

Title of Proposed Rule: 7.103.3 through 7.104.5 Assessment Rule Revisions

CDHS Tracking #: 17-08-31-01

Office, Division, & Program:
CDHS, DCW, CPS

Rule Author: Laura Solomon

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STATEMENT OF BASIS AND PURPOSE

Summary of the basis and purpose for new rule or rule change.

To clarify assessment rule, through revision and additional rule to align with changes and updates to current practice.

State Board Authority for Rule:

Code	Description
26-1-107, C.R.S. (2015)	State Board to promulgate rules
26-1-109, C.R.S. (2015)	State department rules to coordinate with federal programs
26-1-111, C.R.S. (2015)	State department to promulgate rules for public assistance and welfare activities.

Program Authority for Rule: *Give federal and/or state citations and a summary of the language authorizing the rule-making function AND authority.*

Code	Description
26-1-111, C.R.S. (2015)	State department to promulgate rules for public assistance and welfare activities.

Does the rule incorporate material by reference?

Yes

No

Does this rule repeat language found in statute?

Yes

No

If yes, please explain.

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REGULATORY ANALYSIS

1. List of groups impacted by this rule.

Which groups of persons will benefit, bear the burdens or be adversely impacted by this rule?

County Departments of Human/Social Services casework and supervisors will benefit from the assessment rule revisions.

2. Describe the qualitative and quantitative impact.

How will this rule-making impact those groups listed above? How many people will be impacted? What are the short-term and long-term consequences of this rule?

By revising and clarifying the assessment rules, caseworkers and supervisors will be able to adhere to what is required in their child welfare practice. The changes to the rules will help to update the policies and language as it applies to current practice. In the short term, counties will be able to apply the rule changes to their current practice. In the long term the rule changes will become embedded in their day to day practice and built into the training system for sustainability.

3. Fiscal Impact

*For each of the categories listed below explain the distribution of dollars; please identify the costs, revenues, matches or any changes in the distribution of funds even if such change has a total zero effect for any entity that falls within the category. If this rule-making requires one of the categories listed below to devote resources without receiving additional funding, please explain why the rule-making is required and what consultation has occurred with those who will need to devote resources. **Answer should NEVER be just "no impact" answer should include "no impact because..."***

State Fiscal Impact (Identify all state agencies with a fiscal impact, including any Colorado Benefits Management System (CBMS) change request costs required to implement this rule change)

No impact because the changes are updates to language, reorganization of sections, and additional language for clarification.

County Fiscal Impact

No impact because the changes are updates to language, reorganization of sections, and additional language for clarification.

Federal Fiscal Impact

No impact because the changes are updates to language, reorganization of sections, and additional language for clarification.

Other Fiscal Impact (such as providers, local governments, etc.)

No impact because the changes are updates to language, reorganization of sections, and additional language for clarification.

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4. Data Description

List and explain any data, such as studies, federal announcements, or questionnaires, which were relied upon when developing this rule?

CDHS is currently updating the Statewide Case Management System. The timing of the rule updates and revisions can be built into the updated system for better data collection.

5. Alternatives to this Rule-making

Describe any alternatives that were seriously considered. Are there any less costly or less intrusive ways to accomplish the purpose(s) of this rule? Explain why the program chose this rule-making rather than taking no action or using another alternative.

Child Protection Task Group was asked to look at the assessment rules and make recommendations for changes. Through this workgroup a number of areas were identified as being unclear, out of date, or repetitive. Due to the work by this task group, it was determined that the assessment rules needed to be revised and by doing this through the rule process, there would be consistent language that could be used by county casework staff, training staff, DCW and ARD.

STAKEHOLDER COMMENT SUMMARY

Development

The following individuals and/or entities were included in the development of these proposed rules (such as other Program Areas, Legislative Liaison, and Sub-PAC):

CW Sub-PAC, ARD, DCW, CPTG

This Rule-Making Package

The following individuals and/or entities were contacted and informed that this rule-making was proposed for consideration by the State Board of Human Services:

PAC, Sub-PAC, AG's Office, ARD, CPTG, PA 4 Task Group, webinars were posted to the child welfare blog on the public awareness campaign website and highlighted in our weekly newsletter which is distributed to more than 11,718 recipients including all human services directors, known child welfare administrators, child welfare subPAC members and countless stakeholders. Office of the Child's Representative, Linda Weinerman and Child Welfare Ombudsman were also provided a copy.

Other State Agencies

Are other State Agencies (such as HCPF or CDPHE) impacted by these rules? If so, have they been contacted and provided input on the proposed rules?

Yes No

If yes, who was contacted and what was their input?

Sub-PAC

Have these rules been reviewed by the appropriate Sub-PAC Committee?

Yes No

Name of Sub-PAC	Child Welfare		
Date presented	April 6, 2017, May 4, 2017, June 8, 2017, and August 3, 2017		
What issues were raised?	Yes		
Vote Count	For	Against	Abstain
	8/3 - 8	8/3 - 4	8/3 - 2
If not presented, explain why.			

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PAC

Have these rules been approved by PAC?

Yes No

Date presented	May 4, 2017, June 8, 2017, and October 7, 2017		
What issues were raised?	Yes		
Vote Count	<i>For</i>	<i>Against</i>	<i>Abstain</i>
	10/7 – 8	10/7 – 4	10/7 – 0
If not presented, explain why.			

Other Comments

Comments were received from stakeholders on the proposed rules: See Attached

Yes No

If “yes” to any of the above questions, summarize and/or attach the feedback received, including requests made by the State Board of Human Services, by specifying the section and including the Department/Office/Division response. Provide proof of agreement or ongoing issues with a letter or public testimony by the stakeholder.

Assessment Rule Proposal

Stakeholder Feedback Teleconferences

March 8, 2017 from 9:00 am to 10:00 am,

March 10, 2017 from 2:00 pm to 3:00 pm,

March 13, 2017 from 12:30 pm to 1:30 pm

March 17, & April 21, 2017 Final review with CPTG

Request from PA-4 workgroup

Section	Feedback	Revision (if applicable)
7.104(B)(2)(c)	Strike through safety assessment	Done
7.104(B)(2)(c)	Concern about 24 hour approval by supervisors	Provided guidance that the approval can be verbal with documentation to support that the approval happened within 24 hours.
7.104(B)(2)(c)	There is concern that you may need to make a decision prior to interview based on current or impending danger.	This is addressed in 7.104.1(B)(1)(b)(c)(d)
7.104(B)(4)	Concern about timeframe for entering FAR information into Trails when CW case is required.	The information is always available in the FAR similar to HRA. No revisions made.
7.104(D)	Define “responding county”	No revisions; will look at adding to definitions.
7.104.1(B)(1)(c)	Does not include children who can’t be located	No revisions; this would be an exception
7.104.1(B)(1)(g)	Clarify language for DV	Added language to clarify.
7.104.1(C)((7)(a)(b)(c)	Need to strike through section; this is information that is embedded throughout this section.	Revised
7.104.1(C)(8)	Backgrounds on all adults living in the household is a workload issue; unfunded mandate	This was struck through due to language throughout assessment regarding needed reviews based on assessment.

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Section	Feedback	Revision (if applicable)
7.104.1(C)(8)(c)	Would like this to be a "may"	No Revision
7.104.131(C)	14 days is not enough time for supervisors to approve	No Revision; DCW is tracking.
7.104.14(B)	Documentation of backgrounds on all adults living in the household is a workload issue; unfunded mandate	No revisions; Important to securing safety for children/youth to know who is living in the household.
7.104.141(a)(2)	Agree to language as review of what was gathered during the assessment	No Revisions
7.103.3(A)(1)(2)	From the PA-4 Task Group: Requested BCOP be added to;	BCOP is not currently defined in rule and there is nothing to preclude a county from using RED teams for PA-4/BCOP. With revisions to RED team; County departments will have more discretion.

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OVERVIEW OF PROPOSED RULE

Compare and/or contrast the content of the current regulation and the proposed change.

New
 Revision
 Technical Change
 Repeal

Rule section and Page #	Type of Change/ Modification	Old Language	New Language or Response	Reason/Example/ Best Practice	Public Comment None/Detail
7.102.3(G) (1) Proposed rule change Page 1 in the Hotline section.	Technical Change	Child welfare inquiries regarding child abuse and/or neglect or families with child welfare involvement shall be transferred to the appropriate county department through the state automated case management system within two (2) hours after the call is completed.	Child welfare inquiries regarding child(REN/YOUTH) abuse and/or neglect or families with child welfare involvement shall be transferred to the appropriate county department through the state automated case management system within two (2) hours after the call is completed.	Modification to clarify the difference between a Child welfare inquiry and a referral concerning abuse and/or neglect.	None *****
7.103.3 Page 3	Revision	7.103.3 INITIAL REVIEW [Eff. 1/1/15] 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 the appropriateness of immediate assessment and/or RED Team review. It shall include, but not be limited to, the following actions: A. 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 person(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. B. As available and appropriate, obtain information from collateral sources such as schools, medical personnel, law enforcement agencies, or other care providers.	7.103.3 INITIAL REVIEW [Eff. 1/1/15] 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 appropriateness of AN immediate RESPONSE TO AN assessment, and/or THE NEED FOR RedED 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 VULNERABILITY AS DEFINED IN SECTION 7.000.2. AB. 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 person(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. BC. As available and appropriate, obtain information	Modifications allow county departments to: • Focus resources on referrals most in need of RED Team process and discussion; • Improve fidelity to the model instead of a "rubber-stamp" process; and • Meet the intent of employing a group-decision making model in screening referrals	Yes, Rule Change recommended by county/ state RED Team CQI Process

