

Chapter 28

~~INTAKES AND RESPONSE TO FOSTER CARE REFERRALS
AND INVESTIGATIONS INVOLVING A FOSTER PARENT~~

- ~~1. Purpose. This operating procedure discusses the steps of the department's response to intakes of child abuse, neglect or abandonment involving a foster parent and the assignment of foster care referrals.~~
- ~~2. Scope. This operating procedure is applicable to all intakes of child abuse, neglect or abandonment involving a foster parent and to all foster care referrals accepted by the Florida Abuse Hotline Command Center.~~
- ~~3. Responsibilities, Assignments, and Response.~~
 - ~~a. The Florida Abuse Hotline Command Center shall:~~
 - ~~(1) Train and develop the expertise of Hotline Counselors and Command Center Counselors on responding to complaints about a foster parent and community resources available for a foster parent through the local Community-Based Care (CBC) lead agencies.~~
 - ~~(2) Train and develop the expertise of Hotline Counselors and Command Center Counselors on Foster Care Referral criteria.~~
 - ~~(3) Train and develop the expertise of Hotline Counselors and Command Center Counselors to make determinations to accept and generate an investigation intake involving a foster parent based on maltreatment determination criteria.~~
 - ~~b. Children and Families Operating Procedures related to the investigative response shall be followed and shall include the following:~~
 - ~~(1) Command Center Counselors shall review each intake involving a foster parent that has been screened in and screened out to verify accuracy of the information and to ensure the appropriate screening decision has been made.~~
 - ~~(2) Foster Care Referrals. The Hotline Command Center will assign the foster care referral to the Child Protective Investigation (CPI) receiving unit where the child is currently located.~~
 - ~~(a) The CPI receiving unit shall immediately forward the foster care referral to the local Community-Based Care Lead Agency for response and management of the referral.~~
 - ~~(b) Each Region shall develop a process for responding to foster care referrals involving group homes and licensing agencies that are not under contract with the local CBC.~~
 - ~~(3) Investigation Intakes. The Hotline Command Center will forward the child protective investigation intake to the CPI receiving unit where the child is currently located for CPI assignment and response.~~
 - ~~c. The Community-Based Care Lead Agencies (CBCs) shall:~~
 - ~~(1) Manage and respond to all foster care referrals as directed by Florida Administrative Code. Although at this time the Administrative Code allows for an exception during weekends and~~

holidays, all CBCs have on call staff who should handle these referrals, and the DCF Regional office shall ensure this process is in place with each CBC located within their region.

~~_____ (2) Train and develop the expertise of its licensing staff and/or its designated staff on receiving, managing, and responding to foster care referrals. Staff shall be trained to assess whether there is reasonable cause to suspect child abuse or neglect as defined in statute, regardless of whether it involves a foster parent or other caregiver, and if a reasonable cause to suspect is determined, to immediately report the concerns to the Florida Abuse Hotline Command Center.~~

~~_____ (3) At the time a foster care referral is received, the designated CBC staff shall notify the following parties if the following parties are involved with the child or family at the time of the foster care referral: Child Protective Investigator, Case Manager, Children's Legal Services attorney, and the Guardian ad Litem. Notification shall occur the date the referral is received by the CBC. Notification may occur by email, phone, in person, or by Florida Safe Families Network (FSFN) automated notification when a party is already assigned to the FSFN case.~~

~~_____ (4) Law enforcement shall not be requested to respond on foster care referrals unless there is a realistic concern for the safety of an employee, household member, or other's safety and/or if any criminal activity is suspected or becomes known.~~

~~_____ d. CPI Investigation Intake.~~

~~_____ (1) If a concern against a foster parent is received and it meets the criteria for acceptance of an investigation, CBC staff (licensing and case management) shall coordinate with the CPI staff. The CPI shall be the lead during the investigation, and communication to foster parents or other parties involved as it relates to the open investigation shall be authorized and coordinated by the CPI.~~

~~_____ (2) The Child Protective Investigation Units shall be trained appropriately on how to respond to a Foster Parent's questions related to the investigation.~~

~~_____ (3) Identified Units shall be assigned all investigations involving a foster parent. In certain areas of the state, such as rural areas, where developing a specific unit is not feasible, a CPI may be designated to be trained and to respond to all investigations involving foster parents.~~

