

CHAPTER 4-000

INITIAL ASSESSMENT PHASE FOR CHILD PROTECTIVE SERVICE AND STATUS OFFENSE CASES

The Initial Assessment Phase (formerly referred to as investigation) is the first in-depth contact with the child and parent regarding the situation that has caused HHS to become involved.

Protective Service staff will conduct assessments with the family to make a case determination in regard to the allegations and to determine what services, if any, are needed and how services can best be provided. Protective Service Workers will refer families for service both within and outside the Department. To reinforce family self-sufficiency and least intrusive service delivery, preference will be given to referring families to community-based services.

NOTE: Since Juvenile Offenders are evaluated in the community or YRTC, that evaluation will be used as an initial assessment.

4-001 **INITIAL ASSESSMENT OUTCOMES**

- Child safety.
- Validation of maltreatment and allegations.
- Determination of extent of maltreatment
- Identification of source or nature of maltreatment.
- Determination of level of risk.
- Safety service needs are identified.
- Safety plan is developed and implemented.
- Findings are documented.
- Case status determination is completed for the Child Abuse and Neglect Registry.
- Initial assessment cases that are "closed" (do not proceed in CPS system) are appropriately referred.
- Families clearly understand the Department involvement and findings.
- Public (particularly referral source) clearly understands Department involvement and findings.
- Cases are opened for voluntary or court-ordered services.
- Children are adequately adjudicated to get appropriate services.
- Community supports are in place to assist the child and family.
- Strategic Department direction and supports are in effect to achieve desired outcomes.

4-002 **STAFF ROLES**

4-002.01 **WORKER ROLE**

At initial assessment, the primary roles of the Protective Services Worker are to gather information to validate maltreatment or allegations on a court petition and to determine what services, if any, are needed and how they can best be provided. When necessary, a plan will be developed and implemented to provide safety for the child. The priority at this phase is securing child safety with attention to working with the family to preserve the family unit whenever possible.

The worker also works with the community systems to complete the assessment so the most appropriate and adequate services can be initiated. The worker will obtain additional consultation from supervisory staff and teams.

4-002.02 SUPERVISOR ROLE

The supervisor's role during initial assessment is to ensure the assessment is accurate and complete and that safety is provided. The supervisor should also provide support to the worker.

4-002.03 TEAM ROLES

Teams will be used to effectively and efficiently provide a means for consultation, technical expertise, support, and problem-solving.

Case consultation will occur before:

- Recommending removal of a child from the home;
- Recommending returning a child to the home; and
- Placing a child into a foster home, group home or residential facility located in another district.

A team of professionals involved in the case should be consulted at these decision points.

The Department will participate in the investigative and treatment teams formed in each county or area. The Department will participate to create a cooperative, complementary response to reports of child abuse and neglect by the Department, law enforcement and other agencies designed to protect children.

Statutory Reference: Neb. Rev. Stat. 28-728 through 28-733.

4-002.04 LICENSING ROLE

Licensing's role during initial assessment, for licensed facilities only, is to cooperate with CPS as requested. Licensing is responsible for taking any actions against the license.

4-002.05 CONTRACTING ROLE

Contracting's role during initial assessment, for contracted facilities only, is to cooperate with CPS as requested. Contracting is responsible for taking any actions against the contract.

4-002.06 RESOURCE DEVELOPMENT ROLE

Resource development's role is to coordinate placement-hold notifications with Protection and Safety and resource development staff statewide through N-FOCUS.

4-003 OVERVIEW OF DECISION-MAKING

Determinations to accept cases for initial assessment are made during intake. Decisions to validate or support allegations made on an intake or court petition and determination of the Department's response to an intake or petition are made during initial assessment. The decision-making process includes:

- Gathering information through interviews and collateral contacts;
- Organizing and weighing information;

- Determining opinions from facts;
- Coordinating with other agencies as needed;
- Analyzing facts to make professional judgements;
- Making determinations based on facts and professional judgments;
- Identifying and implementing necessary safety services.

