

February 2, 2024

GENERAL LETTER NO. 18-B1-5

ISSUED BY: Bureau of Child Protective Services Child Welfare Policy
Division of Family Well-Being and Protection

SUBJECT: Employees' Manual, Title 18, Chapter B(1), **Child Protective Services Assessment**, 8-16,
revised.

Summary

This chapter is revised to implement changes to the one-hour response time. The changes more closely align practice with the basic requirements defined in Iowa law and Iowa Administrative Code.

Effective Date

February 1, 2024.

Material Superseded

Remove the following pages from Employees' Manual, Title 18, Chapter B(1), and destroy them:

<u>Page</u>	<u>Date</u>
8-16	December 8, 2023

Additional Information

Refer questions about this general letter to your service area administrator.

Contact Meskwaki Family Services:

- When the child victim is known to be a member or eligible for membership in the Sac & Fox Tribe of the Mississippi in Iowa (Meskwaki Nation), or if there is reason to believe there might be tribal membership or eligibility for membership, regardless if the child lives on or off the Meskwaki Nation Settlement.
- When there is a need to conduct the assessment within the Meskwaki Nation Settlement boundaries, regardless of the child's membership status or the applicability of the Indian Child Welfare Act (ICWA).

NOTE: For these children, the Department and Meskwaki Family Services conduct a joint investigation.

Child Safety and Timeframes for Observation of Child

Legal reference: Iowa Code Section 232.68(3) and 232.71B(1), 441 IAC 175.24 and 175.25

Policy: The primary purpose of either the child abuse assessment or the family assessment shall be the protection of the child. A timeframe for the response is based on the risk level identified through information gathered at intake and begins at the point when the intake worker ends the call with the reporter.

The physical observation of a child is an essential element to determine the safety of the child and if further protection steps are needed. In addition, observation serves as an opportunity to gather additional information. The overarching goal is to observe the child with the cooperation of the parents, when the process does not create additional safety concerns or preclude the CPW from obtaining an objective account about the reported concerns. Accordingly, confidential access to the child during a Family Assessment should be concurrently analyzed with the supervisor to determine the need to change the Family Assessment path to a Child Abuse Assessment.

The requirement for observation is determined by the type of abuse alleged and assessment pathway identified as well as the level of risk to the child, including consideration of the child's vulnerability and the alleged person responsible's access to the child. If the allegation does not include an immediate threat, consider what efforts are required to address the safety of the child named in the report or any other children in the same home or facility as the person responsible for that child's care.

Supervisors must assign cases promptly to provide the CPW as much time as possible to observe the child and address their safety. Each service area must also maintain documentation of all cases assigned. CPWs must document in their assessment, the observation time assigned by the supervisor at intake:

- During a child abuse assessment, reasonable efforts shall be made to observe the alleged child victim and evaluate the safety of the child named in the report within **24 hours** of receipt of the report of suspected child abuse, unless one of the following is met:
 - When there is an immediate threat to the child's safety, the same reasonable efforts shall be made within **one hour**.

- When there is no immediate threat to the child's safety and the person alleged responsible clearly does not have access to the alleged child victim, the same reasonable efforts shall be made within **96 hours**.
- During a family assessment, reasonable efforts shall be made to observe the alleged child victim and evaluate the safety of the child named in the report within **72 hours**.

Identify any current danger indicators and consider the factors influencing child vulnerability as well as the caretaker's protective capacities and available safety interventions to assess the child's safety. The determination of which household is assessed depends on several factors, including the location of the household where the child resides, the location of where the abuse occurred, custodial status, etc. (See [Initial Safety Assessment](#)).

Observation of the child, by itself, is not sufficient to address safety. Take the necessary actions so that the person allegedly responsible for these circumstances does not continue to have access to the child until a more complete evaluation and safety plan can be established. See [Removal of a Child](#) or [18-C\(5\), Removal of an Indian Child From Their Home](#).