~~_____ (4) Request by a CPI for a joint response with law enforcement shall occur in limited circumstances when there is a plausible and realistic concern for the safety of a CPI, household member, or other person's safety, or when criminal activity is suspected, to preserve evidence, or when the statutory requirement to have law enforcement present is met.~~

~~_____ (5) CPIs shall adhere to Florida Statute, Florida Administrative Code, and Children and Families Operating Procedures as they relate to the child protective investigative response, when responding to investigations involving foster parents and shall implement the following:~~

~~_____ (a) All parties involved shall be sensitive to the fact that there may be other children placed in the home who could potentially be traumatized by the unannounced arrival of a CPI, Case Manager, Licensing Staff and/or law enforcement.~~

~~_____ (b) The CPI shall advise a foster parent that he/she shall not inform or discuss the allegations with the alleged child victim unless authorized by the CPI.~~

~~_____ (c) Upon initial assignment of the investigation to the CPI, CPI staff shall make notification to all involved parties, including, but not limited to, the assigned Case Manager, CLS~~

attorney, GAL, and the alleged child victim's biological parents if rights remain intact. The notification shall include all pertinent information regarding the case.

~~(6) Approaches. Time, place, and manner shall be taken into consideration with the below approaches:~~

~~(a) Approach A: When an Investigation Is Accepted with Allegations of Child Abuse, Neglect, or Abandonment Against a Foster Parent and the Alleged Child Victim Is Currently Placed with that Foster Parent. Upon assignment of the intake, the CPI shall contact the licensing coordinator and case manager to coordinate a home visit; the licensing staff shall respond on a joint visit with the CPI when feasible and determined appropriate by the CPI. The CPI may respond without a joint response in limited and appropriate situations. At no time should the availability of staff preclude response to assess child safety and to initiate the investigation.~~

~~(b) Approach B: When an Investigation Is Received with Allegations Against a Foster Parent and the Alleged Child Victim Is Not Currently Placed with that Foster Parent and No Other Child Is Placed with or in the Care of That Foster Parent.~~

~~1. Upon receipt, the CPI shall contact the licensing coordinator to coordinate a home visit to the foster parent. The CPI shall also arrange a joint visit with the assigned case manager at the location of the alleged child victim. The licensing staff shall participate in a joint visit with the CPI when feasible and determined appropriate by the CPI. The CPI may respond without a joint response in limited and appropriate situations.~~

~~2. The initial visit with the alleged child victim shall be unannounced in accordance with statute.~~

~~3. If other children are known or suspected to be in the care of the foster parent against whom the allegations are alleged, the home visit shall be unannounced.~~

~~(c) Approach C: When an Intake Is Received and There Are No Allegations Against a Foster Parent, but the Child under Department Supervision about whom Concerns Were Reported Is Placed with a Foster Parent. Notification by the CPI to licensing staff and a joint response by licensing staff is not required.~~

~~(7) When the CPI makes initial contact with the foster parent, the Child Protective Investigations Involving Foster Parents Information Sheet (CF/PI 175-73, available in DCF Forms) shall be provided, listing the intake number, CPI name and contact number, and the CPI Supervisor's name and contact number. The CPI shall explain the investigative process to the foster parent and inform the foster parent that he/she may contact the CPI or CPIS at any time with questions/concerns regarding the investigation.~~

~~(8) An initial staffing shall occur within the first two weeks of receipt of the investigation. All parties with pertinent information shall be notified and the CPIS may determine who shall attend (discretion in inviting foster parents shall be utilized when there are pending criminal charges, if the staffing would interfere in the CPI investigation, when there are safety reasons, or when this would not be in the best interest of the child).~~

~~(a) If an investigation closure decision is not known at the time of the staffing, a follow-up staffing shall occur to include the same parties involved.~~

~~(b) CPI staff will notify the parties of the investigation outcome and how the investigation maltreatment(s) will be founded and closed.~~

~~_____ (c) Notifications and scheduling of staffings shall be developed by each region or circuit to best suit the individual community needs.~~

~~_____ (9) Investigation closure letters shall be sent out for all investigations no later than 15 calendar days from investigation closure. When Approach A or B is practiced, closure letters shall be sent to the foster parent involved and to the child's parents if rights remain intact.~~