4-003.01 DECISION MAKER

The validation of allegations and determination of the Department's response are made by the protective services worker who conducts the initial assessment with the family. The worker will consult with his/her supervisor or support team at the specific consultation points in 390 NAC 2-006 and as appropriate.

Workers at the initial assessment phase are:

- Skilled professionals who are well trained;
- Knowledgeable about statutes, rules and policy; and
- Charged with making the decision with the information available.

4-004 STRATEGY AND ASSESSMENT PLANNING

Strategy and assessment planning is a generalized activity in the initial assessment phase for all types of cases.

4-004.01 COORDINATION WITH LAW ENFORCEMENT

Since both law enforcement agencies and CPS have statutory obligations pertaining to child abuse/neglect cases, it is necessary to establish which agency will take the primary responsibility for a given case and which kinds of cases will initially be a joint effort. The suggestions below do not preclude joint investigations or an independent assessment by the Department.

Cases appropriate for joint activities may include but not be limited to:

- Sexual assault or abuse of a child by a household member;
- Abuse/neglect in child care homes, child care centers or institutions; and
- Abuse/neglect in foster homes or allegations of abuse/neglect committed by foster parents or foster care providers.

Cases for law enforcement conducting primary investigation activities depend on established local protocols and may include:

- Severe physical abuse;
- Neglect, such as lack of food, unsanitary or dangerous living conditions and lack of essential utilities;
- Children being left unattended or lack of supervision;
- Chronic or extreme spouse abuse in the child's presence; and
- When criminal activity is involved.

Cases appropriate for CPS assessment:

- Physical neglect due to medically related issues;
- Emotional abuse/neglect; and
- Physical neglect due to chronic failure of parent to provide for a child's basic needs, where no immediate risk of harm presently exists.

Once an assessment has begun, CPS will obtain assistance from law enforcement agencies when any of the following circumstances become evident:

- Evidence of criminal activity has been discovered;
- Threatening, assaultive, or otherwise high-risk individuals need to be contacted;
- Information suggests the need for children to be placed in temporary custody.

4-004.02 CONTACT WITH CHILD VICTIM AND PARENTAL NOTIFICATION

When a child is an alleged victim of abuse or neglect by his/her parent, a worker has the authority to contact the child to conduct an interview necessary for an assessment. This may be done without the consent or knowledge of the parent. A child may be contacted at school, child care or other locations away from the home. However, the parents will be notified as soon as possible by the worker to inform them of the Department role, involvement and activities and to avoid placing a child under unnecessary stress.

With non-English-speaking children and families, the worker will exercise considerable flexibility in order to achieve the initial assessment outcomes. This will include learning about the culture of the family, finding and working with an interpreter and sensitivity to the family's culture.

4-004.03 COURTESY FOR PARENTS

Whenever possible, CPS will assure families a certain level of respect and privacy in regard to where the interview takes place, flexibility in scheduling the interview and the least intrusive method of interviewing.

4-004.04 WORKER SAFETY

Worker safety will be considered during contacts at initial assessment. When there is a threat of violence to a worker, law enforcement will be contacted to assist or conduct the assessment. When concern exists about risk to staff from communicable diseases or environment hazards, appropriate health authorities will be called to assist in the contacts.

4-005

INITIAL ASSESSMENT ACTIVITIES

Overall Initial Assessment Activities For All CPS Cases

The following tasks apply to any initial assessment conducted by CPS:

- Interview the child, parents, siblings, and other relevant family members or collateral contacts.
- Gather information from any other sources who may have information about the presenting problem or alleged maltreatment or the risk and safety of the child(ren).

Others may have information that will help in understanding the nature and extent of the alleged maltreatment and in assessing the risk and safety of the child(ren). To protect the family's right to confidentiality, interviews or contacts with others should not be initiated without cause. However, in some cases, the family may disclose other persons who have information about the alleged maltreatment or about the family in general.