- Contact law enforcement for assistance in most cases involving immediate threat or high risk to safeguard the child and you if the situation is volatile or dangerous.
- If at any time during the assessment you believe that there is an immediate threat, immediately contact proper authorities and communicate these concerns. The proper authorities may include any or all of the following:
 - Law Enforcement
 - Juvenile court
 - Physicians or physician assistants
- Document the date and time of this communication in form [470-3240, Child Protective Services Child Abuse Assessment Summary](#).

Safety is paramount; therefore, addressing safety of the child must proceed timely even if you encounter barriers to observing the child, such as learning the child is visiting family out of town or being unable to reach Meskwaki Family Services staff, if applicable.

While timeframes to observe a child may be delayed, the timeframe to observe a child cannot be waived except in extremely limited and rare circumstances (e.g., child fatality, noting any surviving siblings must be observed within the assigned timeframe). When reasonable efforts have been made to observe the alleged child victim within assigned timeframes and the worker has established the alleged child victim is safe, the observation of the alleged child victim may be delayed with the supervisory approval. If necessary, your supervisor may delegate observation of the child to other casework staff within the Department. Use local administrative procedures.

The appropriate reasons to delay timeframes include:

- Safety was addressed within timeframe
- Delayed due to worker safety issues
- Unable to locate child/family – reasonable efforts to locate documented
- Family fled – reasonable efforts to locate documented
- Parents uncooperative – court-ordered access denied
- Child on the run – police pick-up on record

- Delayed at request of law enforcement
- Family/child in another state
- Child deceases
- Identified as additional victim

Even if you cannot meet the observation timeframe, you must document the following in the assessment:

- Your reasonable efforts to observe the victims within the required timeframe,
- The barriers you encountered to meeting the timeframe,
- The steps taken to establish the child's safety, and
- The revised timeframe in which to see the child.

NOTE: You also must document the efforts to contact Meskwaki Family services, if applicable.

One-Hour Observation

When a report is assigned as a child abuse assessment and alleges immediate threat to a child's safety, act immediately to address the child's safety. Situations that require a one-hour response from the date and time of the intake may include, but are not limited to situations in which, without a one-hour response, a child is about to be sexually abused, injured, or die.

NOTE: Although an infant who is voluntarily relinquished or is placed under the Safe Haven Act may not meet the criteria for assessment, immediate response is required (See [18-F\(1\), Safe Haven](#)).

Supervisory consultation:

- The supervisor will evaluate the need to immediately contact the assigned CPW to:
 - Discuss the CPW's plan to observe the child victim(s),
 - Explore reasonable efforts,
 - Identify potential barriers to meet the timeframe, and
 - Problem-solve to meet timeframes as needed.
- The CPW will confirm the case assignment upon receipt. Prior to the expiration of the one-hour timeframe, the CPW must consult with a supervisor to:
 - Discuss reasonable efforts made to observe the child victim(s),
 - Disclose barriers to see the child,
 - Explore additional strategies to meet the observation timeframe,
 - Identify how safety was assured (even when unable to observe the child, e.g., collateral contact confirms the perpetrator will not have access to the child or consultation with the SWCM confirms that access will be appropriately supervised or discussion with the non-offending caretaker identifies how the child will be kept safe),
 - Obtain supervisory approval to delay contact, when appropriate,

- Establish a revised timeframe (if supervisor approves a delay) and make reasonable efforts to observe the child as soon as possible and no later than 24 hours of receipt of the report. The supervisor and CPW **must** revisit efforts and barriers to see the child every additional 24 hours until the child is observed.

NOTE: Supervisory discretion may be used to determine if the revised timeframe needs to be more or less than 24 hours based on the circumstances of the case (e.g., the CPW confirms the child is out of town with the non-offending parent, will not be returning for 3 days, request for a courtesy observation is denied, and the person alleged responsible will not have access to the child during this time).