~~_____ e. Training.~~

~~_____ (1) CPIs or CPI Supervisors who are designated to investigate allegations involving foster parents and CBC licensing or designated staff who respond to foster care referrals shall participate in all foster parent pre-service training (or other foster parent department approved curriculum). This shall be coordinated by the CBC or designated agency licensing staff.~~

~~_____ (2) Pre-service and ongoing in-service training for foster parents shall be implemented by the CBC on the process of and response to an investigation and foster care referrals. This training shall include information about the local system of care, whom to call and what to expect if an investigation or referral is accepted about a department supervised child's care while residing in or placed in their home, and the general process of an investigation (requirements for unannounced visits, possible need for law enforcement, timeframes for investigation completion, etc).~~

~~_____ (3) Pre-service and ongoing in-service trainings for all CPIs shall include information on the role of the foster parent in the child welfare system. This shall include information about normalcy, sensitivity and trauma informed care to both the child and the foster parent when conducting the investigation.~~

~~_____ (4) Training for Case Managers on child protective investigations involving foster parents and on the foster care referral process shall be provided. This shall be coordinated by the CBC or designated agency licensing staff.~~

Chapter 28

INVESTIGATIONS RESPONSE TO INTAKES INVOLVING A FOSTER PARENT

28-1. Purpose. This operating procedure provides requirements for the Child Protection Investigator's (investigator) response to intakes involving a child in licensed foster care. Although the investigator has lead responsibility when an intake involves alleged abuse, neglect or abandonment, full coordination with the licensing agency responsible is required. Any intakes involving a child in licensed care must be handled with sensitivity to the impact on the child, foster parent, and other children placed in the home.

Note: CFOP 170-11, provides requirements for the responsibilities of licensing agencies when a report involves a child in licensed foster care.

28-2. Legal Authority.

- a. Sections 39.01(10), (32), (47); 39.302; 39.307; 39.701(2), Florida Statutes.
- b. 65C-13.024-13.030; 13.032; 13.034 Florida Administrative Code.
- c. 65C-28.004; 28.017 Florida Administrative Code.
- d. 65C-29.004; 29.006 Florida Administrative Code.
- e. 65C-30.005; 30.007; 30.011, 30.015 Florida Administrative Code.
- f. 409.175(3)(b), Florida Administrative Code.

28-3. Local Protocol for Reports Involving a Foster Home. The investigator will follow the Local Protocol established per requirements in CFOP 170-11, paragraph 9-4 to achieve collaboration with the agencies necessary for each report involving a Licensed Foster home.

28-4. Responding to Foster Care Referrals.

a. Immediately upon receipt of a foster care referral, the receiving investigations unit will forward the referral to the agency responsible for the provider's license. A copy of the referral will also be provided to the Regional Licensing Authority.

b. The licensing specialist assigned will respond to all foster care referrals per requirements in [65C-13.034](#).

28-5. Assessment of Child-on-Child Sexual Abuse Reports in Licensed Foster Care.

a. The investigator will complete an assessment of Child-on-Child Sexual Abuse within 30 calendar days of the report.

b. When the hotline intake is received, the investigator assigned will consult with the licensing agency to determine the licensing agency's role, if any, conducting interviews with the child(ren) and caregiver(s). The following are the options:

- (1) The investigator will conduct the interviews.
- (2) The licensing specialist will conduct the interviews.

(3) The investigator and licensing specialist will conduct joint interviews.

(4) A joint interview may include a case manager, a placement specialist, a clinical professional or any other child welfare professional.

c. The investigator must conduct an immediate on-site review of the home and circumstances when there are concerns that pose an imminent threat to the health, safety or well-being of a child.

d. If Juvenile Sexual Abuse is suspected, the investigator will consult with the Child Protection Team to determine if forensic interviews are necessary.

e. The licensing agency will assign a licensing specialist to review the provider record. Whenever possible, the licensing specialist should complete the record review and communicate the information learned to the professional(s) responsible for conducting interviews before the interviews occur.

f. The child welfare professional(s) responsible will conduct private, face-to-face interviews with the alleged child victim(s), the alleged child perpetrator, other children in the home, and the caregiver(s). The professional(s) responsible for conducting the interviews will:

(1) Determine whether any of the child interviews should be conducted at the foster home or another location, such as the child's school.