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			<p>from collateral sources such as schools, medical personnel, law enforcement agencies, or other care providers.</p> <p>D. ALL REFERRALS SHALL BE REVIEWED AND APPROVED BY A SUPERVISOR, AND DOCUMENTED IN THE STATE AUTOMATED CASE MANAGEMENT SYSTEM. THE REVIEW 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.</p> <p>E. PREVENTION SERVICES SHALL BE CONSIDERED, IF AVAILABLE, FOR SCREENED OUT REFERRALS.</p>		
7.103.4 Page 3&4	Repeal	<p>7.103.4 RED TEAMS [Eff. 1/1/15]</p> <p>A. County departments shall develop and implement a process utilizing the RED Team framework to review referrals and determine response times. THE RED Team process shall be utilized for all referrals, with the exception of:</p> <ol style="list-style-type: none">1. Referrals necessitating an immediate response;2. Referrals necessitating a response prior to the next business day;3. Referrals alleging institutional abuse and/or neglect; or, 4. Referrals alleging youth in conflict. Counties may choose to utilize the RED Team process for the above exceptions <p>B. The RED Team framework shall include, but not be limited to:</p> <ol style="list-style-type: none">1. Danger/harm;2. Complicating/risk factors;3. Gray area;4. Cultural considerations/race;5. Safety;6. Strengths/protective factors; and7. Next steps.	<p>7.103.4 RED TEAMS [Eff. 1/1/15]</p> <p>A. County departments shall develop and implement a process utilizing the RED Team framework to review referrals and determine response times. THE RED Team process shall be utilized for all referrals, with the exception of:</p> <ol style="list-style-type: none">1. Referrals necessitating an immediate response;2. Referrals necessitating a response prior to the next business day;3. Referrals alleging institutional abuse and/or neglect; or, 4. Referrals alleging youth in conflict. Counties may choose to utilize the RED Team process for the above exceptions. <p>B. The RED Team framework shall include, but not be limited to:</p> <ol style="list-style-type: none">1. Danger/harm;2. Complicating/risk factors;3. Gray area;4. Cultural considerations/race;5. Safety;6. Strengths/protective factors; and7. Next steps. <p>C. All RED Team decisions shall be approved by a supervisor by the end of the calendar day and documented in the state automated case management</p>	SAA	SAA

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<p>7.103.4 Page 4&5 Moved from (C) to (A)</p>	<p>Technical</p>	<p>7.103.54 REFERRALS REQUIRING NO FURTHER ACTION [Eff. 1/1/15] A. County departments may determine that a referral does not require further action and screen it out for the following reasons: 1. The current allegations have previously been assessed; 2. The alleged victim child(ren) are not located or reside in the State of Colorado. In this circumstance, the county department shall inform the other state or county department of the referral; 3. Referral does not meet criteria of abuse and/or neglect as defined in statutes and regulations; 4. Referral lacks sufficient information to locate the alleged victim child(ren); 5. Referral is duplicative of a previous referral. In this circumstance, the county department shall associate the duplicate referral with the previous referral in the state automated case management system); 6. 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. 7. There is no current allegation of abuse and/or neglect; and, 8. Other (applicable for Program Area 4 only and Requires documentation explanation in the state automated case management system).</p>	<p>system by the end of the next business day 7.103.54 REFERRALS REQUIRING NO FURTHER ACTION [Eff. 1/1/15] A.THE A. 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, THE REFERRAL SHALL BE REVIEWED THROUGH THE RED TEAM PROCESS. County departments may determine that a referral does not require further action and screen it out for the following reasons: 1. The current allegations have previously been assessed; 2. The alleged victim child(ren) are not located or reside in the State of Colorado. In this circumstance, the county department shall inform the other state or county department of the referral; 3. Referral does not meet criteria of abuse and/or neglect as defined in statutes and regulations; 4. Referral lacks sufficient information to locate the alleged victim child(ren); 5. Referral is duplicative of a previous referral. In this circumstance, the county department shall associate the duplicate referral with the previous referral in the state automated case management system); B.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 NEGLECT; 4.DIFFERENT HOUSEHOLD; AND/OR 5. ADDITIONAL COMPLICATED INFORMATION POSES A NEW OR RENEWED THREAT OF SAFETY TO THE CHILD(REN)/YOUTH. 6. The person alleged to be responsible for the abuse and/or neglect is a third (3rd) party and ten</p>	<p>Change in numbering to clarify language and process. Addition of Children/youth.</p>	<p>None</p>
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			(10) years of age or older. In this circumstance, the county department shall send the referral to the appropriate law enforcement agency. 7. There is no current allegation of CHILD abuse and/or neglect; and, 8. Other (applicable for Program Area 4 only and requires documentation explanation in the state automated case management system).		
7.103.4 (B)(C) Page 5 Moved (C) to (A) Deleted (D)	New		C. 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, THE REFERRAL SHALL BE REVIEWED THROUGH THE RED TEAM PROCESS. D.PREVENTION SERVICES SHALL BE CONSIDERED,IF AVAILABLE, FOR SCREENED OUT REFERRALS.	To provide flexibility to screen out referrals that clearly do not meet the threshold for assignment.	Yes, county suggested this language. Updated language from PAC to include other county partners for decision making to screen out.
7.103.5 Page 5	Technical	7.103.6 CRITERIA FOR ASSIGNING A REFERRAL FOR ASSESSMENT [Eff. 1/1/15]	7.103.65 CRITERIA FOR ASSIGNING A REFERRAL FOR ASSESSMENT [Eff. 1/1/15] A. County departments shall SCREEN IN AND assign a referral for assessment if it:	Change in numbering to clarify process	None
7.103.6 Page 5&6	New		7.103.6 RED TEAMS A. COUNTY DEPARTMENTS SHALL IMPLEMENT A PROCESS UTILIZING RED TEAM TO REVIEW REFERRALS WITH: 1. COMPLICATED CHILD WELFARE HISTORY OF FOUNDED HIGH RISK ASSESSMENT(S), FAMILY ASSESSMENT RESPONSE(S)(FAR) WITH A SERVICE PLAN, OR CASE HISTORY REGARDING THE HOUSEHOLD MEMBERS IN THE CURRENT REFERRAL; 2. COMPLICATED CRIMINAL HISTORY THAT INCLUDES FELONY, AND/OR MISDEMEANOR CRIMINAL CONVICTIONS, RELATED TO CHILD ABUSE AND/OR NEGLECT, INCLUDING CRIMES OF VIOLENCE, DOMESTICE VIOLENCE, OR UNLAWFUL SEXUAL BEHAVIOR REGARDING THE HOUSEHOLD MEMBERS IN THE CURRENT REFERRAL; 3.COMPLICATED REFERRAL NARRATIVE THAT	This change continues to require the use of RED Teams and the group decision making model in determining response time, track, and next steps.	Yes, this change was made in collaboration with county departments through 3 CQI processes, SubPAC, and CPTG.

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			<p>IDENTIFIES ANY VULNERABLE CHILD(REN)/YOUTH AS DEFINED IN SECTION 7.000.2, OR A CHILD AGE TWO (2) OR YOUNGER IN THE HOUSEHOLD OF THE CURRENT REFERRAL; AND/OR</p> <p>4. MULTIPLE SCREENED OUT NON-DUPLICATIVE REFERRALS WITH NO ASSESSMENTS IN THE PRIOR TWELVE (12) MONTHS.</p> <p>B. COUNTY DEPARTMENTS PRACTICING DIFFERENTIAL RESPONSE SHALL UTILIZE THE RED TEAM PROCESS FOR TRACK ASSIGNMENT DECISIONS WHEN CONSIDERING THE FAMILY ASSESSMENT RESPONSE (FAR) TRACK ON ASSESSMENTS REQUIRING THREE (3) CALENDAR OR FIVE (5) BUSINESS DAY RESPONSES.</p> <p>C. THE RED Team process is not required for review of the following exceptions:</p> <ol style="list-style-type: none">1. REFERRALS necessitating an immediate response;2. REFERRALS necessitating a response prior to the next business day;3. REFERRALS alleging institutional abuse and/or neglect; or,4. REFERRALS alleging youth in conflict. <p>D. County DEPARTMENTS may choose to utilize the RED Team process for the above exceptions.</p> <p>E. THE RED TEAM PROCESS SHALL BE DOCUMENTED IN THE FRAMEWORK. THE DOCUMENTATION SHALL REFLECT THE DISCUSSION AND JUSTIFICATION FOR THE DECISIONS.</p> <p>F. ALL RED TEAM DECISIONS SHALL BE APPROVED BY A CERTIFIED SUPERVISOR BY THE END OF THE CALENDAR DAY AND DOCUMENTED IN THE STATE AUTOMATED CASE MANAGEMENT SYSTEM BY THE END OF THE NEXT BUSINESS DAY.</p>		
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7.104 Page 6	Revision	7.104 ASSESSMENTS OF INTATRAFAMILIAL, INSTITUTIONAL, AND THIRD-PARTY ABUSE AND/OR NEGLECT REFERRALS [Eff. 1/1/15]	7.104 ASSESSMENTS OF INTRAFAMILIAL, INSTITUTIONAL, AND THIRD-PARTY ABUSE AND/OR NEGLECT REFERRALS ASSESSMENTS [Eff. 1/1/15]	Clarify and clean up language	None
7.104(A) Page 6	Technical	A. The assessment shall begin with face-to-face contact with the alleged victim child(ren) and includes, but is not limited to:	A. The assessment shall begin with face-to-face contact with the alleged victim child(ren)/ and YOUTH AND includes, but is not limited to:	Clarify language	Yes, Request from counties
7.104(A) (2) Page 6	Technical	2. Assessing for safety and action to secure safety, if indicated;	2. Assessing for safety CURRENT OR IMPENDING DANGER and taking action to secure safety, if indicated;	Change language to be consistent with recent changes to the safety and risk assessment rules	None
7.104(A)(3) Page 6	Revision, Technical	3. Assessing risk, needs, and strengths of child(ren) and families; and,	3. Assessing risk, needs, PROTECTIVE CAPACITIES and strengths of child(ren)/YOUTH and families; and,	Clarify and mirror safety and risk language	None
7.104(A) (4) Page 6	Technical	Child	CHILD(REN)/YOUTH	Clarify language	None
7.104(B) Page 6	Technical	Child	CHILD(REN)/YOUTH	Clarify language	Yes, Request from counties
7.104(B) (1)(a) Page 6	Technical	a. The safety threshold criteria current or impending danger of moderate to severe harm;	ADDED THE WORD "FOR"	Language clean up	None
7.104.(B) (1)(b) Page 6	New	Ten(10)present	CURRENT OR IMPENDING DANGERS DESCRIBED IN THE COLORADO FAMILY SAFETY ASSESSMENT TOOL	Mirror recent changes to language in the safety and risk assessment rules.	None
7.104(B) (1)(c) Page 6	Technical	Child	CHILD(REN)/YOUTH	Clarify language	Yes, Request from counties
7.104(B) (2) Page 6	Technical	Child	CHILD(REN)/YOUTH	Clarify language	Yes, Request from counties
7.104.(B) (2)(a) Page 7	Revision	All one paragraph	Addition of the word "A" and citation to 7.107.17	Clarify and clean up language	None
7.104(B) (2)(b) Page 7	New, Technical	All one paragraph Child	CHILD(REN)/YOUTH	Clarify language	Yes, Request from counties
7.104 (B)(2) (c)	New, Technical	If the child is unsafe, the safety assessment, safety plan, or decision to initiate an out-of-home placement must be reviewed and approved by a	If the child(REN)/YOUTH is unsafe, the safety assessment, safety plan, or decision to initiate an out-of-home placement must SHALL be reviewed and approved by a	Mirror recent changes to language in the safety and risk assessment rules	Yes, conversation with CPTG.

