

## **POLICY II-C: DIFFERENTIAL RESPONSE**

01/2013

### **OVERVIEW**

Differential Response (DR) is a method that allows the Division to respond to reports of specific, low risk allegations of child maltreatment with a Family Assessment (FA) rather than the traditional investigative response. The goals of Differential Response are to prevent removal from the home and strengthen the families involved. As with investigations, Differential Response is initiated through accepted Child Abuse Hotline reports and focuses on the safety and well-being of the child and promotes permanency. Having two different response options in the child welfare system recognizes that there are variations in the severity of the reported maltreatment and allows for a Differential Response or an investigation, whichever is most appropriate, to respond to reports of child neglect.

Investigations require the gathering of forensic evidence in order to formally determine whether there is a preponderance of evidence that child abuse or neglect has occurred. Differential Response is a program that uses a non-adversarial, non-accusatory Family Assessment approach. With DR, there is no finding of “substantiated” or “unsubstantiated”, and no one is identified as a perpetrator or offender. Community involvement and connecting a family to informal, supportive resources in their local communities are crucial aspects to a successful intervention for all types of cases, but particularly for DR.

Differential Response is more likely to create situations where a family is receptive to services and is more likely to engage in those services. DR involves a comprehensive and collaborative Family Assessment of the family’s strengths and needs and offers services to meet the family’s needs and support positive parenting. The information obtained through the Family Assessment approach will be used to create a Family Plan which will be designed to strengthen protective factors within the family and mitigate any risk factors facing the family.

### **DIFFERENTIAL RESPONSE ELIGIBILITY CRITERIA**

All of the following factors must be present for a report to be assigned to Differential Response:

- A. Identifying information for the family members and their current address or a means to locate them is known at the time of the report;
- B. The alleged perpetrators are parents, birth or adoptive, legal guardians, custodians, or any person standing in loco parentis;
- C. The family has no pending investigation or open protective services or supportive services case;
- D. The alleged victims, siblings or other household members, are not currently in the care and custody of Arkansas Department of Children and Family Services or wards of the court;
- E. Protective custody of the children has not been taken or required in the current investigation; and,
- F. The reported allegations shall only include:
  - 1) Inadequate Supervision
  - 2) Inadequate Food
  - 3) Inadequate Clothing
  - 4) Inadequate Shelter
  - 5) Educational Neglect
  - 6) Environmental Neglect
  - 7) Lock Out
  - 8) Medical Neglect

The following circumstances involving the allegations prohibit the report from being assigned to a Differential Response pathway:

- A. Inadequate Supervision reports involving a child or children under the age of nine, or a child older than nine years of age with a physical or mental disability which limits his or her skills in the areas of communication, self-care, self-direction, and safety will be assigned the investigative pathway.
- B. Inadequate Food reports involving a child or children under the age of six; and those situations in which the hotline assesses an immediate danger to the child's health or physical well-being based upon severity.
- C. Educational Neglect reports involving a child that was never enrolled in an educational program.
- D. Environmental Neglect reports involving a child or children under the age of six; and those situations in which the hotline assesses an immediate danger to the child's health or physical well-being based upon the severity.
- E. Lock out reports involving a child or children under the age of 13; and those situations in which the hotline assesses an immediate danger to the child's health or physical well-being based upon the severity.
- F. Medical Neglect reports involving a child or children under the age of 13 or a child with a severe medical condition that could become serious enough to cause long-term harm to the child if untreated will be assigned the investigative pathway.

If upon initial DR contact with the family it is determined that there are additional children in the home who were not included in the hotline report and whose ages would, as outlined above, prohibit assignment to the Differential Response pathway, the DRT Supervisor and Specialist shall assess on a case by case basis whether a case will remain a DR case or be reassigned to the investigative pathway.

#### DIFFERENTIAL RESPONSE TIMEFRAMES

Face-to-face contact with all household members involved in a Differential Response report must take place within 72 hours of receipt of initial hotline report. Differential Response cases are intended to be short-term lasting no longer than 30 days with the possibility of only two 15 day extensions if necessary. If a DR case is not closed by the end of 30 days or the allowed extension timeframes, then it will be closed or reassigned as a Supportive Services case or as an investigation as appropriate.