- Observe the child, siblings, parents and interaction among family members; and the home and neighborhood.
- Document and analyze the information gathered.

Statutory reference: Neb. Rev. Stat. 28-725 and 28-726.

Specific areas for observation are:

- the physical condition of the child(ren), including any observable effects of maltreatment;
- the emotional status of the child(ren), including mannerisms, signs of fear, and development status;
- the reactions of the parents to the Department's concerns;
- the emotional and behavioral status of the parents during the interviewing process, levels of denial and resistance, and use of defense mechanisms;
- interactions among the family members, including oral and facial expressions and body language;
- the physical status of the home, including cleanliness, structure, hazards or dangerous living conditions, signs of excessive alcohol use and use of illicit drugs; and
- the climate of the neighborhood, including level of violence and support, and accessibility of transportation, telephones, or other means of communication.

4-006 **GUIDELINES FOR SUSPECTED CHILD ABUSE AND NEGLECT**

The protocol from the CPS; Risk Management; Decision Making Handbook, Appendix G, will be used to gather information, make decisions and to insure that all family members are involved in the interview process whenever possible. Effectively carrying out this protocol will lead to a case status determination.

The purpose of the established protocol is to determine:

- Child safety issues, and
- Maltreatment or risk of maltreatment.

This is accomplished by collecting information and assisting in the identification of:

- Family's ability to protect the child;
- Characteristics of each family member, parenting practices, tolerance of stress, coping skills, behaviors, feelings about the child;
- Family's involvement with others;
- History of family; and
- Family's ability to meet basic needs.

Interviews with family members will be conducted in the following order to gain the broadest understanding of the family situation:

- Interview the identified child;
- Interview the siblings;
- Interview the non-maltreating parent;
- Interview maltreating parent; and
- Closure with the family.

If the child's interview occurs in the home, some preliminary introduction with the parent will need to occur.

If the interview protocol cannot be followed, the reason for the deviation will be documented.

Deviations from Protocol can occur when:

- Child is in imminent danger;
- Presence of worker is escalating family situation;
- Allegations are unfounded;* or
- Worker safety jeopardized.

*If the worker determines that the allegations are unfounded, the interviews need not continue.

4-007

SAFETY DETERMINATION AND RESPONSE

Safety determinations and service responses will be approached in the least intrusive manner possible. A safety plan determination will be used to identify needed safety services.

Services to control the child's safety and to assist in preventing the child's removal from the home will be provided if unsafe conditions are identified and documented by the worker.

Possible safety services include the following:

- In-home family support
- Routine and emergency mental health care
- Supervision and observation
- Respite care
- Basic management and life skills
- Social and emotional supports
- Financial services
- Chore services
- Food and clothing services
- Routine and emergency health care
- In-home health care
- Child care
- In home child care
- Basic parenting assistance
- Crisis counseling
- Housing
- Transportation
- Hospitalization
- Other

If services are accessible at the level identified, they will be implemented immediately. If in-home safety services are not available or accessible at the level of service required, an out-of-home placement will be considered.

4-007.01

OUT-OF-HOME PLACEMENT

Out-of-home placement will be considered when:

- Safety determination indicates safety is a problem; and
- Safety cannot be controlled in the home as documented; or
- Reasonable efforts have been made to prevent the need for placement;
- An emergency exists.

4-007.02 REMOVAL OF CHILD FROM PARENT HOME

Removal of the child from the parent's home will occur only under one of the following conditions:

- Law enforcement determines that the child be placed in protective custody; (Statutory Reference: Neb. Rev. Stat. 43-248) or
- There is a court order to remove the child from the home; or
- The child is a state ward and is in a harmful or dangerous situation; (See Neb. Rev. Stat. 43-285) or
- Voluntary placement agreement is completed.

For further information regarding out-of-home placements, refer to the Out-of-Home Placement Service Section.