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Page 7		supervisor as soon as possible and at most within twenty-four (24) hours.	supervisor as soon as possible and at most within NO LATER THAN twenty-four (24) hours FROM THE FACE TO FACE INTERVIEW OR OBSERVATION WITH THE ALLEGED VICTIM CHILD(REN)/YOUTH. DOCUMENTATION OF THE APPROVAL SHALL BE ENTERED IN THE STATE AUTOMATED CASE MANAGEMENT SYSTEM.		
7.104(B) (3) Page 7	Technical	Child	CHILD(REN)/YOUTH	Clarify language	Yes, Request from counties
7.104(B) (4) Page 7	Revision, Technical	For county departments implementing Differential Response, if at any point the safety cannot be sustained in a Family Assessment Response (FAR), the caseworker, with approval from the supervisor, shall open a case and/or request court orders.	For county departments implementing Differential Response, if at any point the safety cannot be sustained in a Family Assessment Response (FAR), the caseworker, with approval from the supervisor, shall open a case and/or request court orders. ALL INFORMATION ENTERED INTO THE (FAR) SHALL BE TRANSFERRED TO THE OPEN CASE.	Clarify practice and language	Yes
7.104(B) (5) Page 7	Technical		New (5) If at any point new information is gathered that contains information defined in section 7.103, a new referral shall be generated.	Separate out paragraph.	None
7.104(C) (1) Page 5	Revision, Technical	Identify and assess threats to child safety;	Identify and assess threats CURRENT OR IMPENDING DANGER to child(REN)/YOUTH safety;	Clarify and update language	None
7.104(C) (2) Page 7	Technical	Child	CHILD(REN)/YOUTH	Clarify language	Yes, Request of counties
7.104.(C)(3) Page 7	Revision	Facilitate caregivers in taking responsibility for child protection; and,	Facilitate WORK WITH caregivers in taking responsibility TO IDENTIFY SAFETY AND NETWORK SUPPORTS for child(REN)/YOUTH protection; and,	Clarify and update language	None
7.104(C) (4) Page 7	Technical	Child	CHILD(REN)/YOUTH	Clarify language	Yes, Request of counties
7.104(D) Page 7	Revision	When determining jurisdiction within open assessments, when there are safety concern, consider the following:	When determining jurisdiction within open assessments, when there are safety concerns CURRENT OR IMPENDING DANGER IS IDENTIFIED, THE RESPONDING COUNTY SHALL consider the following:	Clarify language at this time; CPTG recommends jurisdiction should be a section and cover referral through case in one area.	Yes, Recommended by CPTG
7.104(E) Page 8	Revision	When determining jurisdiction within open assessments when no further safety concerns are identified, the county with the open assessment shall complete the assessment.	When determining jurisdiction within open assessments, when no further safety concerns are AND NO CURRENT OR IMPENDING DANGER IS identified, the county with the open assessment shall complete the assessment.	SAA.	Yes, Recommended by CPTG
7.104.1	Technical	A. If at any point during the	A. If at any point during the	This was added at the	None

Title of Proposed Rule: 7.103.3 through 7.104.5 Assessment Rule Revisions

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(A)(1)(2) Page 8		assessment, a county department becomes aware of an allegation that a child/youth is, or may be, a victim of sex trafficking, the county department shall: 1. Report immediately, and no later than twenty-four (24) hours from when the county department becomes aware, to the local law enforcement agency; and, 2. Document the details of the report to law enforcement in the state automated case management system.	assessment, a county department becomes aware of an allegation that a child/youth is, or may be, a victim of sex trafficking, the county department shall: 1. Report immediately, and no later than twenty-four (24) hours from when the county department becomes aware, to the local law enforcement agency; and, 2. Document the details of the report to law enforcement in the state automated case management system.	beginning of the assessment section and needed to be moved to section 7.104.1(d)(1)(2) No changes to language	
7.104.1 (A)(B) Page 8	Technical	B. The assessment shall begin as soon as reasonably possible following receipt of the referral according to the assigned response time. C. The assessment shall be conducted as set forth in Section 19-3-308(2), (3), (4) through 19-3-308.5, C.R.S., and the following:	B A. The assessment shall begin as soon as reasonably possible following receipt of the referral according to the assigned response time. C B. The assessment shall be conducted as set forth in Section 19-3-308(2), (3), (4) through 19-3-308.5, C.R.S., and the following	To re align correct numbering of section	None
7.104.1 (B)(1) Page 8	Technical	Child	CHILD(REN)/YOUTH	Clarify language	None
7.104.1 (B)(1)(a) Page 8	Revision	Interviews shall be face-to-face with the child if the child has the verbal ability to relate information relevant to safety decisions. If the child does not have such verbal ability, observation of the child is sufficient.	Interviews shall be face-to-face with the child(REN)/YOUTH if the child(REN)/YOUTH has the verbal, EMOTIONAL, AND/OR DEVELOPMENTAL ability to relate information relevant to safety decisions. If the child(REN)/YOUTH does not have such verbal, EMOTIONAL, AND/OR DEVELOPMENTAL ability, FACE TO FACE observation of the child(REN)/YOUTH is sufficient. DOCUMENTATION SHALL SUPPORT WHY THE CHILD(REN)/YOUTH WAS UNABLE TO BE INTERVIEWED.	To clarify and update language	Yes, Request of counties as part of CPTG.
7.104.1 (B)(1)(b) Page 8	New		WHEN CHILD(REN)/YOUTH ARE UNABLE TO BE INTERVIEWED WITHIN THE ASSIGNED RESPONSE TIME, CASEWORKERS SHALL DOCUMENT INTERVIEWS WITH HOUSEHOLD MEMBERS AND COLLATERALS TO DETERMINE THAT THE CHILD(REN)/YOUTH IS SAFE OR IN CURRENT OR IMPENDING DANGER. DOCUMENTATION SHALL SUPPORT WHY THE CHILD(REN)/YOUTH WAS UNABLE TO BE INTERVIEWED.	To update language to align with current practice	None
7.104.1 (B)(1)(c) Page 8	New		IF A CASEWORKER GATHERING INFORMATION IN THE COLORADO FAMILY SAFETY ASSESSMENT TOOL DETERMINES CHILD(REN)/YOUTH ARE UNSAFE AND IT IS UNREASONABLE TO INTERVIEW THE	To update language to align with current practice	Yes, add caseworker gathering information

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			CHILD(REN)/YOUTH AT THE TIME OF REMOVAL, THE CASEWORKER SHALL INTERVIEW THE CHILD(REN)/YOUTH AS SOON AS IT IS REASONABLE. DOCUMENTATION SHALL SUPPORT WHY THE CHILD(REN)/YOUTH WAS UNABLE TO BE INTERVIEWED.		
7.104.1 (B)(1)(d) Page 9	New		D. CASEWORKERS AND OTHER CHILD WELFARE STAFF SHALL NOT BE REQUIRED TO HAVE FACE TO FACE CONTACT WITH A OBSERVE CHILD(REN)/YOUTH WHO ARE UNDERGOING LIFESAVING MEDICAL INTERVENTION, IN CRITICAL CONDITION OR DECEASED. INFORMATION OF ABUSE AND NEGLECT SHALL BE GATHERED THROUGH INTERVIEWS WITH HOUSEHOLD MEMBERS AND COLLATERALS AND DOCUMENTED IN THE STATE AUTOMATED CASE MANAGEMENT SYSTEM. THE CASEWORKER SHALL INTERVIEW OR OBSERVE THE VICTIM CHILD(REN)/YOUTH ONCE THEY ARE MEDICALLY CLEARED	To update language to align with current practice	None
7.104.1(B)(1)(e)(f) Page 9	Technical	Was 7.104.1(B)(1)(b)(c)	NOW 7.104.1(B)(1)(e)(f) bE. Interviews shall be conducted out of the presence of the person(s) alleged to be responsible for the abuse and/or neglect. eF. The requirements of section (BE) above do not apply in a Family Assessment Response (FAR) where the initial interview may be conducted with the entire family, when doing so does not compromise the safety of the child(ren). Children may be interviewed outside the presence of the suspected person(s) responsible for the abuse and/or neglect at any point during the assessment. If domestic violence is alleged, the non-offending parent victim and alleged victim child(ren) shall be interviewed separate and apart from the alleged perpetrator.	To align lettering and strike through dv language in (f)	Yes, combine DV language for all assessments
7.104.1(B)(1)(g) Page 9	Revision, Technical	Information obtained from the interview with the non-offending parent and victim child shall not be revealed to the alleged perpetrator of domestic violence, but shall be subject to the rules of discovery and governed by the confidentiality provisions under Section 7.605.	IF DOMESTIC VIOLENCE IS ALLEGED IN A HIGH RISK ASSESSMENT (HRA), TRADITIONAL RESPONSE ASSESSMENT, OR A FAMILY ASSESSMENT RESPONSE (FAR), AT SOME POINT DURING THE ASSESSMENT THE NON-OFFENDING PARENT AND ALLEGED VICTIM CHILD(REN)/YOUTH SHALL BE INTERVIEWED SEPARATE AND APART FROM THE ALLEGED PERPETRATOR. Information obtained from the interview with the non-offending parent and victim child(ren)/YOUTH shall not be revealed to the alleged perpetrator of domestic violence, but AND shall be subject	To clarify language	Yes, request from Sub PAC to strike additional language as rule already allows and supports this practice

