CFSR Review
Window into Practice – Child Protective Investigations
Window into Practice – Case Management

CFSR Review

1. Question: When we complete the CFSR on a family are we supposed to include all children, correct? Do we focus on all the children in the family for all three sections or just for safety and have a focus child for permanency and wellbeing?

Response: All children in the home are considered when reviewing an in-home case. Permanency items are not applicable for in-home cases. Well-being items relating to education, physical, dental, mental/behavioral health are only rated if “relevant to the reason for the agency's involvement with the family and/or it is reasonable to expect that the agency would address educational issues given the circumstances of the case.” In an in-home case, this would include looking at any child in the family where relevant or reasonable to expect. (June, 2015)
Child Protective Investigations

1. **Question:** Who is responsible for quality control of the completed tools?

**Response:** Ultimately the QA Managers must assure that the data being submitted accurately reflects the findings.

2. **Question:** For CPI Standard 5, does this mean that the mother and/or father are required to be interviewed even when they are not named in the report?

**Response:** Interviews are to be conducted with all subjects of the report and with all household members. Even though mother and/or father may not be named in the report, if the CPI finds they are in the home, they must be interviewed and a determination made as to whether he/she should be added as subjects of the report.

3. **Question:** For CPI Standard 9 how do you rate non-custodial parent interview if he/she is hostile toward custodial parent?

**Response:** Reviewer would need to assess content of interview, were maltreatments discussed and other issues relevant to assessing child safety and parent's protective capacities sufficiently addressed?

4. **Question:** For CPI Standard 12, are we to assume if there is a court order a legal staffing occurred?

**Response:** Not necessarily. There may be a court order based on a petition filed by someone other than Children’s Legal Services and not the result of a staffing by the child welfare agency. Reviewers must use professional judgment if there is supporting documentation that at least to some degree, a staffing was held with legal services.

5. **Question:** For CPI Standard 19, is there any consideration being given regarding sufficient time to conduct an early services intervention staff to be effective?

**Response:** Given the 60 day time frame in which to complete an investigation, this may not be within the CPI’s control and may become a case management concern, however, the reviewer is encouraged to use professional judgment in rating this response which for the current year is a data gathering effort.
6. **Question:** If there is only initial supervisory guidance and no on-going, how should that be considered, particularly if there were missed opportunities for on-going supervisory guidance?

**Response:** Reviewers must use professional judgment in rating this standard and consider the content of the investigation and current safety issues to include present or impending danger. If in doubt, the reviewer should consult with the team lead for additional guidance.

7. **Question:** How many years back should out-of-state background checks be conducted?

**Response:** Families known to have lived elsewhere within the last five years at a minimum should undergo an out-of-state background check. Reviewers should consider the nature of the investigation and/or reasons an out-of-state background check is needed, i.e., sexual abuse victim being placed with a relative who has lived in Florida for only 10 years. CPIs should conduct an out-of-state on any serious maltreatment where safety may be comprised without knowing the out-of-state history.

8. **Question:** For CPI Standard 34, how do you rate the standard if the child was referred timely, however, the provider was unable to see the child within 72 hours for the child health checkup?

**Response:** The reviewer should look for a documented reason the provider was unable to complete the screening within 72 hours and determine if this a systemic factor (resource need unmet), but must still simply address whether the standard was met or not regardless of resource issues.

9. **Question:** If a maltreatment is verified and a supplemental report is received 29 days later where the maltreatment is “some indicators,” does this constitute reabuse even though it is in the same report?

**Response:** It would not be “counted” as a reabuse if the newer allegations were considered to be a part of the same investigation (even as a supplemental report) prior to closure.

10. **Question:** Standard 5 instructs the reviewer to consider the non-custodial parent a relevant collateral contact. Additionally, one of the ratings directs the reviewer to document "NA" if the mother, father or alleged caretaker responsible did not live in the home and was not a subject of the report. I understood the law required the CPI to contact both parents if their whereabouts is known or the parent can be located to advise about the investigation and explore whether the parent has any information regarding the investigation. With the current guidelines it appears we are no longer
requiring the non-custodial parent to be contacted, but if contacted the reviewer should consider the non-custodial parent a relevant collateral contact. I'm concerned with the current guidelines there is no place to address the failure to contact the non-custodial parent about an active investigation.