#### DIFFERENTIAL RESPONSE TEAM

Family Assessments will be conducted by specific Differential Response Teams (DCFS teams or contract provider teams) whose role is to assess for safety, identify service needs, and arrange for the services to be put in place. The local Differential Response Team (DRT) may consist of up to three primary roles:

- A. DRT Supervisor - Provides management services including review and approval of assessments, case plans, and appropriateness of service referrals, case file documentation, service extensions, and requests to close family assessment cases.
- B. DRT Specialist(s) - Initiates contact with family and assumes the role of the family's advocate and case manager.
- C. DRT Program Assistant(s) – Provides support and assistance as needed to the DRT Specialist(s) and families involved in DR cases.

At minimum, a local Differential Response Team will be comprised of a DRT Supervisor and a DRT Program Specialist.

#### REASSIGNMENTS FROM DIFFERENTIAL RESPONSE TO INVESTIGATIONS

Families have the option to decline to participate in the DR Family Assessment or associated services. If the refusal to participate does not impact a child's safety, the case is closed. However, if DCFS is unable to conduct a Health and Safety Assessment and/or the case information indicates that a refusal to participate in the DR

**Family Assessment or associated services compromises a child's safety, the case will be reassigned to the investigative pathway.**

**If upon contact with the family a new child maltreatment allegation (not related to the allegation connected to the DR referral) is identified by the DR Team, a call will be made to the Child Abuse Hotline regarding the new allegation.**

**If at any time during the DR service delivery period the DRT Specialist, contract provider, or other service provider has reasonable cause to believe that a safety factor is present and, as such, the child's health and/or physical well-being are in immediate danger (as related to the allegation(s) for which the initial DR referral was made), then the DRT Supervisor should contact the DCFS DR Coordinator or designee immediately for reassignment of the case to the investigative pathway.**

**If at any time during the DR service delivery period the DRT Specialist, contract provider, or other service provider identifies a new child maltreatment allegation (not related to the allegation connected to the DR referral) a call will be made immediately to the Child Abuse Hotline by the individual who suspects the new child maltreatment allegation.**

#### **REASSIGNMENTS FROM INVESTIGATIONS TO DIFFERENTIAL RESPONSE**

**If upon initial review of the hotline investigation referral it is determined that the referral is eligible for Differential Response, the local DCFS Supervisor may send an email request to the Child Abuse Hotline to assess for reassignment to the Differential Response pathway.**

### **Procedure II-C1: Child Abuse Hotline Referral to Differential Response**

01/2013

The Child Abuse Hotline Worker will:

- A. Receive and document all child maltreatment allegation reports with sufficiently identifying information as defined by Arkansas law. Situations in which the hotline assesses as an immediate danger to the child's health and physical well-being based upon the severity of the allegations shall be excluded from the Differential Response pathway and referred to DCFS as an investigation.
- B. Receive fax transmission in non-emergency situations by identified reporters who provide their name, phone number, and email address (for online reporting). Confirm receipt of fax transmission via a return fax transmission.
- C. Conduct a history check on all reports unless call waiting to be answered by the hotline have been waiting for 15 minutes or longer. History checks will be conducted on serious maltreatment allegations or allegations involving children 3 years of age and younger regardless of wait time.
- D. Attempt to secure all information requested in each screen within the Referral Section of CHRIS and elicit all information requested on the "Referral" and "Narrative" screens:
  - 1) Reason(s) the reporter suspects child maltreatment and how the reporter acquired the information;
  - 2) Current risk of harm to the child;
  - 3) Mental and physical condition of alleged offender;
  - 4) Potential danger to staff assessing the report;
  - 5) Identity and location of possible witnesses or persons knowledgeable about the alleged child maltreatment;
  - 6) Relevant addresses and directions;
  - 7) Licensing authority and facility involved (if applicable).

- E. Prioritize the report by keying the “Ref. Accept” screen. Central Registry Search results is a mandatory field on this screen. Use the Child Maltreatment Assessment Protocol (PUB-357) as a guide.
- F. If the referral meets the Differential Response eligibility criteria noted above, forward the report to the Differential Response Coordinator or designee for assessment along with any pertinent Central Registry information.
- G. Inform the caller if the report does not constitute a report of child maltreatment and make appropriate referrals.
- H. Notify each mandated reporter who makes a call to the hotline if the mandated reporter’s call is not accepted or is screened out on a subsequent hotline supervisor review. Said notification should be made within 48-hours excluding weekends and holidays.