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			to the rules of discovery and governed by the confidentiality provisions under Section 7.605.		
7.104.1(B)(1)(h) Page 9	Revision, Technical	If the interview or observation cannot be accomplished within the assigned response timeframe, reasonable efforts to interview or observe the child(ren) shall continuously be made. These efforts shall continue until the interview or observation occurs or the assessment is completed.	If the FACE TO FACE interview(S) or observation(S) cannot be accomplished WITH THE ALLEGED VICTIM CHILD(REN)/YOUTH within the assigned response timeframe, reasonable efforts to interview or observe the child(ren)/YOUTH shall continuously be made AS DEFINED IN 7.103.61(D). These eEfforts shall BE DOCUMENTED IN THE STATE AUTOMATED CASE MANAGEMENT SYSTEM AND continue until the FACE TO FACE interview or observation occurs or the assessment is completed.	To clarify language	None
7.104.1(C)(1) through (14) Page 9	Revision, Technical	C.The assessment shall be conducted as set forth in Section 19-3-308(2), (3), (4) through 19 3-308.5, C.R.S., and the following: 1.The assessment shall include an interview, with or observation of the alleged victim child(ren) within the assigned response timeframe, according to the following procedures: a.Interviews shall be face-to-face with the child if the child has the verbal ability to relate information relevant to safety decisions. If the child does not have such verbal ability, observation of the child is sufficient. b.Interviews shall be conducted out of the presence of the person(s) alleged to be responsible for the abuse and/or neglect. c.The requirements of section (B) above do not apply in a Family Assessment Response (FAR) where the initial interview may be conducted with the entire family, when doing so does not compromise the safety of the child(ren). Children may be interviewed outside the presence of the suspected person(s) responsible for the abuse and/or neglect at any point during the assessment. If domestic violence is alleged, the non-offending parent victim and alleged victim child(ren) shall be interviewed separate and apart from the alleged perpetrator. d.Information obtained from the interview with the non-offending parent and victim child(ren) shall not be revealed to the alleged perpetrator of domestic violence, but shall be subject to the	2C.The assessment shall include; 1.FACE TO FACE Interviews AND/OR OBSERVATIONS with: A.aAll VICTIM child(ren)/YOUTH WITHIN THE ASSIGNED TIMEFRAME, EXCEPT AS IDENTIFIED IN 7.104.1 (A),(B),(C) AND (D); caregivers, non-custodial parent(s), family members, and, B.HOUSEHOLD MEMBERS. 2.DOCUMENTATION OF EFFORTS TO ENGAGE NON-CUSTODIAL PARENT(S); AND other persons identified through the assessment who may have information regarding the alleged abuse and/or neglect. to determine: 3.a. THEeExtent of child(REN)/YOUTH maltreatment ABUSE AND/OR NEGLECT, to include, but not limited to: A.Impact to the child(REN)/YOUTH; B.Type and severity of injuries, if applicable; and, C.Child(REN)/YOUTH'S explanation of the maltreatment ABUSE AND/OR NEGLECT. 4.Circumstances surrounding the child(REN)/YOUTH maltreatment ABUSE AND/OR NEGLECT, to include, but not limited to: A.Caretaker explanation of the maltreatment ABUSE AND/OR NEGLECT; B.Environmental influences; C.Contributory factors; D.Child(REN)/YOUTH functioning; on a daily basis; E. Adults and eCaregiver(S) functioning on a daily basis; and, F.Parenting practices and disciplinary practices. 35.The assessment shall include visiting the alleged victim child(ren)/YOUTH's place of residence or place of custody if:	Clarify and update language; Change maltreatment to abuse and/or neglect Add child(ren)/youth Align language with recent updates to the safety and risk assessment rules.	None

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		<p>rules of discovery and governed by the confidentiality provisions under Section 7.605.</p> <p>e.If the interview or observation cannot be accomplished within the assigned response timeframe, reasonable efforts to interview or observe the child(ren) shall continuously be made. These efforts shall continue until the interview or observation occurs or the assessment is completed.</p> <p>The assessment shall include interviews with all children, caregivers, non-custodial parent(s), family members, and other persons identified through the assessment who may have information regarding the alleged abuse and/or neglect to determine:</p>	<p>A.The home conditions are the subject of the referral ASSESSMENT; or,</p> <p>B.Information obtained in the interview process indicates assessment of the home environment is necessary due to safety issues CURRENT OR IMPENDING DANGER or to determine findings.</p> <p>46. The assessment shall determine the names and conditions of any children living in the same place HOUSEHOLD as the alleged victim child(ren)YOUTH.</p> <p>57.The assessment shall include consideration of race/ethnicity, religion, accepted work-related practices of agricultural communities, and accepted child-rearing practices of the culture in which the alleged victim child(ren)/YOUTH participates.</p>		
7.104.1(C) (6)	Repeal	<p>6.The assessment shall include a review of any current and/or prior involvement by any county department with any of the children in the home, the parents, the person alleged to be responsible for the abuse and/or neglect or any person residing in the home. This review shall:</p> <p>a.Analyze each prior involvement for actions taken and services provided;</p> <p>b.Determine whether there is a pattern of behavior in the family that is a threat to the safety of the child(ren) and take action to secure safety, if indicated, or seek more information to make a determination; and,</p> <p>c.Include a review by the supervisor to ensure the review has occurred.</p>	<p>6. The assessment shall include a review of any current and/or prior involvement by any county department with any of the child(ren) in the home, the parents, the person alleged to be responsible for the abuse and/or neglect or any person residing in the home. This review shall:</p> <p>a. Analyze each prior involvement for actions taken and services provided;</p> <p>b. Determine whether there is a pattern of behavior in the family that is a threat to the safety of the child(ren) and take action to secure safety, if indicated, or seek more information to make a determination; and,</p> <p>c. Include a review by the supervisor to ensure the review has occurred.</p>	This was duplicative; stated throughout this section.	None
7.104.1(C) (8) Page 11 Change Caregivers to all adults.	New		<p>8.WHEN ASSESSING ALLEGATIONS OF INTERFAMILIAL ABUSE AND/OR NEGLECT, THE ASSESSMENT SHALL INCLUDE RECORD CHECKS OF ALL CAREGIVERS ADULTS RESIDING IN THE CHILD(REN)/YOUTH'S HOUSEHOLD TO ASSESS FOR FELONY, AND/OR MISDEMEANOR CRIMINAL CONVICTIONS, RELATED TO CHILD ABUSE AND/OR NEGLECT, INCLUDING CRIMES OF VIOLENCE, DOMESTIC VIOLENCE, OR UNLAWFUL SEXUAL BEHAVIOR. INFORMATION GATHERED FROM RECORD CHECKS SHALL BE USED AS ONE COMPONENT TO INFORM THE OVERALL</p>	Addition of required background checks.	Area of discussion for CPTG and subPAC around what is consistent practice around background checks.

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			ASSESSMENT PROCESS. SAFETY DECISIONS AND FINDINGS SHALL NOT BE MADE SOLELY ON THE INFORMATION GATHERED. RECORDS CHECKS SHALL INCLUDE: A.THE STATE AUTOMATED CASE MANAGEMENT SYSTEM; B.COLORADO COURT MANAGEMENT SYSTEM OF THE STATE JUDICIAL DEPARTMENT; AND C.THE NATIONAL SEX OFFENDER PUBLIC WEBSITE OPERATED BY THE UNITED STATES DEPARTMENT OF JUSTICE. D.WHEN COUNTY DEPARTMENTS HAVE A MEMORANDUM OF UNDERSTANDING TO ALLOW ACCESS TO THE NATIONAL CRIME INFORMATION CENTER (NCIC) DATA, B AND C MAY BE SUBSTITUTED WITH DOCUMENTATION THAT AN NCIC CHECK WAS COMPLETED.		
7.104.1(C) (9)(10)(11) (12)(13) 7.104.11 language was moved to this section.	Revision/ Technical	a.Extent of child maltreatment, to include, but not limited to: 1) Impact to the child; 2) Type and severity of injuries, if applicable; and, 3) Child's explanation of the maltreatment. b.Circumstances surrounding the child maltreatment, to include, but not limited to: 1)Caretaker explanation of the maltreatment; 2)Environmental influences; and, 3)Contributory factors. c. Child functioning on a daily basis; d. Adults and caregiver functioning on a daily basis; and, e. Parenting practices and disciplinary practices. 3. The assessment shall include visiting the alleged victim child(ren)'s place of residence or place of custody if: a. The home conditions are the subject of the referral; or, b. Information obtained in the interview process indicates assessment of the home environment is necessary due to safety issues or to determine findings. 4. The assessment shall determine the names and conditions of any children living in the same place as the alleged victim child(ren).	9. WHEN ASSESSING ALLEGATIONS OF SEXUAL ABUSE, THE COUNTY DEPARTMENT SHALL: A. Use due diligence in following specific check criteria for each website; and, B. Immediately report any violations of sex offender registration to local law enforcement; and, C. Report all law enforcement verified matches of sex offenders to the individual supervision officer/agent or team responsible for community supervision and public safety; D. Use both the state and national websites to check if a person alleged to be responsible of the abuse and/or neglect is a sex offender; and, E. County departments may check with USE LOCAL law enforcement to check if a person alleged to be responsible for the abuse and/or neglect is a sex offender. 7 10.The assessment shall include making reasonable DOCUMENTATION OF efforts to interview and advise the person(s) alleged to be responsible for the abuse and/or neglect of the referral and afford such person(s) an opportunity to respond to the allegations. 811.The assessment shall include use of the Colorado FAMILY Safety Assessment tool as describe in Section 7.107.1. 912.The assessment shall include use of the Colorado Family Risk Assessment tool as described in Section	Clarify and update language; re-organized for flow.	

