Revised 12.04 .2020 Agency Response Guide WHAT IS THE ALLEGED ABUSE AND/OR NEGLECT IN THIS REFERRAL? DOES THE ALLEGED ABUSE AND/OR NEGLECT MEET CRITERIA FOR AGENCY RESPONSE? The following definitions were taken from Colorado Children’s Code Title 19, 19 -1-103: \_Any case in which a child exhibits evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling, or death and either: Such condition or death is not justifiably explained; the h istory given concerning such condition is at variance with the degree or type of such condition or death; or the circumstances indicate that such condition may not be the product of an accidental occurrence. \_Any case in which a child is subjected to unl awful sexual behavior. \_Any case in which a child is a child in need of services because the child's parents, legal guardian, or custodian fails to take the same actions to provide adequate food, clothing, shelter, medical care, or supervision that a prud ent parent would take. \_Any case in which a child is subjected to emotional abuse. As used in this subparagraph (IV), "emotional abuse" means an identifiable and substantial impairment of the child's intellectual or psychological functioning or developmen t or a substantial risk of impairment of the child's intellectual or psychological functioning or development. \_ Any case in which a parent, guardian, or legal custodian has abandoned the child or has subjected him or her to mistreatment or abuse or a par ent, guardian, or legal custodian has suffered or allowed another to mistreat or abuse the child without taking lawful means to stop such mistreatment or abuse and prevent it from recurring. \_Any case in which a child lacks proper parental care through th e actions or omissions of the parent, guardian, or legal custodian. \_Any case in which a child's environment is i njurious to his or her welfare. \_Any case in which, in the presence of a child, or on the premises where a child is found, or where a child resides, a controlled substance, as defined in section 18 -18-102 (5), C.R.S., is manufactured or attempted to be manufactured. \_Any case in which a child is born affected by alcohol or substance exposure, except when taken as prescribed or recommended and monitored by a licensed health care provider, and the newborn child's health or welfare is threatened by substance use. \_Any case in which a child is subjected to human trafficking of a minor for involuntary servitude, as described in section 18 -3-503, C.R.S. or sexual servitude, as described in section 18-3-504, C.R.S . \_No, does not require further action (screen out) per Social Services Rule 7.103.4. Revised 12.04 .2020 Initial Review : (7.103.3) When available, the county department shall gather the information in Section 7.103.1, A and/or B, and conduct an initial review. The initial review shall decide if no further action is required, if the referral shall be assigned for assessment, the approp riateness of an immediate response to an assessment, the need for red team review, and/or the appropriateness of a referral to prevention services. It shall include, but not be limited to, the following actions: A. Review the child(ren)/youth’s vulnerabil ity as defined in section 7.000.2. B. Review the state automated case management system and any available county department files within twenty -four (24) hours for: 1. Prior referrals and/or involvement with the alleged victim child(ren), family, and per son(s) alleged to be responsible for the abuse and/or neglect; 2. Actions taken; and 3. Services provided to inform whether there is known or suspected abuse and/or neglect or serious threats of harm to a child. C. As available and appropriate, obtain i nformation from collateral sources such as schools, medical personnel, law enforcement agencies, or other care providers. D. All referrals shall be reviewed and approved by a supervisor, and documented in the state automated case management system. The re view shall include, at a minimum, two certified child welfare staff. If there is disagreement in the determination, the referral shall be reviewed through the red team process. E. Prevention services shall be considered, if available, for screened out refe rrals. Criteria For Assi gning A Referral For Assessment: (7.103.5) A. County departments shall screen in and assign a referral for assessment if it: 1. Contains specific allegations of known or suspected abuse and/or neglect as defined in Section 7.000.2; 2. Provides sufficient information to locate the alleged victim; and 3. Identifies a victim under the age of eighteen (18). DETERMINE RESPONSE TIM E: (7.103.61 ) The decision of how quickly to initiate an assessment shall be based on specific reported information that is credible and that indicates whether a child may be unsafe or at risk of harm. 1. An immediate response is required when a referral indicates that: a. There may be present danger of moderate to severe harm; or, b. The child's vulnerability and/or factors such as drug and alcohol abuse, violence, isolation, or risk of flight increase the need for immediate response. c. An immediate response shall require a response within eight (8) hours from the receipt of the referral. If the victim child(ren)/youth cannot be located within the initial timeframe, subsequent face to face contact attempt s shall continue to be made every twenty -four (24) hours from the time of the initial attempted contact. 2. A three (3) calendar day response is required when a referral indicates that: Revised 12.04 .2020 a. There may be impending danger of moderate to severe harm; or, b. The alleged victim child(ren)’s vulnerability and/or factors such as drug and alcohol abuse, violence, isolation, or risk of flight, increase the need for intervention in the near future. c. The three (3) calendar day count starts on the day following the receipt of a referral, and expires at the end of the third calendar day at 11:59 PM following receipt of the referral. d. If the victim child(ren)/youth cannot be located within the initial timeframe, subsequent face to face contact attempts shall continue to be made within every subsequent three calendar days. 3. A five (5) working day response is required when: a. A referral indicates an absence of safety concerns. b. The five (5) day count starts on the first business day following the receipt of a referral and expires at the end of the fifth business day