## **Procedure II-C2: Receipt and Assignment of Differential Response Referral**

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Upon receipt of the DR referral from the Child Abuse Hotline, the DCFS Differential Response Coordinator (DRC) or designee will:

- A. Determine if the referral meets the criteria for Differential Response by completing a child maltreatment history check on the family to determine if there is an open case or investigation.
- B. Reassign the referral to the investigative pathway (hotline call not required) if the DR referral is determined to be ineligible.
- C. Review and assign Differential Response reports to the appropriate county’s DR Team or contract provider no later than two hours after receipt of reports, excluding evenings, weekends, and holidays, provided initial face-to-face contact with families is made within 72 hours of receipt of initial hotline report.

## **Procedure II-C3: Differential Response Initiation and Family Assessment**

01/2013

The Differential Response Team (DRT) Supervisor will:

- A. Assign each new report to a DRT Specialist within two hours of receipt from the DR Coordinator (or designee) provided initial face-to-face contact with families is made within 72 hours of receipt of initial hotline report.
- B. Conference with the DRT Specialist within 24 hours (excluding weekends and holidays in which case the conference will take place the next business day) after the DRT Specialist’s initial face-to-face contact with the family and identify a plan for the next steps to be taken.
- C. Determine whether a transfer to investigation is appropriate:
  - 1) If a transfer is appropriate and relates to the same child maltreatment allegation for which the DR referral was made, the DRT Supervisor will contact the DR Coordinator or designee to request reassignment of the DR referral to the investigative pathway; or;
  - 2) If a transfer is appropriate and needed due to a new child maltreatment allegation that is unrelated to the DR referral, call the Child Abuse Hotline immediately; or,
  - 3) If a transfer is not appropriate, conference with DRT Specialist to review/discuss case information (i.e., allegation, risk/safety concerns, immediate needs, and other case specific information).
    - a) Review and approve Family Assessments, Family Plans, and appropriateness of service referrals, case file documentation, and requests to close family assessment cases.
- D. Document all supervisor activities in CHRIS.
- E. Regarding families with whom the DRT Specialist cannot make face-to-face contact, assess information and determine whether DRT Specialist has met due diligence no later than the seventh day after case assignment.
- F. Provide consultation to the DRT Specialist as appropriate.

The Differential Response Team (DRT) Specialist will:

- A. Prepare for meeting the family by completing the following activities prior to making initial face-to-face contact with the family:
  - 1) Interview other persons with information listed on the report as needed.
  - 2) Consider contacting the family by phone within 24 hours of case assignment, if a phone number is provided in the report and/or if appropriate considering initiation timeframe requirements to:
    - a) Explain Differential Response;
    - b) Schedule the initial in-home family visit that will include all household members; and,
    - c) Verify the names and dates of birth of all family members and other persons living in the household.
- B. Visit the family in the family's home within 72 hours from the time the referral was received at the Child Abuse Hotline (based on the reported needs and/or safety issues of the family, DRT Supervisor may require that the initial contact with the family occur sooner than 72 hours). All household members should be present.
- C. Provide the following information to the family and other household members during the initial in-home visit:
  - 1) Explanation of Differential Response including the disclosure that participation in the program is voluntary, and that if the family declines to participate in the program the case may be closed or referred for investigation through the Child Abuse Hotline based on assessed risk and/or safety issues. If the family will not allow the worker access to the child or children, the family has declined family assessment services (see Procedure II-C4 for more information);
  - 2) Differential Response Brochure;
  - 3) CFS-100: Differential Response Program Authorization for Release of Information (to be completed by family).
- D. Gather information during the initial in-home visit through the activities listed below:
  - 1) Identify information and legal relationships of all household members.
    - a) If it is discovered that there are additional children in the home who were not included in the hotline report and whose ages would prohibit assignment to the DR pathway, conference with DRT Supervisor to assess on a case-by-case basis whether a case will remain a DR case or be reassigned to the investigative pathway.
  - 2) Obtain the names and addresses of any non-custodial parents.
  - 3) Obtain DHS-81: DHS Consent for Release of information signed by a family member with the authority to give consent.
  - 4) Complete a Health and Safety Assessment.
    - a) If the Health and Safety Assessment identifies safety factors, the DR Specialist will contact the DRT Supervisor to determine whether a call to the Child Abuse Hotline and/or notification to the DR Coordinator or designee is appropriate.
- E. Conduct a Division of County Operations (DCO) records check of members of the household if they have not been completed.
- F. Request a supervisor conference to review/discuss case information (i.e., allegation, risk/safety concerns, immediate needs, and other case specific information).
- G. Document all activities in CHRIS within 24-hours after they are completed (excluding weekends and holidays in which case all activities should be documented on the next business day).
- H. If the referral contains inaccurate information (i.e., names, current locations) which the DRT Specialist cannot use to quickly locate the family, take whatever steps are necessary to locate and establish face-to-face contact with the family.
  - 1) As part of meeting due diligence in establishing face-to-face contact with the family, complete as many of the following activities necessary depending on circumstances surrounding referral and family:

- a) Conduct the appropriate Division of County Operations (DCO) record checks to attempt to obtain a valid address for the family.
  - b) Ask the local, county, and state law enforcement agencies to check their records for information that may locate the child and family.
  - c) Ask relatives and friends of the subjects to provide information to help locate the subjects.
  - d) Contact the local post office, utility companies, and schools to request a check of their records.
  - e) Conduct Lexis Nexis search to attempt to locate the family.
- 2) If after completion of all the activities listed above, no contact is made with the family by the sixth business day after case assignment, document information on a case contact (*DRT Supervisor will assess the information and determine whether due diligence has been met, no later than the seventh day after case assignment*).
- a) If DRT Supervisor deems that due diligence has been met:
    - i. Close assessment as Unable to Locate; or,
    - ii. In certain cases where the severity of the allegation and/or other known conditions warrant a reassignment to the investigative pathway, contact the DR Coordinator or designee to determine whether such a reassignment should be made.
      - (1) If it is determined that a reassignment to investigations is needed, ask the DR Coordinator to reassign to the investigative pathway.
      - (2) If it is determined that a reassignment to investigations is not needed, close assessment as Unable to Locate.

DR Coordinator or designee will:

- A. Conference with DRT Supervisor and Specialist regarding cases in which no contact with the family can be made to determine if the assessment should be closed as Unable to Locate or reassigned to the investigative pathway.
  - 1) If it is determined that the assessment should be reassigned, reassign the referral to the investigative pathway.

## **Procedure II-C4: Management of Family's Refusal to Participate**

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When working with a family who refuses to participate, the DRT Specialist will:

- A. If the DRT Specialist has been unable to conduct a Health and Safety Assessment, inform the family that the DRT Specialist must refer the case to the investigative pathway.
  - 1) Conference with DRT Supervisor immediately and contact DR Coordinator for reassignment of case to the investigative pathway.
- B. If the DRT Specialist is able to conduct a Health and Safety Assessment but the family does not otherwise want to participate in a DR case, ask the family to contact the DRT Specialist within 24 hours of the denial if the family members reconsider and decide to participate in the Family Assessment or related services.
  - 1) Contact the DRT Supervisor within one hour of completion of the initial contact with the family to discuss case information and possible referral to the investigative pathway. Information to be discussed should include:
    - a) Referral;
    - b) Information obtained from available collaterals;
    - c) Observations made during the initial family contact;
    - d) Health and Safety Assessment; and,

- e) Other pertinent information.
- 2) If the DRT Supervisor determines that:
  - a) Safety factors exist that are related to the child maltreatment allegation for which the DR referral was made:
    - i. No other action is required of the DRT Specialist. The DRT Supervisor will contact the DCFS DR Coordinator or designee immediately to request that the report be reassigned to the investigative pathway.
  - b) Safety factors exist but they are new child maltreatment allegations that were not included in the initial DR referral:
    - i. The DRT Specialist will contact the Child Abuse Hotline immediately to report the new allegations and notify the DRT Supervisor or designee of the new suspected allegation(s).
  - c) There are no safety factors:
    - i. Close the case in CHRIS.
- C. If, after reconsideration, the family ultimately contacts the DRT Specialist to request participation in a DR case and an investigation has not been opened on the family:
  - 1) Continue the DR case in CHRIS if the DR report/case has not yet been closed; or,
  - 2) Open a Supportive Services case in CHRIS if the DR report/case has already been closed in CHRIS.