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		<p>5. The assessment shall include consideration of race/ethnicity, religion, accepted work-related practices of agricultural communities, and accepted child-rearing practices of the culture in which the alleged victim child(ren) participates.</p> <p>7. The assessment shall include making reasonable efforts to interview and advise the person(s) alleged to be responsible for the abuse and/or neglect of the referral and afford such person(s) an opportunity to respond to the allegations.</p> <p>8. The assessment shall include use of the Colorado Safety Assessment tool as describe in Section 7.107.1.</p> <p>9. The assessment shall include use of the Colorado Family Risk Assessment tool as described in Section 7.107.2.</p> <p>10. The assessment shall include making reasonable efforts to prevent out-of-home placement, unless an emergency exists, and to maintain the family unit. Reasonable efforts include, but are not limited to:</p> <ul style="list-style-type: none"> a. Engaging family and extended family in safety planning as described in Section 7.107.16, if appropriate; b. Providing in-home services, if appropriate and available; c. Removing the person(s) alleged to be responsible for the abuse and/or neglect from the home rather than the child(ren), if possible; d. Requesting the caregiver place the child and self in a safe environment; or, e. Engaging family and extended family in securing a kinship placement. 	<p>7.107.2. 4013.The assessment shall include making DOCUMENTATION OF reasonable efforts to prevent out-of-home placement, unless an emergency exists, and to maintain the family unit. Reasonable efforts include, but are not limited to:</p> <ul style="list-style-type: none"> a. Engaging family and extended family in safety planning as described in Section 7.107.167, if appropriate; b. Providing in-home services, if appropriate and available; c. Removing the person(s) alleged to be responsible for the abuse and/or neglect from the home rather than the child(ren)/YOUTH, if possible; d. Requesting WORK WITH the caregiver TO place the child(REN)/YOUTH and self in a safe environment; or, e. Engaging family and extended family in securing a kinship placement. 		
<p>7.104.1(D)(1)(2)Page 11</p>	<p>Revision</p>	<p>A.If at any point during the assessment, a county department becomes aware of an allegation that a child/youth is, or may be a victim of sex trafficking,the county department shall:</p> <ul style="list-style-type: none"> 1.Report immediately, and no later than twenty four (24)hours from when the county department becomes aware,to the local law enforcement agency, and, 2.Document the details of the report to law 	<p>AD.If at any point during the assessment, a county department becomes aware of an allegation that a child(REN)/youth is, or may be a victim of sex trafficking, the county department shall:</p> <ul style="list-style-type: none"> 1.Report immediately, and no later than twenty-four (24) hours from when the county department becomes aware, to the local law enforcement agency, and, 2.Document the details of the report to law enforcement in the state automated case management system. 	<p>Re-align and add Child(ren).</p>	<p>None</p>

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		enforcement in the state automated case management system.			
7.104.11 Page 12	Technical	<p>7.104.11 Additional Requirements When Assessing Allegations of Sexual Abuse [Eff. 1/1/15]</p> <p>A. When the assessment involves allegations of sexual abuse, the assessment shall include at a minimum in-state and out-of-state sex offender checks of the person(s) alleged to be responsible for the abuse and/or neglect. The sex offender check shall be conducted using the following:</p> <ol style="list-style-type: none"> 1.County departments shall use Colorado Courts to check if a person alleged to be responsible for the abuse and/or neglect is a sex offender; or, 2.County departments shall use both the state and national websites to check if a person alleged to be responsible for the abuse and/or neglect is a sex offender; and/or, 3. County departments may check with law enforcement to check if a person alleged to be responsible for the abuse and/or neglect is a sex offender. <p>B.When conducting any website checks, county departments shall:</p> <ol style="list-style-type: none"> 1.Use due diligence in following specific check criteria for each website; and, 2.Check for adult felony, misdemeanor, and/or juvenile adjudication records with a sexual offense. <p>C.County departments shall also:</p> <ol style="list-style-type: none"> 1. Access or attempt to access government issued (tamper-resistive) photographic identification of the person alleged to be responsible for the abuse and/or neglect and document the full name(s), including nicknames and/or aliases, address(es) and date(s) of birth in the state automated case management system; 2.Access or attempt to access information from the person alleged to be responsible for the abuse and/or neglect on any possible 	<p>See 7.104 (C)(8)</p> <p>7.104.11 Additional Requirements When Assessing Allegations of Sexual Abuse [Eff. 1/1/15]</p> <p>A.When the assessment involves allegations of sexual abuse, the assessment shall include at a minimum in-state and out-of-state sex offender checks of the person(s) alleged to be responsible for the abuse and/or neglect. The sex offender check shall be conducted using the following:</p> <ol style="list-style-type: none"> 1.County departments shall use Colorado Courts to check if a person alleged to be responsible for the abuse and/or neglect is a sex offender; or, 2.County departments shall use both the state and national websites to check if a person alleged to be responsible for the abuse and/or neglect is a sex offender; and/or, 3.County departments may check with law enforcement to check if a person alleged to be responsible for the abuse and/or neglect is a sex offender. <p>B.When conducting any website checks, county departments shall:</p> <ol style="list-style-type: none"> 1.Use due diligence in following specific check criteria for each website; and, 2.Check for adult felony, misdemeanor, and/or juvenile adjudication records with a sexual offense. <p>C.County departments shall also:</p> <ol style="list-style-type: none"> 1.Access or attempt to access government issued (tamper-resistive) photographic identification of the person alleged to be responsible for the abuse and/or neglect and document the full name(s), including nicknames and/or aliases, address(es) and date(s) of birth in the state automated case management system; 2.Access or attempt to access information from the person alleged to be responsible for the abuse and/or neglect on any possible involvement with law enforcement, probation, parole, corrections, community corrections, and/or child welfare services in Colorado, in any other state, and/or jurisdiction that may include federal, military, tribe, and/or country; 3.Immediately report any possible violations of sex offender registration to local law enforcement; and, 4.Report all law enforcement verified matches of sex 	<p>This language was moved and some repealed</p> <p>Required language is now in section 7.104.1(C)(8)(a)(b)(c)(d) and (9)(a)(b)(c)(d)(e)</p>	None

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		involvement with law enforcement, probation, parole, corrections, community corrections, and/or child welfare services in Colorado, in any other state, and/or jurisdiction that may include federal, military, tribe, and/or country; 3.Immediately report any possible violations of sex offender registration to local law enforcement; and, 4.Report all law enforcement verified matches of sex offenders to the individual, supervising officer/agent or team responsible for community supervision and public safety.	offenders to the individual, supervising officer/agent or team responsible for community supervision and public safety.		
7.104.131 (A) Page 13	Revision	7.104.131 Timing [Eff. 1/1/15] A. High Risk Assessments (HRA) or Traditional Response Assessment shall be completed within sixty (60) calendar days of the date the referral was received.	7.104.131 Timing [Eff. 4/1/15] A. High Risk Assessments (HRA) or Traditional Response Assessment shall be APPROVED BY A CERTIFIED SUPERVISOR AND CLOSED be completed within sixty (60) calendar days of the date the referral was received.	Updated and clarified language.	None
7.104.131 (B) Page 13	Revision	B. The initial assessment phase of a Family Assessment Response (FAR) shall be approved by the supervisor and closed within sixty (60) calendar days from the date the referral was received Once services are identified or the assessment has reached sixty (60) calendar days, the Family Assessment Response (FAR) is considered to be in the service phase, and a FAR service plan shall have been completed in collaboration with the family that identifies the agreed upon services, the steps to be accomplished in accessing services, by what party, and time frames for implementation.	B. The initial assessment phase of a Family Assessment Response (FAR) shall be approved by the A supervisor and closed within sixty (60) calendar days from the date the referral was received IF One ONGOING services are identified IN or the assessment PHASE OF A has reached sixty (60) calendar days, the Family Assessment Response (FAR), THE FAR SHALL BE OPENED INTO is considered to be in the service phase, and a FAR service plan shall have been BE completed in collaboration with the family that identifies the agreed upon services, the steps to be accomplished in accessing services, by what party, and time frames for implementation. THE SERVICE PHASE SHALL INCLUDE A FAR SERVICE PLAN (FARSP) WHICH IS SPECIFIC, MEASURABLE, ACHIEVABLE, REALISTIC, AND TIME LIMITED (SMART). THE FARSP SHALL BE CREATED IN COLLABORATION WITH THE FAMILY.	Changed "the" to "a" Additional and language clarification about the far services phase.	None
7.104.131(C) Page 13	New		C. THE COLORADO FAMILY SAFETY ASSESSMENT TOOL SHALL BE APPROVED IN THE STATE AUTOMATED CASE MANAGEMENT SYSTEM BY A CERTIFIED SUPERVISOR AS SOON AS POSSIBLE AND NO LATER THAN FOURTEEN (14) CALENDAR DAYS FROM THE DATE THE ALLEGED VICTIM CHILD(REN)/YOUTH WAS INTERVIEWED OR OBSERVED.	Align language with recent updates to the safety and risk assessment rules	None
7.104.132(B)	Repeal	B. County departments may elect to defer entering a founded finding pursuant to Section	B. County departments may elect to defer entering a founded finding pursuant to Section 19-3-309.5, C.R.S. If	Language clean up	None