**Response:** Statute and rule refer to parent(s) in the context of "household members or family composition." Neither statute nor code specifies that the CPI must contact a "non-custodial" parent in all investigations if they are not a subject of the report, which is why the development team chose to stipulate that under those circumstances, the non-custodial contact should be considered a relevant collateral contact. Rule does provide direction when 1) a non-custodial parent is the alleged abuser (which then makes him/her a subject of the report) and so would be addressed in the interview with caretaker responsible section, and 2) when the custodial parent has been determined to have abused or neglected the child and so the non-custodial parent must be contacted in order to assess their willingness and/or ability to protect the child from the custodial parent.

**11. Question:** Standard 12 states a CLS staffing is required for a number of reasons, including to staff for the purpose of (4) determining whether there is legal sufficiency to file a shelter or dependency petition. If the supervisor directs the CPI to staff the case with CLS, but it does not meet the first three reasons and presumably is to address the fourth reason, do you penalize here if not done, and again later for not following through on supervisory direction (1.27). I'm always uncomfortable with double dinging for the same action or inaction.

**Response:** Standard 12 is specific to the CPI knowing a staffing with CLS was needed based on any of the 4 reasons given, and he/she arranged for and participated in a CLS staffing. If the CPI did not, but should have, staffed the case with CLS and upon supervisory review was actually told to do so, then the reviewer should focus on whether the supervisor's specific directions were followed even albeit after the fact but before closure. So, if the CPI should have, but didn't, the rating for is "O," but if it occurred at the supervisor's direction then you have to rate accordingly.

**12. Question:** Standard 12 asks if a dependency petition was filed or a valid reason for not pursuing dependency was documented when the CLS staffing documented legal sufficiency. Do we only note disagreement when the attorney notes there is legal sufficiency and a petition is not filed or do we note disagreement when the attorney documents there is no legal sufficiency and we believe there was. I'm finding an ever widening gap between what we (QA) believe constitutes legal sufficiency and what the attorneys believe constitutes legal sufficiency. Since they are the attorneys I think they are going to feel they should get to make this call! If this is our call I would appreciate some training on this from Mary Cagle.
Response: FSQA will invite Ms. Cagle to address this issue at our next QA Manager's meeting in November. A new standard may be appropriate that states, "Based on the evidence gathered, when the CPI believed there was legal sufficiency to deem the child dependent, but CLS disagreed, documentation reflects the matter was referred to upper management for conflict resolution."

13: Question: Does the ICWA question apply in an institutional investigation?

Response: Since F.A.C. 65C-29.003 requires a determination be made in all investigations, QA would interpret that to include institutionals. To comply with federal and F.A.C. requirements, QA's position is that CPIs should always ask the alleged victim if they are of American Indian or Alaskan Native descent AND CPIs should always contact the parent (even though the abuse/neglect is alleged within the institution the parent has a right to know what's happening with his/her child) asking again if they are of American Indian or Alaskan Native descent as the response may impact future placement decisions.

14. Question: Should supervisors maintain separate files on staff to document and maintain supervisory discussion activities?

Response: Any file labeled with an individual employee's name, regardless of content, is considered a "personnel file" and cannot be maintained separately in the supervisor’s office if the same file or information therein is also not maintained in the applicable HR office. It is permissible to maintain a folder labeled other than the individual's names as long as it contains information regarding more than one person.

15. Question. The CPI identified appropriate services (QPS #20) for the family, but the family refused. QPS #21 asks if appropriate referrals were completed, however, if the family refused services would the CPI still have to make referrals in order to achieve this standard?

Response: No. The intent is to measure performance when the CPI has identified that the child/family need immediate interventions to ensure safety and protection by initiating in-home non judicial services and supervision or court ordered supervision. If, the CPI identifies services that would be nice and helpful, but not absolutely necessary to ensure safety and protection, the reviewer should choose the NA option.
Case Management

1. **Question**: Who tracks which children were reviewed in previous quarters?

   **Response**: The guidelines were amended to reflect this is the responsibility of the CBC QA Manager. However, program office will determine if the duplicated children can be removed from the extract by the programmers.

2. **Question**: How can one say that review findings are representative of the total population when the sample is so small?