Documentation:

- Document your rationale and your supervisor's rationale for not observing the child within one hour (e.g., child's safety would be further jeopardized by meeting that timeframe or law enforcement assistance is advised and not immediately available).
- Document the reasonable efforts made to observe the child within one hour as well as any barriers encountered or circumstances that made it impossible to observe the child within one hour.
- Document how the safety of the child was addressed even when observation of the child is not possible within one hour.
- Document the revised timeframe as well as the reasonable efforts that were made to observe the child as soon as possible and no later than every additional 24 hours.

If you are denied access to a child and you have concerns for the child's well-being or safety, either:

- Seek immediate assistance of law enforcement authorities, or
- Request a court order authorizing access to the place where the child is located for the purpose of observing the child and evaluating the child's safety.

24-Hour Observation

Initiate a child abuse assessment and make reasonable efforts to observe the child within 24 hours from the date and time of the intake when:

- There is no immediate threat to the child's safety.
- Person alleged responsible has access to the child named or other children in the same home or facility.

Supervisory consultation:

- Certain 24 hour and 96 hour timeframes will be called out to the field for a supervisor to review and determine whether an earlier response is needed. Examples include, but are not limited to:
 - Fatality or Near Fatality
 - Law enforcement request assistance with placement of a child and/or a child is taken into custody which requires a response, in accordance with Iowa Code section 232.79

- Safe Haven (Newborn Infant Release Procedures), in accordance with Iowa Code chapter 233
- The supervisor will evaluate the need to immediately contact the assigned CPW to:
 - Discuss the CPW's plan to observe the child victim(s),
 - Explore reasonable efforts,
 - Identify potential barriers to meet timeframe, and
 - Problem-solve to meet the timeframes as needed.
- The CPW will confirm case assignment upon receipt. Prior to the expiration of the 24-hour timeframe, the CPW must consult with a supervisor to:
 - Discuss reasonable efforts made to observe the child victim(s),
 - Disclose barriers to see the child,
 - Explore additional strategies to meet the observation timeframe,
 - Identify how safety was assured (even when unable to observe the child, e.g. collateral contact confirms the perpetrator will not have access to the child or consultation with the SWCM confirms that access will be appropriately supervised or discussion with the non-offending caretaker identifies how the child will be kept safe),
 - Obtain supervisory approval to delay contact, when appropriate,
 - Establish a revised timeframe (if supervisor approves a delay) and make reasonable efforts to observe the child as soon as possible and no later than 48 hours of receipt of the report. The supervisor and CPW must revisit efforts and barriers to see the child every additional 24 hours until the child is observed.

NOTE: Supervisory discretion may be used to determine if the revised timeframe needs to be longer than 24 hours based on the circumstances of the case (e.g., the CPW confirms the child is out of town with the non-offending parent, will not be returning for 3 days, request for a courtesy observation is denied, and the person alleged responsible will not have access to the child during this time).

Documentation:

- Document your rationale and your supervisor's rationale for not observing the child within 24 hours (e.g. delayed at the request of law enforcement and child's safety would be further jeopardized by meeting that timeframe or delayed due to worker safety issues and law enforcement assistance is advised and not immediately available).
- Document the reasonable efforts made to observe the child within 24 hours as well as any barriers encountered or circumstances that made it impossible to observe the child within 24 hours.
- Document how the safety of the child was addressed even when observation of the child is not possible within 24 hours.
- Document the revised timeframe as well as the reasonable efforts that were made to observe the child as soon as possible and no later than every additional 24 hours.

If you are denied access to a child and you have concerns for the child's well-being or safety, either:

- Seek immediate assistance of law enforcement authorities, or
- Request a court order authorizing access to the place where the child is located for the purpose of observing the child and evaluating the child's safety.

96-Hour Observation With Supervisory Approval

Initiate a child abuse assessment and make reasonable efforts to observe the child within 96 hours from the date and time of the intake when:

- There is no immediate threat to the child's safety, and
- Credible evidence exists that the person allegedly responsible clearly will not have access to the child before you observe the child, and
- The person allegedly responsible for the abuse is not considered a risk to other children in the same home or facility.