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Page 12		19-3-309.5, C.R.S. If the county department elects to defer entering a finding of founded abuse and/or neglect, the county shall enter into a pre-confirmation agreement known as a safety plan agreement, as authorized pursuant to Section 19-3-309.5, C.R.S. and follow the procedures described in Section 7.108.	the county department elects to defer entering a finding of founded abuse and/or neglect, the county shall enter into a pre-confirmation agreement known as a safety plan agreement, as authorized pursuant to Section 19-3-309.5, C.R.S. and follow the procedures described in Section 7.108		
7.104.132(C) Page 13	Revision	C. A finding of "founded" may be made irrespective of whether a person alleged for the abuse and/or neglect was identified. In these circumstances, the person alleged for the abuse and/or neglect is labeled "unknown" in the state automated case management system.	C. IF THE PERSON ALLEGED TO BE RESPONSIBLE FOR THE ABUSE AND/OR NEGLECT IS UNKNOWN OR CANNOT BE DETERMINED, A finding of "founded" may BE ENTERED be made irrespective of whether a person alleged for the abuse and/or neglect was identified. In these circumstances, the person alleged for the abuse and/or neglect is labeled "unknown" INTO the state automated case management system.	Reworded for clarification.	None
7.104.132(G) Page 14	New		G. IN A HIGH RISK ASSESSMENT (HRA) OR TRADITIONAL RESPONSE ASSESSMENT, COUNTY DEPARTMENTS SHALL ENTER THE FINDINGS OF ABUSE AND/OR NEGLECT IN THE STATE AUTOMATED CASE MANAGEMENT SYSTEM EVEN IF THERE IS A CRIMINAL OR CIVIL PROCEEDING PENDING AGAINST THE PERSON FOUND RESPONSIBLE FOR THE ABUSE AND/OR NEGLECT ARISING OUT OF THE SAME INCIDENT.	Clarification for a finding when a criminal case may take additional time.	None
7.104.14(A) Page 14	Technical	7.104.14 Documentation Required During Assessment [Eff. 1/1/15] A. At the time of a new assessment, county departments shall document that a review related to prior involvement as set forth in Section 7.104.1, B, 6, has occurred. This shall be documented in the assessment closure section of the state automated case management system	7.104.14 Documentation Required During Assessment [Eff. 4/1/15] A. At the time of a new assessment, county departments shall document that a review related to prior involvement as set forth in Section 7.104.1, B, 6, has occurred. This shall be documented in the assessment closure SUMMARY section of the state automated case management system.	Changed "section" to "summary"	None
7.104.14(B) Page 14	New, Revision	B. In assessments involving allegation of sexual abuse, the results of any website or sex offender registry check, and attempts to access other information as set forth in Section 7.104.11 shall be documented in the state automated case management system.	B. In assessments involving allegation of sexual abuse, the results of any COLORADO COURTS, LAW ENFORCEMENT, website or sex offender registry check, RELATED TO ABUSE AND/OR NEGLECT INCLUDING SEX OFFENDER REGISTRY CHECKS ON ALL ADULTS RESIDING IN THE HOUSEHOLD BEING ASSESSED, and attempts to access other information as set forth in Section 7.104.11 shall be documented in the state automated case management system	This is now a required on all adults in the household being assessments and is not exclusive to sexual abuse Removed based and applied only on sexual abuse	Yes, removed sex offender registry checks on all adults residing in the household based on county resource concerns

Title of Proposed Rule: 7.103.3 through 7.104.5 Assessment Rule Revisions

CDHS Tracking #: 17-08-31-01

Office, Division, & Program:
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7.104.14 (C) Page 14	Technical	C. In assessments, the full name(s), including nicknames and/or aliases, address(es), and date(s) birth of the person(s) alleged to be responsible for the abuse and/or neglect shall be documented in the state automated case management system	C. In assessments, †The full name(s), including nicknames and/or aliases, address(es), and date(s) birth of the person(s) alleged to be responsible for the abuse and/or neglect shall be documented in the state automated case management system.	Strike through of “in assessment,”	None
7.104.14(D) Page 14	Technical	D. All interactions with the family, including efforts to engage the family and extended family, as part of the assessment shall be documented in the state automated case management system. Any specific evidence gathered, such as electronic media, photographs or videotapes shall be filed in the case record and referenced in the state automated case management system.	D. All interactions with the family, including efforts to engage the family and extended family, as part of the assessment shall be documented in the state automated case management system. Any specific evidence INFORMATION gathered, such as electronic media, photographs or videotapes shall be filed in the case record and referenced in the state automated case management system.	Changed “evidence” to “information”	None
7.104.14(E) Page 15	Technical	E. When an interview or observation of the alleged victim child(ren) is video or audio taped, the required advisement of the child shall be documented.	E. When an an FACE TO FACE interview or observation of the alleged victim child(ren)/YOUTH is video or audio taped, the required advisement of the child(REN)/YOUTH shall be documented-AS SET FORTH IN SECTION 7.104.12.	Added clarifying language and citation.	None
7.104.14(G) Page 15	Revision, Technical	G. The responses to the Colorado Safety Assessment Tool shall be documented in the state automated case management system and shall identify any safety concerns that are or were observed during the assessment. Documentation is required as soon as possible and no later than fourteen (14) calendar days from the date the alleged victim child(ren) was interviewed or observed.	G. The responses to the Colorado FAMILY Safety Assessment Tool shall be COMPLETED WITH HOUSEHOLD MEMBERS AND documented in the state automated case management system. and shall identify any safety concerns that are or were observed during the assessment. Documentation AND APPROVAL BY A CERTIFIED SUPERVISOR IN THE STATE AUTOMATED CASE MANAGEMENT SYSTEM is required as soon as possible and no later than fourteen (14) calendar days from the date the alleged victim child(ren)/YOUTH was interviewed or observed.	Align language with recent updates to the safety and risk assessment rules	None
7.104.14(H) Page 15	Technical	H. If a Family Assessment Response (FAR) is changed to a High Risk Assessment (HRA), the change shall be made in the state automated case management system and all information entered to date will be transferred.	H. If a Family Assessment Response (FAR) is changed to a High Risk Assessment (HRA), the change shall be made in the state automated case management system and all information-DOCUMENTATION SHALL entered to date will be transferred.	Changed “information” to documentation.	None
7.104.14(I) Page 15	Technical	7.104.141 Documentation Required at Conclusion of Assessment [Eff. 1/1/15] A. County departments shall document the completed assessment in the state automated case management system, including completion	7.104.141 Documentation Required at Conclusion of Assessment [Eff. 1/1/15] A. County departments shall document the completed assessment in the state automated case management system, including completion of the assessment closure	Updated and clarification of language.	None

Title of Proposed Rule: 7.103.3 through 7.104.5 Assessment Rule Revisions

CDHS Tracking #: 17-08-31-01

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		of the assessment closure summary template, and supervisors shall approve the closure of the assessment. The assessment closure shall include the following:	summary. template, and sSupervisors shall approve the closure of the assessment WITHIN SIXTY (60) CALENDAR DAYS FROM THE DATE OF THE REFERRAL. The assessment closure shall include the following:		
7.104.141(A)(1) Page 15	Revision, Technical	1. Brief summary of initial concerns and additional concerns uncovered during the assessment;	1. Brief summary of initial concerns and ANY additional concerns uncovered DISCOVERED during the assessment, THE ACTIONS THAT WERE TAKEN, AND/OR PROTECTIVE FACTORS THAT EXIST WHICH MITIGATE THE HARM, DANGER OR RISK;	Updated language; Align language with recent updates to the safety and risk assessment rules	None
7.104.141(A)(2)(a) Page 15	Revision, Technical	2. Worker reflection of the history of state and county department records, criminal, Colorado courts, sex offender registries and how the history relates to the current assessment;	2. Worker reflection ANALYSIS of: A. RELEVANT CRIMINAL, COLORADO COURTS STATE MANAGEMENT SYSTEM OF THE STATE JUDICIAL DEPARTMENT, SEX OFFENDER REGISTRY HISTORY, AND/OR CHILD WELFARE HISTORY GATHERED THROUGHOUT THE ASSESSMENT, AND ANY CONCERNS IDENTIFIED RELATED TO THE CURRENT ASSESSMENT; the history of state and county department records, criminal, Colorado courts, sex offender registries and how the history relates to the current assessment;	Update and organize information.	None
7.104.141(A)(3) Page 15	Repeal	3. The concerns identified, the actions that were taken, or protective factors that exist which mitigate the harm, danger or risk;		Repealed language as repetitive.	None
7.104141(A)(2)(b)(c)(d) Page 15	Technical	4. Efforts to engage the family and extended family; 5. For High Risk Assessments (HRA), or traditional response assessments, the facts that support the findings; and, 6. Family and/or agency plan, if applicable.	4. B. Efforts to engage the family and extended family; 5. C. For High Risk Assessments (HRA), or traditional response assessments, the facts that support the findings THAT REQUIRE A FINDING, CLEARLY SUMMARIZE THE TYPE, SEVERITY LEVEL AND FACTS THAT SUPPORT THE DECISION; and, 6--D. Family and/or agency plan, if applicable.	Re-formatted; additional clarifying language for findings.	None

Title of Proposed Rule: 7.103.3 through 7.104.5 Assessment Rule Revisions

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<p>7.104.15(B) (1)(a) (b) Page 16</p>	<p>Revision</p>	<p>7.104.15Notice [Eff. 1/1/15] A. Notice of the outcome of an assessment shall be made as described below. Unless otherwise described below or authorized by law, no other entity shall receive notification. B. Regardless of the outcome of the assessment and as allowable by law, county departments shall notify: 1. The parent(s), guardian(s), custodian(s), or caregiver(s) of the alleged victim child(ren) of the outcome of the assessments. Non-custodial parent(s) shall also be notified of the outcomes of the assessments unless is not in the best interests of the child(ren); 2. The person alleged to be responsible for the abuse and/or neglect of the outcome of the assessment;</p>	<p>7.104.15Notice [Eff. 4/4/15] A. Notice of the outcome of an assessment shall be made as described below. Unless otherwise described below or authorized by law, no other entity shall receive notification. B. Regardless of the outcome of the assessment and as allowable by law, county departments shall notify AND DOCUMENT IN THE STATE AUTOMATED CASE MANAGEMENT SYSTEM: 1. The parent(s), guardian(s), custodian(s), or caregiver(s) of the alleged victim child(ren)/YOUTH of the outcome of the assessments. Non-custodial parent(s) shall also be notified of the outcomes of the assessments unless; A. DOCUMENTATION SUPPORTS EFFORTS TO LOCATE THE NON-CUSTODIAL PARENT WERE UNSUCCESSFUL; OR, B. DOCUMENTATION SUPPORTS THAT IT is not in the best interests of the child(ren)/YOUTH TO GIVE NOTICE TO THE NON-CUSTODIAL PARENT.</p>	<p>Re-formatted; clarification to language.</p>	<p>None</p>
<p>7.104.15(B) (3)(a)(b)(c)(d)(e)(f)(g) Page 16 & 17</p>	<p>Technical</p>	<p>3. The specified mandatory reporting party, identified in Section 7.103.8, B, of the name of the child and the date of the referral; whether the referral was accepted for assessment; whether the referral was closed without services; whether the assessment resulted in services related to the safety of the child; the name of and contact information for the county caseworker responsible for the assessment; and the county procedure for requesting updated information within ninety (90) calendar days after the county department received the referral; and,</p>	<p>3. The specified mandatory reporting party, WHO MEETS THE CRITERIA OF 7.103.8(A) AND IS identified in Section 7.103.8, B, of the; A. nName of the child/YOUTH; B. and tThe date of the referral; C. wWhether the referral was accepted for assessment; D. wWhether the referral was closed without services; E. wWhether the assessment resulted in services related to the safety of the child; F. tThe name of and contact information for the county caseworker responsible for the assessment; and, G. tThe county procedure for requesting updated information within ninety (90) calendar days after the county department received the referral; and,</p>	<p>Updated, re-formatted and language clarification.</p>	<p>None</p>