4-007.03 SPECIAL CONSIDERATIONS WHEN WORKING WITH
 NATIVE AMERICAN PARENTS

Department staff will use tribal social services whenever possible when working with Native American parents and children. Case-planning and service provision will be based upon the social and cultural standards of the tribe. Active efforts will be made to provide culturally relevant remedial and rehabilitative services to prevent the breakup of the family and to reunify the child and family. The "active efforts" standard places a higher burden of proof on the Department than "reasonable efforts."

Statute Reference: Indian Child Welfare Act of 1978, United States Code, Title XXV, Section 1901; Neb. Rev. Stat. 43-101, et seq.

4-008 **CASE STATUS DETERMINATION AND AGENCY RESPONSE
 ON SUSPECTED CHILD ABUSE/NEGLECT CASES AT
 INITIAL ASSESSMENT**

4-008.01 CASE STATUS DETERMINATION

Based on the information gathered and analyzed during the initial assessment phase, the worker will arrive at a finding regarding the maltreatment report. The decision at this point is whether there is credible evidence to support the finding that child abuse or neglect as defined by state statute has occurred. This finding is called the case status determination. The case status determination will be entered into the Child Welfare Information System in a timely manner.

Under current statute, the following case status determinations are available to the worker:

Court Substantiated
Court Pending
Agency Substantiated
Unable to Locate
Unfounded

For these categories, the following definitions apply:

Court Substantiated: Court substantiated means that a District Court, County Court, or separate Juvenile Court has entered a judgment of guilty on a criminal complaint, indictment, or information, or an adjudication of jurisdiction on a juvenile petition under Section 43-247(3)(a), and the judgment or adjudication relates or pertains to the same subject matter as the report of abuse or neglect. The court, the docket and page number should be noted in the case record.

Court Pending: Court pending means that a criminal complaint, indictment, or information or a juvenile petition under Section 43-247(3)(a), has been filed in District Court, County Court, or separate Juvenile Court, and that the allegations of the complaint, indictment, information, or juvenile petition relate or pertain to the same subject matter as the report of abuse or neglect.

Agency Substantiated: Agency substantiated means that the preponderance of the evidence indicates that it is more likely than not that child abuse or neglect occurred and court adjudication does not occur.

Unable to Locate: Subjects of the maltreatment report have not been located after a good faith effort on the part of the Department.

A good faith effort has been made when all available methods to locate the parties of interest have been utilized. The case manager will consult with the supervisor before determining no other efforts are needed. The efforts and the consultation will be documented in the case record.

Unfounded: All reports not classified as court substantiated, court pending, agency substantiated, or unable to locate will be classified as unfounded.

Statutory Reference: Neb. Rev. Stat. § 28-720.

4-008.02 DETERMINING DEPARTMENT RESPONSE

Following use of the Assessment tool, initial assessment sections, and the case status determination, the worker determines the Department response.

Six alternatives are available to the worker and family following case status determination:

1. Worker determines no further intervention service is needed. Case is closed following notification to the family.
2. Worker determines there is a need for further service that can be provided through a community agency or other Department service program. The family is willing to voluntarily engage in the service. The case is closed following engagement of family in the service.
3. Worker determines that ongoing protective services are required to address or control the maltreatment and risk identified in the initial assessment. The family is willing to voluntarily engage in CPS service provision. Case is transferred to the ongoing services for service continuation, further assessment and case planning. (These cases are referred to as "voluntary" cases.)
4. Worker determines that ongoing protective services are required to resolve or control the maltreatment and risk identified in the initial assessment. The family is unwilling to voluntarily engage in services identified as necessary. In these instances, the worker is required to formally request that the county attorney file a petition for court authorization to intervene. (See Court & Legal Issues, 390 NAC 8-000) When court authority is granted, the case is transferred for ongoing services, further assessment and case planning. (These cases are referred to as "involuntary cases".)
5. Worker determines that ongoing services are needed; the family is willing to engage in the services identified as necessary, but court involvement is needed to resolve the identified problem, for example, incest cases.
6. Worker determines a need for ongoing protective services, the parents are unwilling to cooperate, and the county attorney has determined there is inadequate factual information to pursue court action. Case is closed following notification to the family.