Supervisory consultation:

- Certain 24 hour and 96 hour timeframes will be called out to the field for a supervisor to review and determine whether an earlier response is needed. Examples include, but are not limited to:
 - Fatality or Near Fatality
 - Law enforcement request assistance with placement of a child and/or a child is taken into custody which requires a response, in accordance with Iowa Code section 232.79
 - Safe Haven (Newborn Infant Release Procedures), in accordance with Iowa Code chapter 233
- The supervisor will evaluate the need to immediately contact the assigned CPW to:
 - Discuss the CPW's plan to observe the child victim(s),
 - Explore reasonable efforts,
 - Identify potential barriers to meet the timeframe, and
 - Problem-solve to meet timeframes as needed.
- The CPW will confirm case assignment upon receipt. Prior to the expiration of the 96-hour timeframe, the CPW must consult with a supervisor to:
 - Discuss reasonable efforts made to observe the child victim(s),
 - Disclose barriers to see the child,
 - Explore additional strategies to meet the observation timeframe,
 - Identify how safety was assured (even when unable to observe the child, e.g. collateral contact confirms the perpetrator will not have access to the child or consultation with the SWCM confirms that access will be appropriately supervised or discussion with the non-offending caretaker identifies how the child will be kept safe),
 - Obtain supervisory approval to delay contact, when appropriate,
 - Establish a revised timeframe (if supervisor approves a delay) and make reasonable efforts to observe the child as soon as possible and no later than 120 hours of receipt of the report. The supervisor and CPW must revisit efforts and

barriers to see the child every additional 24 hours until the child is observed.

NOTE: Supervisory discretion may be used to determine if the revised timeframe needs to be longer than 24 hours based on the circumstances of the case (e.g. the CPW confirms the child is out of town with the non-offending parent, will not be returning for 3 days, request for a courtesy observation is denied, and the person alleged responsible will not have access to the child during this time).

Documentation:

- Document your rationale and your supervisor's rationale for not observing the child within 96 hours (e.g. delayed at the request of law enforcement and child's safety would be further jeopardized by meeting that timeframe or delayed due to worker safety issues and law enforcement assistance is advised and not immediately available).
- Document the reasonable efforts made to observe the child within 96 hours as well as any barriers encountered or circumstances that made it impossible to observe the child within 96 hours.
- Document how the safety of the child was addressed even when observation of the child is not possible within 96 hours.
- Document the revised timeframe as well as the reasonable efforts that were made to observe the child as soon as possible and no later than every additional 24 hours.

If you are denied access to a child and you have concerns for the child's well-being or safety, either:

- Seek immediate assistance of law enforcement authorities, or
- Request a court order authorizing access to the place where the child is located for the purpose of observing the child and evaluating the child's safety.

72-Hour Observation

All family assessments require reasonable efforts to observe and evaluate safety of the child within 72 hours from the date and time of the intake.

Supervisory consultation:

- The supervisor will evaluate the need to immediately contact the assigned CPW to:
 - Discuss the CPW's plan to observe the child victim(s),
 - Explore reasonable efforts,
 - Identify potential barriers to meet the timeframe, and
 - Problem-solve to meet timeframes as needed.
- The CPW will confirm case assignment upon receipt. Prior to the expiration of the 72-hour timeframe, the CPW must consult with a supervisor to:
 - Discuss reasonable efforts made to observe the child victim(s),
 - Disclose barriers to see the child,
 - Explore additional strategies to meet the observation timeframe,

- Identify how safety was assured (even when unable to observe the child, e.g. collateral contact confirms the perpetrator will not have access to the child or consultation with the SWCM confirms that access will be appropriately supervised or discussion with the non-offending caretaker identifies how the child will be kept safe),
- Obtain supervisory approval to delay contact, when appropriate,
- Establish a revised timeframe (if supervisor approves a delay) and make reasonable efforts to observe the child as soon as possible and no later than 96 hours of receipt of the report. The supervisor and CPW must revisit efforts and barriers to see the child every additional 24 hours until the child is observed.