   **Response**: The minimum number of cases to be reviewed each quarter that are identified through specific sampling criteria will offer the regions and CBCs some global observations of their performance overall. CBCs are not limited to a review of the minimum number per quarter and should plan for ongoing and continuous review based on the data that is gleaned from performance measure reporting as well as findings from quarterly case file reviews.

3. **Question**: Should runaways/missing children be included in the review sample?

   **Response**: Yes

4. **Question**: Who is responsible for quality control of the completed tools?

   **Response**: Ultimately the QA Managers must assure that the data being submitted accurately reflects the findings.

5. **Question**: Will the new FSFN six-month assessment meet case management standard #7.0?

   **Response**: The format in FSFN can be used to address the question, but the reviewer is to look for quality not just that the format indicates an assessment was done.

6. **Question**: For Case Management Standard 7.0, previously the JRSSR was accepted as a form of documenting the six-month assessment. Is this still the case?

   **Response**: If the JSSR documents a case plan update and clearly reflects a thoughtful assessment process occurred, reviewers should consider the standard is met.

7. **Question**: If a court orders reunification without CBC’s recommendation and if the home is out-of-county or state and a home study cannot be completed “immediately,” how would a reviewer rate Case Management Standard 9?
Response: The reviewer should look for documentation that the case manager made concerted efforts to conduct an assessment prior to the physical reunification. If circumstances were beyond case management’s control, the reviewer should note the reason one was not conducted prior to reunification, but indicate the standard was not met.

8. Question: For Case Management Standard 66, will this rating be the result of a “roll-up” of previous questions, or will it be a reviewer’s judgment?

Response: This is not a “roll-up” per se’ but it does ask the reviewer to sit back and reflect on all of the information gathered during the review process and offer a professional assessment of the work performed and its likelihood to being successful.

9. Question: For Case Management Standard 41, federal and state requirements do not require a judicial determination be made on exceptions to TPR petitions, rather that the child welfare agency document that they have reported thus to the court as documented in a court report (JSSR) or “permanency plan.” Writer is concerned that the way the “Yes” rating is worded, reviewers may give a negative response if there is no actual court order documenting a judicial determination.

Response: The intent of the standard is to assess IF the child welfare agency did not file a TPR petition, did they clearly specify a justifiable reason for not having filed one? The child welfare agency must document that they have reported to the court why a TPR petition was not filed, but they would not be accountable for an actual judicial determination. The “Yes” rating will need to be modified in the next version.

10. Question: For Case Management Standard 22, instructions indicate this standard is applied to all cases, but the reference is Permanency. It does not seem appropriate to ask this question in In-home cases as these cases have no relationship with the Permanency outcomes. Isn’t there a risk of mixing the data if you ask the same question for In-Home and Out-of-Home cases?

Response: Services cases (regardless of In-Home versus Out-of-Home) must have a case plan goal. Reviewers are asked to assess the appropriateness of the goal in case reviews as to whether the goal reflects the family’s circumstances. In the example of an In-Home case, the reviewer must consider if Maintain and Strengthen is an appropriate goal based on the information presented. Even this goal (Maintain and Strengthen) ties to a child’s permanency, i.e., preventing them from entering care in the first place and/or supporting reunification. Based on that logic the standard will continue to reference Permanency. However, once the data is collected, In-Home cases could be separated from the overall data if needed.
11: Question: Should an 18 year old Independent Living youth be removed from the sampling list.

Response: No, even though many standards may not apply, there are several standards specific to Independent Living that need to be assessed.

12. Question: In this scenario, reviewers found the file did not have a current case plan, but the child left out-of-home care and returned home under post-placement supervision. If it is apparent that the case plan goal was appropriate, that is reunification (or maintain and strengthen upon reunification), can you answer Standard #22 as a positive if the reviewer could figure out from the record what the goal was even if there was no case plan?

Response: No, if the case plan was expired or non-existent, the standard was not met as it is directly related to the existence of a case plan. It would not be appropriate to rate the standard as achieved based on the reviewer deducing from the present circumstances, that the goal was appropriate.

13. Question: Should supervisors maintain separate files on staff to document and maintain supervisory discussion activities?

Response: Any file labeled with an individual employee’s name, regardless of content, is considered a “personnel file” and cannot be maintained separately in the supervisor’s office if the same file or information therein is also not maintained in the applicable HR office. It is permissible to maintain a folder labeled other than the individual’s names as long as it contains information regarding more than one person.