(2) Gather the foster parent's account.

(3) As necessary, explore and discuss the foster parent's suggestions to remedy any problems.

(4) Conduct inspections of the home as necessary.

(5) Conduct any collateral interviews necessary to complete the assessment.

g. The investigator will collaborate with the licensing agency in developing recommended actions if there are any safety or supervision concerns.

h. The investigator and licensing specialist will meet with the foster parent to discuss the results of the assessment and any necessary follow-up actions. The possible outcomes include:

(1) The referral or report is closed and there is no basis for any intervention.

(2) There will be follow-up supports and services provided to the foster parent and/or services provided to the child.

(3) A written corrective action plan is developed in collaboration with the caregiver and approved by Regional Licensing Authority.

(4) A Child Placement Agreement per CFOP 170-11, [Chapter 4](#) is created or modified.

28-5. Reports About Child in Foster Care-- No Allegations About Foster Parent

a. The investigator should notify the licensing agency and the alleged child victim's case manager at the beginning and conclusion of an investigation.

b. The investigator will conduct the investigation in accordance with all requirements in this operating procedure when the allegations are about, the child's parent/legal guardian; friends or family members of the child's parent; other persons not associated with the foster parent; or the allegations occurred prior to the child's placement.

c. The investigator will coordinate the investigation as appropriate with the alleged child victim's case manager as follows:

(1) The investigator should collaborate with the case manager to determine if new information learned about the child should result in any additional services for the child, caregiver or creation of a Child Placement Agreement.

(2) The case manager is responsible for follow-up actions to implement any of the recommendations for the child.

d. The investigator will keep the foster parent and licensing agency informed throughout the investigation.

e. No later than 5 business days after the investigation is closed, the investigator will inform the licensing agency and the foster parent of the results.

(1) The investigator may relay the information verbally.

(2) The investigator will document the date and method of notifications required in Case Notes.

28-6. Investigator's Responsibilities—Responding to Reports of Abuse, Neglect or Abandonment by a Foster Parent.

a. When there is a report of alleged abuse, neglect or abandonment, the investigation conducted by an investigator will be one component of a "Licensed Foster Care Assessment" described in CFOP 170-11, paragraph 9-5. A "Licensed Foster Care Assessment" will be completed on the foster home that the child was in at the time the alleged abuse, neglect or abandonment occurred.

(1) The Investigator will notify the Regional Licensing Authority or designee within 1 business day of any new report involving a licensed foster parent. The Regional Licensing Authority or designee will notify the agency responsible per the local protocol for convening a multi-agency team to conduct a licensed Foster Care Assessment.

b. The purpose of the Licensed Foster Care Assessment is to determine whether any child was maltreated by a foster parent(s) and to also review the child welfare system's due diligence in licensing, placement, supervision and support of the foster parent(s).

(1) The investigator is the lead professional responsible for the determination of safety and maltreatment findings.

(a) The investigator is responsible to coordinate all investigative activities with other agencies responsible for interviews with the foster parent(s).

(b) The investigator will complete an "Institutional" investigation per requirements within this chapter.

(2) The investigator will complete the Child Safety Assessment at critical junctures during the investigation:

- (a) The investigator will complete an Initial Child Safety Assessment within 48 hours of seeing the child victim(s).
- (b) The investigator will complete an Updated Child Safety Assessment upon investigative closure.

(3) The investigator will only request law enforcement involvement on any foster care intake when:

(a) There is a concern for the safety of an employee, household member or other person; or

(b) If any criminal activity is suspected or becomes known. In such cases, the state attorney must also be notified.

(4) A multi-agency team is responsible for completion of the other components of the Licensed Foster Care Assessment. The investigator will participate any multi-agency team staffing.

c. The licensing agency will assign a licensing specialist to review the provider record. Whenever possible, the licensing specialist should complete the record review and communicate the information learned to the professional(s) responsible for conducting interviews before the interviews occur.

d. **Commencement Activities.** The investigator will commence the investigation in accordance with response times required in CFOP 170-5, [Chapter 3](#). The investigator will contact the licensing or other specialist per the Local Protocol to coordinate the first contact(s) and interviews with the child and foster parent(s).