at 11:59 PM following the receipt of the referral. c. If the victim child(ren)/youth cannot be located within the initial timeframe, subsequent face to face contact attempts shall continue to be made within every subsequent five business days. BASED ON THE ALLEGATION(S) IDENTIFIED IN THE REPORT, SELECT ONE OF THE FOLLOWING: 5High Risk Assessment (SELECT REASON) 7.103.7 ( B) HRA is mandatory for a o child fatality , near fatality , or egregious incident determined to be the result of abuse and/or neglect , o institutional abuse, and o intrafamilial sexual abuse. Discretionary Reasons : o Currently open HRA response o Frequent, similar, recent referrals o Violent activities in the household o Caregiver declined services in the past o Caregiver unwilling/unable to achieve safety o Past safety concerns not resolved o Previous serious child harm offenses o Credible RP alleges high safety concern o High child vulnerability o Substance Abuse not manageable through FAR o Domestic Violence not manageable through FAR o Court ordered investigation o FAR Eligible, approved exemption – staffing o Not in FAR County jurisdiction o Insufficient info to assess for FAR eligibility o Other (Describe): 5 THIS REFERRAL IS FAR ELIGIBLE Revised 12.04 .2020 DIFFERENTIAL RESPONSE ALLEGED ABUSE AND/OR NEGLECT GUIDE The below instances are examples of what response type may be appropriate. Track assignment shall be determined by the following factors: present danger, multiple previous referrals, and/or presenting case characteristics such as type of alleged maltreatm ent paired with high vulnerability of the alleged victim. Neglect High Risk Assessment Family Assessment Response ˑFailure to provide medical care in life endangering situations ˑVulnerable child without supervision ˑChild inadequately supervised, imminent danger ˑMedical diagnosis of failure to thrive ˑChild abandonment ˑHousing conditions pose health, safety or harm to the children ˑChild exposed to methamphetamine manufacturing ˑDomestic issues between adults in residence endanger the safety ˑChild access to drugs and welfare of the child ˑAlleged PRAN assaults non -offending victim while holding ˑEducational neglect child ˑChild born exposed to chemicals/drugs ˑWeapons are being used in the vicinity of the child ˑCaregiver involved in pos session, use, sale of a controlled ˑChild intervenes in an incident of domestic violence and substance in the presence of the child is injured ˑCaregiver driving under the influence with child ˑAlleged domestic violence PRAN has made suicidal or ˑChild has a physical, mental or emotional condition requiring homicidal statements care that is not being received ˑFailure to protect from conditions actions which endanger child ˑChild present or involved with parent committing a criminal act ˑItems thrown in the vicinity of child ˑChild intervenes in an incident of domestic violence and is not injured Physical High Risk Assessment Family Assessment Response ˑ Life threatening injury ˑ Threatened physical abuse ˑReport of non-accidental injury which requires medical attention ˑ Present visible injury ˑSevere injury(Broken bone, injury to the head, torso or genitals) ˑ First or Second degree burns (non -accidental) ˑThird degree burns (non -accidental) ˑ Report of non-accidental injury, not currently present ˑ Physical punishment to child less than 3 y/o involving ˑ Unexplained injury shaking, throwing or hitting head or trunk ˑ Excessive/extreme/severe punishment without injury ˑ Excessive physical injuries ˑ Unreasonable confinement or restraint including tying, locking, caging or chaining child has injuries ˑ Child fatality with other children living in the home Sexual High Risk Assessment Family Assessment Response ˑ All allegations of intra -familial sexual abuse Emotional High Risk Assessment Family Assessment Response ˑ Child is restrained or restricted from leaving during a ˑ Verbal acts or omissions which have an observable adverse domestic violence incident effect on the child (name calling, language, constant yelling) ˑ Unreasonable confinement or restraint including tying, unreasonable force or cruelty locking, caging or chaining or unreasonable force or cruelty ˑ Caregiver shows little or no attachment ˑ Child shows behavioral changes that appear to be related to domestic violence and is fearful of physical injury or death to self or other s Revised 12.04 .2020 Referrals Requiring No Further Action : (7.103.4 ) County departments may determine that a referral does not require further action and screen it out for the following reasons: A. The current allegations have previously been assessed; B. The alleged victim child(ren) or youth in conflict are not located o r reside in the State of Colorado. In this circumstance, the county department shall inform the other state or county department of the referral; C. Referral does not meet criteria of abuse and/or neglect as defined in statutes and regulations; D. Referr al lacks sufficient information to locate the alleged victim child(ren) or youth in conflict; or E. Referral is duplicative of a previous referral. In this circumstance, the county department shall associate the duplicate referral with the previous referr al in the state automated case management system). A referral cannot be considered duplicate if the following circumstances are present: 1. Different incident date; 2. Different alleged victim; 3. Different alleged person responsible for abuse and/or n eglect; 4. Different household; and/or 5. Additional information poses a new or renewed threat of safety to the child(ren)/youth. F. The person alleged to be responsible for the abuse and/or neglect is a third (3rd) party and ten (10) years of age or older. In this circumstance, the county department shall send the referral to the appropriate law enforcement agency. G. There is no c urrent allegation of child abuse and/or neglect; H. More appropriate services for the child/youth who is alleged to be a youth in conflict are currently being provided by another agency; I. Referral does not meet the definition of youth in conflict as de fined in section CCR 2509 -1, 7.000.2; and J. The decision to screen out a referral shall be made by a minimum of two (2) certified child welfare staff from the same county or in conjunction with another county. When there is disagreement to screen out, th e referral shall be reviewed through the red team process.