violations or concerns, review chronology of events, scheduling of workers, staffing and employee backgrounds;
2. Provide all information required for purposes of investigation;
3. Take administrative action as deemed appropriate;
4. Release information regarding investigations in progress based on applicable statutes/policies of each respective agency;
5. Assess confirmed disposition and, in light of findings, evaluate licensing issues, to determine the safety of the home/facility for all children in the setting;
6. Review confirmed disposition/findings of CWS assessment social worker and determine appropriate administrative action;
7. Notify parties, e.g., foster parent and alleged maltreater, of final determination;

8. Document actions in the CPSS record and in a letter to the agency/family:
9. Put disposition in License Resource File in "Complaints" section. The daycare and/or foster home case record will contain documents as appropriate.

D. When two or more sections are Involved

There will be situations involving a child who may have been abused in an out-of home setting but has since re-located to another island. Depending on where the child abuse report is initiated, the following steps need to be taken:

1. CWS Intake Worker:
  - a. Receive institutional abuse report;
  - b. Determine where the child is now in relation to where the abuse occurred. If the child is living on another island from where the abuse occurred, the section where the report of abuse is to have taken place becomes the coordinator of the case;
  - c. Open a case record under the agency foster home/day care name and input available data (refer to above).
2. CWS Assessment Worker (where report is initiated):
  - a. Call assessment unit of section where the child is now living and request courtesy assessment of the child;
  - b. Follow up phone call with written request which clearly states what is necessary to complete the assessment, i.e., a sex abuse exam, videotaped interview of child, or an interview of parents/ caretakers.
  - c. Receive case information from courtesy assessment worker and review material before interviewing alleged maltreater and any other child(ren) in the home;

- d. Follow through with assessment of the placement setting by interviewing any other residents, the alleged maltreater, and collateral contacts;
  - e. Consult with the licensing/certification unit or agency;
  - f. Make a determination based on all of the available evidence. This may involve teleconferencing with courtesy assessment worker.
- 3. Courtesy Assessment Unit Worker:
  - a. Perform tasks as requested and remain in contact with primary assessment worker concerning progress of the assessment;
  - b. Notify local police, licensing agency if appropriate, and Children's Advocacy Center of need for joint assessment and collaboration if case is serious and/or involves sex abuse;
  - c. Forward case information and any other case information to the initiating assessment unit.

## **2.6 DISPOSITION OF REPORT**

If the report is unsubstantiated, the worker shall terminate child welfare services unless the family requests services or unless there is an active case. For voluntary requests for services, refer to POS Diversion Services, or community resources.

### **2.6.1 Unsubstantiated reports**

- A. The disposition shall be made and entered into the CPSS within 60 days of acceptance of CA/N report;
- B. Discuss the disposition with the supervisor prior to entering the data into the CPSS unless other procedures have been made by the supervisor;
- C. Notify family verbally and in writing of disposition of report via CPSS, screen G509/K509 10 days prior to the actual closure date with the appropriate rule section and reason cited;



- D. Complete the following CPSS data entry screens:
  - CU14 **General Case Data:** Update by entering the appropriate termination reason field and "P" - Closed and Purged in the termination type field;
  - CU40 **Adult Data:** Update and CU22, Child Data - Update the demographic information and close the goals;
  - CU36 **Victim Data:** Add/Update - Victim Status
  - CU39 **Victim Data:** Add/Update - Case Status by entering "U" - unsubstantiated in the confirmed field;
  - CA/CU62 **Investigative Summary/Narrative:** Add/Update the case status by documenting the investigative findings and the basis for the "U" disposition;
  - CA/CU64 **Investigative Summary:** Update Worker's findings;
  - CA52 **Log of Contacts:** Note date of intake and disposition only and process for closing if case was opened only for the report.
- E. Supervisor to review the case record for completeness (see Chapter III, Section 11: **RECORD MAINTENANCE DOCUMENTATION AND FILING**).
- F. Expunge report and destroy case record pursuant to Chapter III, Section 11: **RECORD MAINTENANCE, DOCUMENTATION AND FILING**.

### 2.6.2 Unconfirmed reports

- A. The disposition shall be made and entered into the CPSS within 60 days of case opening;
- B. Discuss the disposition with the supervisor prior to entering the data into the CPSS;
- C. Complete the following CPSS data entry screens:
  - CU14 **General Case Data** - Update the demographic information and enter the appropriate termination reason and "C" - Closed in the termination type;
  - CU40 **Adult Data** - Update and CU22, Child Data - Update the demographic information and close the goals;
  - CU36 **Victim Data:** Add/Update victim status
  - CU39 **Victim Data** - Add/Update - Case Status by entering "N" - Not Confirmed in the field;

CA62 **Investigative Summary/Narrative** of investigation  
CA64 **Investigative Summary/Case Action**  
CA50 **Service Action**  
CA52 **Log of Contacts** (note intake and not confirmed)

- D. Notify family. Complete the G509/K509, Termination or Reduction of Services via CPSS 10 days prior to the date of action. For example, if G509/K509 was mailed on 7/1/98, the effective date of closing indicated on the G509/K509 should be 7/11/98;

Supervisor must review the CPSS case record to insure all documentation is completed. Refer to Chapter III, Section 11: **RECORD MAINTENANCE, DOCUMENTATION AND FILING** for specific processes.