(1) The initial visit with the alleged child victim will be unannounced in accordance with s.39.301(13) Florida Statutes. All members of the team must abide by this provision. If other staff is not available to participate in the first interviews, investigator will proceed to conduct interviews.

(2) When the investigator makes initial contact with the foster parent, he/she will:

(a) Provide the Child Protective Investigations Involving Foster Parents Information Sheet (Attachment 1).

(b) Explain the investigative process to the foster parent(s) as one component of a Licensed Foster Care Assessment.

(c) Inform the foster parent that he/she may contact the investigator or his/her supervisor at any time with questions or concerns.

(3) The investigator will follow procedures in CFOP 170-5, [Chapter 9](#) to obtain an evaluation or consultation from a Child Protection Team when required.

(4) The investigator will notify the alleged child victim's parent(s)/legal guardian if their rights remain intact. The notification will include all pertinent information.

(5) If child safety is not an issue, but the investigator or foster parent is concerned about a child remaining in the foster home, the investigator must collaborate with the foster parent(s) and the supervising agency to determine whether the child's stability in the home can be safety maintained.

(a) The re-location of a child in response to a report about a foster parent must be determined on a case-by-case basis.

(b) Maintaining placement stability for the child should be the highest priority unless the investigator believes there is clear and compelling information that child safety is compromised.

(6) The investigator will complete information gathering through interviews and a review of any prior information in FSFN. The investigator will include the licensing specialist assigned for the Licensed Foster Care Assessment in all interviews to the extent possible. The investigator will be responsible for interviewing the child(ren) in the home, the foster parent(s) and each case manager assigned to a child in the home.

(7) The investigator and the licensing specialist will collaborate in sharing of information with the foster parent(s) through-out the course of the investigation. This does not prevent the supervising agency from providing supportive communications that are outside the scope of the investigation.

e. Initial 14-day Staffing. An initial staffing must be convened within 14 calendar days of commencement of the Licensed Foster Home Assessment. The investigator and licensing specialist will collaborate to determine who shall attend the staffing. Discretion shall be utilized when sharing information with foster parents when there are pending criminal charges, if the staffing would interfere in the investigation, when there are safety reasons, or when this would not be in the best interest of the child. The purpose of the staffing is to provide the foster parent(s) with the following information.

(1) The status of the investigation and the other components of the Licensing Assessment.

(2) The next steps and actions necessary to complete the Licensing Assessment.

(3) Discuss any suggestions or concerns that the foster parent(s) have.

f. Closure Activities.

(1) The investigator and the licensing specialist will discuss findings with the foster parent(s) in a face-to-face meeting unless the foster parent(s) request a conference call.

(a) If the findings are Verified or Not Substantiated, there must be a team staffing prior to the meeting with the foster parent(s).

(b) The foster parent(s) will be provided with the status of the ongoing Licensed Foster Care Assessment.

(2) If there have been verified findings of abuse, neglect or abandonment, the investigator will explain to the foster parents their right to request a department review of the findings per requirements in CFOP 170-16 Chapter 1.

(3) No later than 5 calendar days from investigation closure, the investigator will notify the foster parent(s) and the child's parents if rights remain intact.

g. **FSFN Documentation.** The investigator will provide documentation associated with the investigation in FSFN as follows:

(1) For a Child-on-Child Sexual Abuse report, the investigator will document the assessment on the FSFN Special Conditions Referral page.

(2) For an investigation involving a foster parent, the investigator will create and document an Institutional Investigation on the FSFN Child Investigation page. Record the following information under the appropriate tab on the FSFN page.

(a) Any child, caregiver and collateral interviews conducted will be recorded in the child's FSFN record in Case Notes-Investigation within 2 business days.

(b) The allegations and circumstances reported. Identify all caregivers responsible for care of children in the home.

(c) Any prior investigations or referrals regarding the foster parent(s).

(d) Any prior reports that involve the alleged child victim and a different out-of-home provider.

(e) Information gathered from the alleged child victim(s) and other children in the home.

(f) The foster parents' account of the situation(s) that may have led to this report.

(g) Assessment and summary of all information gathered.

(h) Findings.

(3) The following FSFN resources are located on the [Center for Child Welfare](#) FSFN "How Do I Guide" page:

(a) FSFN User Guide for [Child Investigations](#).

(b) FSFN "How Do I...Guide" for [Child Investigations](#).