The DRT Supervisor will:

- A. Discuss and assess case information and possible referral to the investigative pathway with the DRT Specialist. See above for information to be discussed.
- B. If it is determined that:
  - 1) Safety factors exist that are related to the child maltreatment allegation for which the DR referral was made:
    - a) Contact the DCFS DR Coordinator or designee immediately to request that the report be reassigned to the investigative pathway.
  - 2) Safety factors exist but are new child maltreatment allegations that were not included in the initial DR referral:
    - a) Conference with the DRT Specialist regarding safety factor(s).
    - b) Notify the DR Coordinator or designee of the new suspected allegation(s) and that the DRT Specialist has made a new call to the Child Abuse Hotline/need for an investigation.
  - 3) There are no safety factors:
    - a) Instruct the DRT Specialist to close the case in CHRIS.

The DRT Coordinator will:

- A. Reassign any DR case in which DRT Specialist was unable to conduct a Health and Safety Assessment to the investigative pathway.

## **Procedure II-C5: Differential Response Services Management**

01/2013

If the parents agree to participate in DR services, the DRT Specialist will:

- A. Engage the parents in a comprehensive and collaborative Family Assessment of the family's strengths and needs (and gather other relevant, corresponding information) that may include:
  - 1) Family's financial status;
  - 2) Basic educational screening for the children;

- 3) Physical health, mental health and behavioral health screening for all family members;
  - 4) Names and addresses of those persons who provide a support system for the family; and,
  - 5) Names and addresses of any service providers that have been or are currently involved in providing services to the family.
- B. Initiate services to meet any immediate needs of the family, including food, shelter, and clothing.
  - C. Place a copy of the Family Assessment in the family record.
  - D. Maintain a minimum of twice weekly contacts with the family, which must include contact with the children as appropriate in the household, unless the DRT Supervisor and the family determine that the contacts should occur more frequently.
    - 1) While the initial home visit/contact must be conducted by the DRT Specialist, the DRT Specialist may ask the DRT Program Assistant to make subsequent contacts with the family provided the majority of the face-to-face contacts are conducted by the DRT Specialist.
    - 2) Children do not necessarily have to be seen at each face-to-face family contact if primary purpose of a specific contact is to discuss issues and/or services relating directly to the parent(s) and provided DRT Specialist has assessed, based on previous contacts and other information, that children's safety is ensured for the time being and will be reassessed at a subsequent face-to-face contact with the children.
  - E. Establish a Family Plan with input from the family. The Family Plan will be completed within 14 days of receipt of referral to the hotline. Family Plan can be modified and revised as needed.
  - F. Identify and implement services to address the causes of the neglect.
  - G. Assess the family's reasonable progress in resolving the issue that brought them to the attention of the Division.
  - H. Maintain ongoing contact with the involved service providers as appropriate.
  - I. Create and maintain community partnerships that will benefit DR client outcomes.
  - J. Establish an Aftercare Plan with input from the family.
  - K. Submit the following documents to the DRT Supervisor before formalizing case closure with the family.
    - 1) Case Closing Summary
    - 2) Child and Family Service Aftercare Plan
    - 3) Case note documentation of interviews, contacts and activities
    - 4) Provider treatment reports
    - 5) Closing FSNA and Safety Assessment
  - L. Close the case in CHRIS upon receiving DRT Supervisor approval for case closure.

The DRT Program Assistant will:

- A. Help ensure clients are meeting the Family Plan goals in a DR case.
- B. Assist with referrals to services identified in the Family Plan.
- C. Provide transportation for clients as needed.
- D. Assist DRT Specialist in maintaining contact with the family provided the DRT Specialist conducts the initial face-to-face contact and the majority of subsequent family contacts. Some PA contacts may be made by phone provided documentation supports that health and safety of children will still be ensured.
- E. Conference with DRT Specialist on family progress.
- F. Create and maintain community partnerships that will benefit DR client outcomes.
- G. Document all activities in CHRIS within 24 hours of completion (excluding weekends and holidays in which case activities will be documented the next business day).

The DRT Supervisor will:

- A. Conference with the DRT Specialist and DRT Program assistant as needed regarding the family's Differential Response case and associated services.
- B. Review and approve Family Assessments, Family Plans, and appropriateness of service referrals.
- C. Review DR case closure request including :
  - 1) Case Closing Summary
  - 2) Child and Family Service Aftercare Plan
  - 3) Case note documentation of interviews, contacts and activities
  - 4) Provider treatment reports
  - 5) Closing Safety Assessment
- D. Approve or deny case closure request as appropriate.

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