4-008.03 NOTIFICATION TO SUBJECT OF REPORT

Upon completion of an assessment, the Department must provide the subject of the report with written notice of the determination of the case and whether he or she will be entered into the Central Register. The procedures and requirements and forms for the notification are in the Intake Guidebook.

4-009 **GUIDELINES FOR FAMILIES WITH CHILDREN WHO MAY BE
DEPENDENT OR ADJUDICATED STATUS OFFENDERS**

Following the overall assessment activities in 390 NAC 4-004, the worker will use the following guidelines when doing an assessment with children who have been identified as status offenders or dependent.

During this assessment, three major worker activities will occur:

- Review family situation to determine whether a Dependency or Status Offense case exists, as defined in 390 NAC 1-006.05.
- Identify resources to meet the family's needs.
- Determine that all reasonable attempts to secure services to the family outside of the Department have been exhausted.

If child abuse or neglect is identified at any time, an assessment for risk of maltreatment and safety will immediately be conducted as described in 390 NAC 4-007 and 4-008.

4-009.01 PROBLEM IDENTIFICATION AND SAFETY DETERMINATION

Comprehensive information will need to be collected to help identify and assess the nature and seriousness of the presenting problem. The worker will interview the child, family and significant others to help develop an accurate picture of the family.

4-009.02 IDENTIFY CONDITIONS CONTRIBUTING TO THE PRESENTING PROBLEM

- Family history;
- Family interaction;
- Family functioning;
- Child's behavior;
- Parenting practices and discipline methods;
- Screen for maltreatment - past or current;
- Financial information; and
- Extended family and friend supports.

4-009.03 IDENTIFICATION OF SERVICES USED BY THE FAMILY

By asking the following types of questions, the worker will be able to better determine the use of services in the past:

- What services has the family used in an effort to address the presenting problem? (for example, length of time, frequency, focus of treatment)
- What benefits did the family receive?
- What other services in the community, or within the Department might benefit the family?
- Have other family members or friends been involved or supportive?

Asking the parent to sign a release of information will allow the worker to contact other service providers to learn more about the community service providers' work with the family.

4-009.04

SAFETY CONSIDERATIONS

Consideration of the following will help to insure safety and reduce risk for all concerned:

- Is the child a danger to her/himself?
- Is the family a danger to the safety of the child?
- Is the behavior of the child a danger to the community? (for example, a sexual perpetrator or possesses other violent behaviors)
- Is the behavior of the child or parent a physical threat to the safety of the worker or others?
What will be required to assure personal safety in situations such as transporting or home visits?

If a strong possibility of maltreatment to the child exists, the worker will do an assessment for child abuse and neglect. Refer to 390 NAC 4-008.

4-009.05

ASSESSMENT

The worker will analyze and weigh the following information to thoroughly assess the situation:

1. Options the parent has explored with the non-custodial parent, relatives, or other family members to provide for or assist in care of the child.
2. Any previous or current use of community resources in providing services to the child and family.
3. Other Department programs available and a determination of the appropriateness for the family situation.
4. Other resources in the community available to the child and family.
5. The parent's motivation for seeking this level of intervention.
6. For children currently in placement, discuss the parents' ongoing responsibility to reassume care of or provide for permanence for the child.
7. The parents' financial responsibility and ability to pay for services. Include in this analysis the parents' insurance resources (current and potential).
8. Consideration of the child's and family's needs to determine whether the Department can access services to meet their needs.

NOTE: Department guidelines for placement of a child outside of the family appear in 390 NAC 7-002.