14. Question: Should an exit interview be conducted with an age appropriate youth when he/she was moved from one group home to another even if the group homes are overseen by the same provider? The move changed the youth’s physical environment, cottage parents, housemates, the county where he resided plus the school he attended.

Response: Yes, it is imperative to conduct exit interviews in this situation.

15. Question: Standard #13 asks if a placement is stable and appropriate, however, the requirements and instructions language only address stability. Should reviewers consider both aspects?

Response: Yes, the qualitative nature of the standard requires the reviewer to consider the stability of the placement, as well as whether the placement is appropriate based on the child’s needs and the family’s ability to meet those needs while assuring child safety and well-being.
16. **Question:** Regarding Standard #17, is an exit interview required under the following circumstances? A youth was living in a licensed setting. He was arrested and spent two weeks in jail. During the time the youth was in jail, he “aged-out.” Current instructions for this standard indicate an exit interview is required when a child goes from one placement to another. Is jail considered a placement which would then invoke the requirement for an exit interview?

**Response:** Chapter 65C-29.017 F.A.C., requires an exit interview on any child who “leaves a licensed out-of-home placement if the child resided in that placement for thirty days or more.” Therefore, in this case, assuming the youth lived in the placement over thirty days, an exit interview should have been done regardless that he left the placement to serve time in jail. However, the standard is written as “moved” from one placement to another, so for this specific scenario the standard should be rated as an NA pending revisions to instructions.

17: **Question:** Case Scenario: In the beginning the focus child and three half-siblings resided with the mother and stepfather. Prior to the review period a motion for a change of placement was granted and the focus child was moved from the mother's custody to the father and remained in the father's home in in-home care for the entire period under review. The three half-siblings were initially removed from the mother before the review period and placed with relatives for part of the review period, and then later reunified with the mother for the remainder of the review period. The court dismissed the petition on the focus child and father and relinquished jurisdiction to family court, but went forward on the dependency petition for the mother as it related to the three half-siblings. Even though the court dismissed the petition on the focus child and father, the agency continued to supervise the family for an additional three months during the review period.

We have approached this case as an in-home case for the focus child, but have answered the review elements related to the assessment of risk, identification of service needs and referrals for needed services for all four children, because it is one case involving two households. Local CBC has expressed concern about us looking at the case management for the six months the agency continued to supervise the child and father (we treated it as a VPS case), and believes we should not consider the additional six month period when assessing the quality of services as to the other three children. Reportedly, they continued to supervise the father and son because they did not believe the judge relinquishing jurisdiction to the family court trumped the dependency action. Additionally, local CBC does not think we should be assessing the risk, service needs and referrals for the three half-siblings who remain with the mother. The focus child spends every other weekend at the mother's home and half of each summer at the mother's home.
The record contains an October 17, 2007 court order on the judicial review and notes it is in the best interest of the focus child to remain with his father under protective supervision. The goal was maintain and strengthen.

Response: There is no logical rationale that would support NOT reviewing the 6 months of ongoing services/supervision case with focus child and father - no matter what the agency thought about dependency trumping the court's decision to relinquish jurisdiction. It is critical that we look at the whole picture which means assessing case work activities related to the focus child and siblings no matter which home he/they live in or with which parent for the period under review.

18. Question: This case involved two fathers. One of the father’s rights has been terminated, and the other one is incarcerated. The court entered a no contact order with the child. Given this the reviewer considered Standard #52 as an NA. Is this correct?

Response: While it’s true the rating options and considerations sections are not all inclusive, the reviewer should not consider the standard not applicable simply based on the parent’s incarceration and no-contact order. Reviewers should consider some of the following:

- what’s the father in jail for? Some heinous crime?
- how long is in for?
- how involved was he in the child's life before incarceration?
- why did the court order no contact between him and the child?
- what’s the permanency goal - any remote possibility that the father would be considered as a placement option/reunification?
- is there a plan to terminate his parental rights?

The child welfare system is obligated to assess parents' needs even when they are incarcerated (regardless of a no contact order with the child). So, a reviewer must determine if there are truly compelling reasons why one wouldn’t expect the same practices in this case.

If the assessment wasn't done ONLY because of the court ordering no contact with the child, this is insufficient reason. One may not have been able to engage the father in service delivery (#53) but case workers must still assess the need.