NOTE: Supervisory discretion may be used to determine if the revised timeframe needs to be longer than 24 hours based on the circumstances of the case (e.g. the CPW confirms the child is out of town with the non-offending parent, will not be returning for 3 days, request for a courtesy observation is denied, and the person alleged responsible will not have access to the child during this time).

- If a child victim is not observed by the 10th business day, when the written summary of the family assessment is due, the case must be reassigned as a child abuse assessment.

Documentation:

- Document your rationale and your supervisor's rationale for not observing the child within 72 hours (e.g., family/child in another state and the parent has confirmed a date/time to meet with the CPW upon their return).
- Document the efforts made to observe the child within 72 hours as well as any barriers encountered or circumstances that made it impossible to observe the child within 72 hours.
- Document how the safety of the child was addressed even when observation of the child is not possible within 72 hours.
- Document the revised timeframe as well as the reasonable efforts that were made to observe the child as soon as possible and no later than every additional 24 hours.

If at any time during a Family Assessment, you are denied access to a child, cannot confirm the safety of the child, if you have concerns for the child's well-being or immediate safety, or the facts otherwise warrant, the assessment must be reassigned as a child abuse assessment and if necessary:

- Seek immediate assistance of law enforcement authorities, or
- Request a court order authorizing access to the place where the child is located for the purpose of observing the child and evaluating the child's safety.

Worker Safety

Every child protective assessment case has the potential for unexpected confrontation. Difficulties may occur at any point during the assessment process, but threats and volatile situations are more likely to occur:

- During the initial period of the assessment
- During crisis situations

- When action such as removal of a child is taken

Continually evaluate your safety. While thorough intake information and preparation reduces the likelihood of danger, you should always remain alert to possible danger. **When a worker is unsafe, it is likely the child is also unsafe.**

Make a careful evaluation of allegations to address the immediate safety needs of all children and yourself. Determine risks of the situation before making initial contact with the family. Consider:

- Is there a history of domestic violence?
- Is the family's geographic location extremely isolated or dangerous?
- Does the reporter indicate the possibility of a family member being mentally ill, using drugs, being volatile, or being violent?
- Is the initial contact with the family going to take place after normal working hours?
- Are there firearms or other weapons in the home?
- Is there any information to suggest the manufacturing of dangerous substances, such as methamphetamines?

Establish a plan of safety for yourself, such as assuring your supervisor knows the location you plan to visit, having another child protection worker accompany you, having a coordinated emergency response plan to indicate a need for assistance, request the assistance of law enforcement, or other safety procedures. **Local offices should establish an emergency response protocol for all workers.**

Your appearance, verbal and nonverbal communication, and demeanor can all affect the client's response. In confrontational situations, if you appear calm (verbally and nonverbally), have control of the situation without being intimidating, and use anger reduction techniques, you may be able to diffuse the situation.

NOTE: Some of the chemicals used in the manufacturing of methamphetamines and their byproducts may present an immediate health hazard or be life-threatening due to their toxicity or the risk of explosion or fire. See [Substance Abuse](#) for more resources in evaluating worker safety in cases of drug use.

Consult with your supervisor on the involvement of law enforcement when any element of risk to worker safety is identified.

Consult with the Iowa Division of Narcotics Enforcement or the local drug enforcement task force when there is any information suggesting that there is a "meth lab," methamphetamine manufacturing, or other alleged illegal drug involvement.

Involving Law Enforcement in a Joint Investigation

Legal reference: Iowa Code Section 232.71B(3), 441 IAC 175.22(232), 175.29(232), and 175.30(232)

Policy Statement: The child protection worker shall contact law enforcement when the abuse reported alleges a criminal act harming a child, or there is immediate threat to child or if the situation is potentially volatile or dangerous.