4-010 **CASE STATUS DETERMINATION AND DEPARTMENT RESPONSE
ON DEPENDENCY OR ADJUDICATED STATUS OFFENDERS**

4-010.01 DETERMINING DEPARTMENT RESPONSE

The Department's response will be at the least intrusive, most appropriate level of service necessary to meet the identified needs of the family.

Five alternatives are available to the worker and family following case status determination.

1. Worker determines there is no need for further intervention service. Recommendations for closure of Department involvement are made to court. If no court involvement, case is closed, following notification of the family.
2. Worker determines a need for further service that can be provided through a community agency or other Department program, and the family is willing to engage in the service. The worker recommends closure of Department involvement to court.
3. Worker determines ongoing protective services are required to address the presenting problem, and the family is willing to engage in CPS service provision. Case is transferred to the ongoing services for service continuation, further assessment and case planning. (These cases are referred to as "voluntary cases" and apply to dependency cases only.)
4. Worker determines that ongoing protective services are required to resolve presenting problem, and the family is unwilling to engage in the services identified as necessary. The worker will formally request that the county attorney file a petition for intervention if an out-of-home placement for a dependent child is expected to exceed six continuous months. (See Court & Legal Issues 390 NAC 8-000.) When court authority is granted the case is transferred for ongoing services, further assessment and case planning.
5. Worker determines appropriate action on court-involved cases. For those cases that come to CPS through a court order for services, the worker makes one of three basic decisions and acts accordingly:
 - a. The adjudication is appropriate and services through the Department are necessary. A written report is prepared for court with recommendations for services.
 - b. The court adjudication is inadequate to allow for appropriate service provision; a request for further court action should be made. (for example, status offender where there is ongoing abuse/neglect in the home; adolescent sex offender who presents risk to the community and who is adjudicated as status offender; a child being abused in the home is adjudicated as a dependency.)

To request further court action the following information must be forwarded to the county attorney:

- Legal references including case name, court docket and page number;
- Updated information gathered during the assessment;
- Describe family's current situation;
- Identify problem as it relates to the population definition;
- Establish factual basis for further court action as it relates to the Department's ability to provide appropriate services to the family, and
- Request additional court action.

If the county attorney fails to respond to the request within a reasonable amount of time, duplicate information should be forwarded to the Legal Service Child Welfare Unit for review and for legal action.

- c. The family is not in need of the level of service provided by the Department, and services that have not been engaged exist in the community to meet the family's needs. A written report is prepared with recommendations that the family use the identified community service. (See Legal & Court Issues, 390 NAC 8-000 for further information.)

4-011 **ASSESSMENT OF CHILD MALTREATMENT IN OUT-OF-HOME SETTINGS**

The Department will conduct assessments of allegations of child maltreatment by care givers in day care homes, foster homes, day care centers, child care facilities such as group homes, and other residential care facilities where there is responsibility to provide for and to oversee the physical care of children. Allegations of maltreatment of children perpetrated by teachers, school personnel, counselors, therapists, doctors, nurses and others not performing such care-giving responsibilities for children will not be assessed by the Department. These allegations will be referred to law enforcement for the investigation.

Assessment of allegations of child maltreatment perpetrated by providers in day care homes, day care centers, foster homes or child caring institutions or facilities will be conducted by the Department in conjunction with law enforcement, according to protocols established in each county. Law enforcement will focus primarily on conducting a criminal investigation. The role of CPS in these cases is to:

- Determine if child maltreatment has occurred,
- Assess safety of children involved,
- Recommend action and follow through to assure child safety, and
- Assess cause of problem and make recommendations to reduce risk of reoccurrence.

In cases of licensed child care homes or facilities, a licensing review will also occur. The Department will coordinate with all involved parties conducting reviews and investigations to maximize the opportunities to gain factual information, minimize the number of interviews and minimize the degree of intrusiveness. If interviews cannot be conducted jointly with licensing, then the law enforcement and CPS assessment will occur before any contact by the licensing authorities.