7.102.3 TRANSFER OF HOTLINE RESPONSIBILITIES [Eff. 8/1/17]

- A. With the express written consent of the Board of County Commissioners of a county, a county department may request that the State Department assist that county with the taking of calls or initial contacts from the public of reports of possible child abuse and/or neglect or of inquiries. The Executive Director of the State Department must approve this arrangement in writing (26-5-111(3) (B), C.R.S.).
- B. A county department may request that the State Department receive after-hours reports or inquires on behalf of the county department by submitting a written request to the State Department. The Board of County Commissioners must officially approve the use of the hotline system on behalf of the county. Approval of such arrangement shall be approved by the State Department Executive Director or his/her designee (26-5-111(4) (E), C.R.S.).
- C. In the event of a natural disaster or other emergency situation in which county departments cannot receive reports or inquiries from the statewide child abuse and neglect reporting hotline system, county departments may request that the Hotline County Connection Center receive their reports or inquiries, until they are able to resume normal operations.
- D. County departments may request another county department to receive reports and inquiries from the statewide child abuse and neglect reporting hotline system on behalf of the county department subject to the Board of County Commissioners' approval. Documentation of agreement from both county departments must be submitted to the State Department's Executive Director or his/her designee prior to implementation.

Reports and inquiries taken by a county department or the Hotline County Connection Center on behalf of another county department must follow the requirements defined in 26-5-111, C.R.S. and Sections 7.101, 7.101.1, 7.102.1 D., 7.103, 7.103.1, and 7.103.2.

- E. When the Hotline County Connection Center or another county department enters a report of child abuse and/or neglect into the state automated case management system on behalf of another county department, it shall transfer the referral to the appropriate responsible county department through the state automated case management system within two (2) hours after the call is completed. The method for notification is as follows:
 - 1. When a referral is sent during regular business hours, notification shall be through telephone call, voicemail, e-mail, text, or other emerging technology, and shall be documented in the state automated case management system; or,
 - 2. When a referral is sent outside of regular business hours, notification shall be through personal contact to a person who is the appropriate county department representative, and shall be documented in the state automated case management system.
- F. When a county department receives referrals from the Hotline County Connection Center or another county department, the county department shall confirm receipt of the referral within two (2) hours through the state automated case management system.
- G. When the Hotline County Connection Center or another county department enters an inquiry into the state automated case management system on behalf of another county department, they shall transfer the inquiry to the appropriate county department as follows:
 - 1. Child welfare inquiries regarding child(REN/YOUTH) ~~abuse and/or neglect~~ or families with child welfare involvement shall be transferred to the appropriate county department through the state automated case management system within two (2) hours after the call is completed.

- a. When a child welfare inquiry is sent outside of regular business hours, notification shall be through personal contact to a person who is the appropriate county department representative, and shall be documented in the state automated case management system.
 - 2. All other inquiries and requests for non-child welfare information shall be transferred to the appropriate county department through the state automated case management system within two (2) hours after the call is completed.
- H. When a county department receives an inquiry from the Hotline County Connection Center or another county department, the county department shall confirm receipt of the inquiry as follows:
- 1. Child welfare inquiries regarding child abuse and/or neglect or families with child welfare involvement shall be confirmed through the state automated case management system within two (2) hours of receipt.
 - a. When a child welfare inquiry is received outside of regular business hours the county department shall also confirm receipt through personal contact with the appropriate county department representative, and shall be documented in the state automated case management system.
 - 2. All other inquiries and requests for non-child welfare information shall be confirmed through the state automated case management system by the close of the next business day.

DEPARTMENT OF HUMAN SERVICES

Social Services Rules

REFERRAL AND ASSESSMENT

(12 CCR 2509-2)

7.103.3 INITIAL REVIEW [Eff. 1/1/15]

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 appropriateness of AN immediate RESPONSE TO AN assessment, and/or 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 VULNERABILITY AS DEFINED IN SECTION 7.000.2.
- AB. 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 person(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.
- BC. As available and appropriate, obtain information 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 REVIEW 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 REFERRALS.

7.103.4 RED TEAMS [Eff. 1/1/15]

- ~~A. County departments shall develop and implement a process utilizing the RED Team framework to review referrals and determine response times. THE RED Team process shall be utilized for all referrals, with the exception of:~~
 - ~~1. Referrals necessitating an immediate response;~~
 - ~~2. Referrals necessitating a response prior to the next business day;~~

~~3. Referrals alleging institutional abuse and/or neglect; or,~~

~~4. Referrals alleging youth in conflict. Counties may choose to utilize the RED Team process for the above exceptions.~~

~~B. The RED Team framework shall include, but not be limited to:~~

~~1. Danger/harm;~~

~~2. Complicating/risk factors;~~

~~3. Gray area;~~

~~4. Cultural considerations/race;~~

~~5. Safety;~~

~~6. Strengths/protective factors; and~~

~~7. Next steps.~~

~~C. All RED Team decisions shall be approved by a supervisor by the end of the calendar day and documented in the state automated case management system by the end of the next business day.~~

7.103.54 REFERRALS REQUIRING NO FURTHER ACTION [Eff. 1/1/15]

A. County departments may determine that a referral does not require further action and screen it out for the following reasons:

A.4. The current allegations have previously been assessed;

B.2. The alleged victim child(ren) are not located or reside in the State of Colorado. In this circumstance, the county department shall inform the other state or county department of the referral;

~~C.3. Referral does not meet criteria of abuse and/or neglect as defined in statutes and regulations;~~

~~D.4. Referral lacks sufficient information to locate the alleged victim child(ren); OR~~

~~E.5. A-Referral is duplicative of a previous referral. In this circumstance, the county department shall associate the duplicate referral with the previous referral in the state automated case management system).~~

~~B.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 NEGLECT;~~

~~4. DIFFERENT HOUSEHOLD; AND/OR~~

~~5. ADDITIONAL INFORMATION POSES A NEW OR RENEWED THREAT OF SAFETY TO THE CHILD(REN)/YOUTH.~~

- F.6- 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.7- There is no current allegation of CHILD abuse and/or neglect; and,
- H.8- Other (applicable for Program Area 4 only and requires documentation explanation in the state automated case management system).
- I.6- 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, THE REFERRAL SHALL BE REVIEWED THROUGH THE RED TEAM PROCESS.
- D- ~~PREVENTION SERVICES SHALL BE CONSIDERED, IF AVAILABLE, FOR SCREENED OUT REFERRALS.~~

7.103.65 CRITERIA FOR ASSIGNING A REFERRAL FOR ASSESSMENT [Eff. 1/1/15]

- 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).
- B. Any time a case is opened, it shall come through the referral or assessment process in the state automated case management system with the exception of Interstate Compact on the Placement of Children (ICPC), out of state subsidized adoption, out of state Medicaid, Interstate Compact on Adoption and Medicaid Assistance (ICAMA), or Division of Youth Corrections (DYC) Medicaid only.

7.103.6 RED TEAMS

~~A. COUNTY DEPARTMENTS SHALL IMPLEMENT A PROCESS UTILIZING RED TEAM TO REVIEW REFERRALS WITH:~~

- ~~1. COMPLICATED CHILD WELFARE HISTORY THAT INCLUDES MULTIPLE FOUNDED HIGH RISK OR TRADITIONAL RESPONSE ASSESSMENT(S); ONE OR MORE FAMILY ASSESSMENT RESPONSE(S) (FAR) WITH A SERVICE PLAN; AND/OR OTHER CHILD WELFARE HISTORY REGARDING THE HOUSEHOLD MEMBERS IN THE CURRENT REFERRAL;~~
- ~~2. COMPLICATED CRIMINAL HISTORY THAT INCLUDES FELONY AND/OR MISDEMEANOR CONVICTIONS RELATED TO CHILD ABUSE AND/OR NEGLECT, INCLUDING CRIMES OF VIOLENCE, DOMESTIC VIOLENCE, AND/OR UNLAWFUL SEXUAL BEHAVIOR REGARDING THE HOUSEHOLD MEMBERS IN THE CURRENT REFERRAL;~~
- ~~3. COMPLICATED NARRATIVE THAT IDENTIFIES ANY CHILD(REN)/YOUTH VULNERABILITY AS DEFINED IN SECTION 7.000.2; AND/OR~~
- ~~4. MULTIPLE TWO (2) OR MORE SCREENED OUT NON-DUPLICATIVE REFERRALS WITH NO ASSESSMENTS IN THE PRIOR TWELVE (12) MONTHS.~~