### 2.6.3 Confirmation of reports and records

Once a determination has been made that the report is being confirmed, insure that the following have been completed:

- A. A disposition was reached and entered into the CPSS within 60 days of receipt of the CA/N report;
- B. The report was discussed with the parents/caregivers and they were informed of their right to a fair hearing if they disagree with the action the Department has taken;
- C. Complete the K504/G504 via CPSS and mail 10 days prior to the entry of the disposition action of the report in the CPSS system. This notifies the parents or caregivers of:
1. The disposition of the report;
  2. The initiation of services from the Department where appropriate.
- D. If further services are to be provided, the family knows what the Departments plans are:
1. Voluntary intervention (may include Ohana Family Conferencing if family is agreeable and resources available) and case transfer;
  2. Voluntary intervention (diversion) and case closure;

3. Court petition and transfer.
- E. CPSS screens are completed:
  - CU14 **General Case Data** - Update the demographic information and enter the appropriate termination reason.
  - CU40 **Adult Data** - Update and CU22, Child Data - Update the demographic information and close the goals;
  - CU36 **Victim Data**: Add/Update victim information
  - CU39 **Victim Data** - Add/Update - Case Status by entering - "Y" Confirmed in the field, enter appropriate code for severity and enter determination date;
  - CA62 **Investigative Summary/Narrative** of investigation
  - CA64 **Investigative Summary/Case Action**
  - CA50 **Service Action**
  - CA52 **Log of Contacts** (transfer. summary)
- F. Case transferred to appropriate unit for follow-up services (see Chapter III, Section 11: **RECORD MAINTENANCE, DOCUMENTATION AND FILING**).

#### 2.6.4 Reporter notification

The mandated reporter shall be notified of the completion of the assessment/investigation. Notification can be by telephone and/or in writing. Document reporter notification in the CPSS CA62 screen.

### 2.7 Race and Ethnicity

The Caseworker must review the race and ethnicity in CA/CU/CD 40 and CA/CU/CD 22 screens in CPSS. The Caseworker must make efforts to confirm, determine and/or document the race and ethnicity of each person in the family by asking the children and families. The Caseworker must not make assumptions on which and how many racial and ethnic groups a person may belong to, and if the client is of a certain race or ethnicity. When a Caseworker, rather than the child or family, makes this determination, he or she may be incorrect and/or under- representing all possible race and ethnicities. Understanding the familial culture is valuable as it informs culturally responsive service planning.

A person's race and ethnicity is determined by how the person defines him or herself. In the case of a young child, parents determine the race and ethnicity of the child. NOTE: If there is a discrepancy between the Hawaii birth certificate and the family's report, the race and ethnicities identified by the family must be used.<sup>2</sup>

When the parent is unavailable and the child doesn't know his/her race and ethnicity, an "unable to determine" code can be used until more information is gathered.

"Unable to determine" is used when the child is very young or is severely disabled and no other person is available to determine the child's race and ethnicity. "Unable to determine" is also used if the parent, relative, or guardian is unwilling to identify the child's race and ethnicity.

The culture and ethnic origin of the child and family are a valuable part of their identity. Cultural sensitivity and responsiveness must be integrated into casework practice so that communication with the child and family is respectful, meaningful and effective. Not only when "Unable to determine" is selected but also throughout the life of a case, continue asking the family including their relatives about their race and ethnicity as their cultural identify.

Conversations may include,

- "I'm going to ask you about how you prefer to describe yourself and your cultural background. Please tell me about your racial and ethnic identify/background."
- "Do you identify primarily with a particular country of origin or ancestry?"
- "What (cultural) background does the family identify as?" (when a complainant is not a family member)
- "Do you have any Native American heritage?" "Are you a member of a particular tribe?"

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<sup>2</sup> The ethnicity on birth certificates may change over time. It must come from the parent(s) at birth of the child. However, people may view their ethnicity differently over time as they may become more aware of a broader range of applicable ethnic background. It is considered better practice to let the clients tell us about who they are. Therefore, in a case of a discrepancy between the birth certificate and self-identification at the time of contact, choose the ethnicity that was identified by the clients.