If law enforcement declines to become involved in conducting an investigation, the Department will proceed with an assessment.

4-011.01 CONDUCTING THE ASSESSMENT

To obtain the most accurate information, it is the policy of the Department to proceed in the following order:

1. Review relevant Department and law enforcement records.
2. Notify all caseworkers of children in care to discuss relevant case information and coordinate decision-making about the child.
3. In cases involving a licensed child caring agency, the investigating Protection and Safety worker in consultation with his/her supervisor will determine when a safety plan is developed, and request related incident reports from the agency. In cases involving foster homes, the licensing agent in consultation with his/her supervisor will determine when a safety plan is developed.
4. Coordinate contact and consultation, as appropriate, with law enforcement, licensing, contracting, and resource development regarding placement and safety status.
5. Conduct interviews in the following order:
 - a. Reporting party to confirm details
 - b. Identified child victims
 - c. Other children in care who might have knowledge related to allegations
 - d. Anyone identified as present during incidents or who have knowledge of incidents
 - e. In case of foster parents, the non-maltreating foster parent
 - f. Alleged perpetrator or maltreater.

NOTE: If law enforcement is conducting a criminal investigation, the involved law enforcement officer will be responsible to determine how and when the interview with the alleged maltreater will occur. The Department will not interview the alleged maltreater until approved by law enforcement.

4-011.02 NOTIFICATION OF PARENTS OF CHILDREN:

When conducting an assessment of alleged neglect, physical abuse or sexual abuse of a child in a child care home or facility, the Department will make every effort to contact the parent or legal guardian of any suspected victims before interviewing the child. If attempts to contact the parent or legal guardian are unsuccessful and there is reason to believe that interviewing the child is necessary to protect the child or other children, the Department will interview the child without parental consent. Contact with the parent or legal guardian will then occur as soon as possible following the interview with the child.

The following information will be provided parents or legal guardians of children alleged to have been maltreated in a child care home or facility:

- Notice that a report alleging neglect, physical abuse or sexual abuse has been received and information on the nature of the maltreatment;
- Notice that the agency is conducting an assessment of the allegations;
- The protective or corrective measures taken; and
- The conclusions of the assessment along with any recommendations that will help protect the child from future maltreatment in the facility.

4-011.03 CASE STATUS DETERMINATION

A finding as to whether the agency has reasonable cause to believe that child abuse, neglect or sexual abuse occurred will be made. A determination about risk to other children in care will also be made. The Department may determine that risk of maltreatment to children exists without a substantiated finding that actual incidents of child abuse, neglect or sexual abuse has actually occurred. Recommendations about changes in practice or conditions that will reduce the likelihood of maltreatment will be made. Once these determinations have been made, the following will occur:

1. The case status determination will be entered into the Child Abuse and Neglect Registry.
2. A summary of the assessment, findings and recommendations for action will be sent to the appropriate licensing staff, resource development staff, case workers with children in placement and the county attorney.
3. The case findings will be shared with the alleged maltreater and child care provider.
4. Recommendations about changes in practice and conditions that would reduce the likelihood of maltreatment will be provided to the child care provider, the parents involved and the child care director in cases of a child care facility.

4-011.04 SUBSTANTIATED REPORTS:

When reports of child maltreatment are substantiated, the Department will:

1. Assess present risk to the child or children involved and assure steps are taken to protect the child or children.
2. Inform the child's or children's parent or legal guardian as soon as possible.
3. When an incident involves a child placed by another child caring agency, notify that agency responsible for the child's placement.
4. Immediately notify the appropriate licensing and contracting authorities of the substantiated abuse or neglect.

When neglect or abuse is substantiated, all parents of children cared for in that home or child care facility will be notified. If the Department determines that children are not safe in the care of a home or facility, recommendations will be made to the parent or legal guardian to make alternative child care arrangements.