19: Question: This scenario involves a child who was reunified in August 2006. In January 2007 he was removed prior to the post placement supervision being completed. Our review period began October 1, 2007. If the child entered care nine months prior to the beginning of our review period, would this constitute a re-entry because it is less than 12 months before the beginning of the review period, or does the child have to re-enter during the review period?
Response: This case would not show up on FSFN as a re-entry if looking at the data during the period under review since the 12 months would have ended August 2007. The CFSR protocol, which is the foundation for Florida’s system, states the purpose in assessing this standard is to, “assess whether children who entered [not those who were already in] foster care during the period under review were re-entering with 12 months of a prior foster care episode.”

20. Question: The case being reviewed was an out-of-home case. The child had a good educational assessment, services were provided but had not "reduced or resolved" the issue. While there was on-going reassessment, it still does not meet the Yes definition. In looking at all the possible responses, none fit. There is a significant difference in language between Yes and No. Yes speaks to reduced or resolved and No speaks to providing the services and that was already addressed in another Standard.

Response: Reviewers should document Yes, based on an assessment being done, identifying the services needed and the services being provided. If they are not working, and there is an ongoing assessment, and no additional interventions are identified by the experts, it would not be appropriate to rate “No,” without documenting the additional interventions needed. However, if an additional assessment was indicated, based on the concerns not being reduced or resolved, and not done, a “No” rating would be appropriate.

21. Question: Should reviewers consider a out of county worker’s supervisor’s reviews when assessing Standard #20? For example, if two were done by the courtesy supervisory and two were done by the primary worker’s supervisor, would a reviewer answer yes?

Response: Yes, FSFN does not distinguish between out of county supervisor reviews versus primary supervisor reviews.

22: Question: For Standard #42, the instructions for a Yes response do not match the wording of the standard. A Yes response implies successful identification and recruitment of an adoptive family rather than “appropriate steps were taken…”

Response: This was re-worded in the refined version as the standard is indeed assessing taking the necessary steps rather than end results of successfully identifying a specific family.

Also, for Standard #42, a NA response option includes APPLA or reunification cases.

23. Question: For Standard #19, a NA response is needed for cases where there were no placement changes.

Response: Agree. This option is now available.
24. **Question:** For Standard #66 (now # 70), how are we supposed to be answering this? Is it based on the status of the case on the last day of the review period or as of the date the review is being conducted?

**Response:** The intent of this standard is to encourage reviewers to sit back and really reflect on everything they’ve learned about the child, the family, the case work, future plans, etc. and determine how likely it is, that at the end of the day and given all of this information, that the child will continue to be in a good place over the next 12 months. Do not limit your thinking to the period under review. Consider the question in real-time, the here and now as events may help shape the child’s future.

25. **Question:** Of late we've been hearing that there are discrepancies in how reviewers are addressing standards for in-home cases, that is to say, does the standard apply to the in-home focus child or to all in-home children. Practice variances include:

- ✓ consider all children in in-home case reviews (at least for specific standards similarly to the CFSR),
- ✓ remain focused on the focus child except where instructions clearly indicate an assessment of all children is expected, and
- ✓ rely on the actual wording of the standard itself - if the standard references "child" versus "children" then the reviewer responds accordingly.

**Response:** As to the focus child in in-home cases and after conferring with ACF, Children's Bureau last week, we will "consider all children" when reviewing an in-home case, but the way the model is designed, it is logical to collect the data specific to the sampled child or all children if the standard and/or instructions specify such. By "considering" all children in the sampled in-home case as you move through the review process, you will then advise local management of any issues you’ve identified, but data collection will be on the focus child unless otherwise specified. And, you certainly have the option to drill down further if deemed necessary in a separate review.

26. **Question:** Do we rate all in-home standards when reviewing a case involving a child in a post-placement supervision setting?

**Response:** The standards were updated to include specificity in identifying which standards apply to this specific population.

27. **Question:** In QPS # 56 regarding the frequency of visits, should the reviewer consider if an unannounced home visit occurred?
Response: Yes. The 2010 tweaking workgroup identified a trend from previous file reviews over the last couple of years that case managers were tending to make appointments to see the families and were not making the required unannounced visits in the home minimally every three months as required by rule; therefore, the workgroup added language in the instructions and considerations section that the reviewer should consider this requirement as well in rating frequency of visits overall.