- A. COUNTY DEPARTMENTS SHALL IMPLEMENT A PROCESS UTILIZING THE RED TEAM FRAMEWORK TO REVIEW REFERRALS THAT INCLUDE, BUT NOT LIMITED TO:
 - 1. CHILD WELFARE HISTORY OF THREE (3) OR MORE ASSESSMENTS WITHIN THE PAST YEAR REGARDING THE HOUSEHOLD MEMBERS IN THE CURRENT REFERRAL;
 - 2. NARRATIVE THAT IDENTIFIES THE ALLEGED VICTIM CHILD(REN)/YOUTH AS A CHILD/YOUTH WITH A VULNERABILITY AS DEFINED IN SECTION 7.000.2;
 - 3. TWO (2) OR MORE SCREENED OUT NON-DUPLICATIVE REFERRALS WITH NO ASSESSMENT IN THE PRIOR TWELVE (12) MONTHS; AND/OR
 - 4. CRIMINAL HISTORY THAT INCLUDES FELONY AND/OR MISDEMEANOR CONVICTIONS RELATED TO CHILD ABUSE AND/OR NEGLECT, INCLUDING CRIMES OF VIOLENCE, DOMESTIC VIOLENCE, AND/OR UNLAWFUL SEXUAL BEHAVIOR REGARDING THE HOUSEHOLD MEMBERS IN THE CURRENT REFERRAL.
- B. COUNTY DEPARTMENTS PRACTICING DIFFERENTIAL RESPONSE SHALL UTILIZE THE RED TEAM PROCESS FOR TRACK ASSIGNMENT DECISIONS WHEN CONSIDERING THE FAMILY ASSESSMENT RESPONSE (FAR) TRACK ON ASSESSMENTS REQUIRING THREE (3) CALENDAR OR FIVE (5) BUSINESS DAY RESPONSE TIMES.
- C. THE RED Team process is not required for review of the following exceptions:
 - 1. REFERRALS necessitating an immediate response;
 - 2. REFERRALS necessitating a response prior to the next business day;
 - 3. REFERRALS alleging institutional abuse and/or neglect; or,
 - 4. REFERRALS alleging youth in conflict.
- D. COUNTY DEPARTMENTS MAY CHOOSE TO UTILIZE THE RED TEAM PROCESS FOR THE ABOVE EXCEPTIONS.
- E. THE RED TEAM PROCESS SHALL BE DOCUMENTED IN THE FRAMEWORK. THE DOCUMENTATION SHALL REFLECT THE DISCUSSION AND JUSTIFICATION FOR THE DECISIONS.
- F. ALL RED TEAM DECISIONS SHALL BE APPROVED BY A CERTIFIED SUPERVISOR BY THE END OF THE CALENDAR DAY AND DOCUMENTED IN THE STATE AUTOMATED CASE MANAGEMENT SYSTEM BY THE END OF THE NEXT BUSINESS DAY.

7.104 ~~ASSESSMENTS OF INTRAFAMILIAL, INSTITUTIONAL, AND THIRD-PARTY ABUSE AND/OR NEGLECT REFERRALS~~ ASSESSMENTS [Eff. 1/1/15]

- A. The assessment shall begin with face-to-face contact with the alleged victim child(ren)/ and YOUTH AND includes, but is not limited to:
 - 1. Face-to-face contact with the primary caregiver;
 - 2. Assessing for ~~safety~~ CURRENT OR IMPENDING DANGER and taking action to secure safety, if indicated;

3. Assessing risk, needs, PROTECTIVE CAPACITIES and strengths of child(ren)/YOUTH and families; and,
 4. Obtaining culturally relevant and appropriate resources for the alleged victim child(ren)/YOUTH and their families.
- B. At the point of first contact with the alleged victim child(ren)/YOUTH, the assessment shall focus immediately on whether the child(REN)/YOUTH is safe, and include the following:
1. To assess for safety, county departments shall consider:
 - a. The safety threshold criteria FOR current or impending danger of moderate to severe harm;
 - b. The ~~ten (10) present~~ CURRENT or impending dangers DESCRIBED IN THE COLORADO FAMILY SAFETY ASSESSMENT TOOL; ~~referenced in Section 7.107.13;~~
 - c. Child(REN)/youth vulnerabilities/strengths;
 - d. Caregiver strengths/protective capacities; and,
 - e. Actions that respond to the current or impending danger.
 2. If the child(REN)/YOUTH is unsafe, the caseworker shall analyze whether:
 - A. A safety plan can reasonably be expected to control current or impending danger while the assessment continues, and if so, develop a safety plan as described in Section 7.107.16 AND 7.107.17.
 - B. If a safety plan cannot reasonably be expected to control current or impending danger the caseworker shall, if necessary, initiate an out-of-home placement. Section 19-3-401, C.R.S., describes the process of taking children/YOUTH into custody.
 - C. If the child(REN)/YOUTH is unsafe, the ~~safety assessment~~, safety plan, or decision to initiate an out-of-home placement ~~must~~ SHALL be reviewed and approved by a supervisor as soon as possible and ~~at most within~~ NO LATER THAN twenty-four (24) hours FROM THE FACE TO FACE INTERVIEW OR OBSERVATION WITH THE ALLEGED VICTIM CHILD(REN)/YOUTH. DOCUMENTATION OF THE APPROVAL SHALL BE ENTERED IN THE STATE AUTOMATED CASE MANAGEMENT SYSTEM.
 3. For county departments implementing Differential Response, in the first sixty (60) calendar days of a Family Assessment Response (FAR), upon supervisory approval, the caseworker may change tracks to a High Risk Assessment (HRA) to assess, attain or maintain child(REN)/YOUTH safety due to lack of cooperation or additional information gathered during the assessment, or if requested to do so by the person(s) alleged to be responsible for the abuse and/or neglect.
 4. For county departments implementing Differential Response, if at any point the safety cannot be sustained in a Family Assessment Response (FAR), the caseworker, with approval from the supervisor, shall open a case and/or request court orders. ~~ALL INFORMATION ENTERED INTO THE (FAR) SHALL BE TRANSFERRED TO THE OPEN CASE.~~
 5. If at any point new information is gathered that contains information defined in Section 7.103, a new referral shall be generated.

- C. Safety interventions shall be used continuously throughout all assessments. Safety interventions are defined as the actions and decisions required to:
1. Identify and assess ~~threats~~ CURRENT OR IMPENDING DANGER to child(REN)/YOUTH safety;
 2. Plan for an unsafe child(ren)/YOUTH to be protected;
 3. ~~Facilitate~~ WORK WITH caregivers in taking responsibility TO IDENTIFY SAFETY AND NETWORK SUPPORTS for child(REN)/YOUTH protection; and,
 4. Manage plans designed to assure child(REN)/YOUTH safety while a safe and permanent home is established.
- D. When determining jurisdiction within open assessments, when ~~there are safety concerns~~ CURRENT OR IMPENDING DANGER IS IDENTIFIED, THE RESPONDING COUNTY SHALL consider the following:
1. The timeframes and completion of activities within the assessment including response time, completion of the safety and risk assessment, and the assessment closure;
 2. Verification of the new residence and documentation of efforts to determine correct jurisdiction;
 3. Considerations of distance between reported residence and new residence; and,
 4. Assessment completion and the need for further services.
- E. When determining jurisdiction within open assessments, ~~when no further safety concerns are~~ AND NO CURRENT OR IMPENDING DANGER IS identified, the county with the open assessment shall complete the assessment.

7.104.1 INTRAFAMILIAL ABUSE AND/OR NEGLECT ASSESSMENT – TIMING AND ELEMENTS [Eff. 4/1/15]

- A. ~~If at any point during the assessment, a county department becomes aware of an allegation that a child/youth is, or may be, a victim of sex trafficking, the county department shall:~~
1. ~~Report immediately, and no later than twenty-four (24) hours from when the county department becomes aware, to the local law enforcement agency; and,~~
 2. ~~Document the details of the report to law enforcement in the state automated case management system.~~
- BA. The assessment shall begin as soon as reasonably possible following receipt of the referral according to the assigned response time.
- GB. The assessment shall be conducted as set forth in Section 19-3-308(2), (3), (4) through 19-3-308.5, C.R.S., and the following:
1. The assessment shall include an FACE TO FACE interview, ~~with~~ or observation of the alleged victim child(ren)/YOUTH within the assigned response timeframe, according to the following procedures:
 - a. Interviews shall be face-to-face with the child(REN)/YOUTH if the child(REN)/YOUTH has the verbal, EMOTIONAL, AND/OR DEVELOPMENTAL ability to relate information relevant to safety decisions. If the child(REN)/YOUTH

does not have such verbal, EMOTIONAL, AND/OR DEVELOPMENTAL ability, FACE TO FACE observation of the child(REN)/YOUTH, AS APPROPRIATE TO ASSESS THE ALLEGATIONS IN THE REFERRAL, is sufficient. DOCUMENTATION SHALL SUPPORT WHY THE CHILD(REN)/YOUTH WAS UNABLE TO BE INTERVIEWED AND HOW ALLEGATIONS WERE ADDRESSED DURING THE OBSERVATION.

- B. WHEN CHILD(REN)/YOUTH ARE UNABLE TO BE INTERVIEWED WITHIN THE ASSIGNED RESPONSE TIME, CASEWORKERS SHALL DOCUMENT INTERVIEWS WITH HOUSEHOLD MEMBERS AND COLLATERALS TO DETERMINE THAT THE CHILD(REN)/YOUTH IS SAFE OR IN CURRENT OR IMPENDING DANGER. DOCUMENTATION SHALL SUPPORT WHY THE CHILD(REN)/YOUTH WAS UNABLE TO BE INTERVIEWED.
- C. IF A CASEWORKER GATHERING INFORMATION IN THE COLORADO FAMILY SAFETY ASSESSMENT TOOL DETERMINES CHILD(REN)/YOUTH ARE UNSAFE AND IT IS UNREASONABLE TO INTERVIEW THE CHILD(REN)/YOUTH AT THE TIME OF REMOVAL, THE CASEWORKER SHALL INTERVIEW THE CHILD(REN)/YOUTH AS SOON AS IT IS REASONABLE. DOCUMENTATION SHALL SUPPORT WHY THE CHILD(REN)/YOUTH WAS UNABLE TO BE INTERVIEWED.
- D. CASEWORKERS AND OTHER CHILD WELFARE STAFF SHALL NOT BE REQUIRED TO HAVE FACE TO FACE CONTACT WITH A ~~OBSERVE~~ CHILD(REN)/YOUTH WHO ARE UNDERGOING LIFESAVING MEDICAL INTERVENTION, IN CRITICAL CONDITION OR DECEASED. INFORMATION OF ABUSE AND/OR NEGLECT SHALL BE GATHERED THROUGH INTERVIEWS WITH HOUSEHOLD MEMBERS AND COLLATERALS AND DOCUMENTED IN THE STATE AUTOMATED CASE MANAGEMENT SYSTEM. THE CASEWORKER SHALL INTERVIEW OR OBSERVE THE VICTIM CHILD(REN)/YOUTH ONCE THEY ARE MEDICALLY CLEARED.
- bE. Interviews shall be conducted out of the presence of the person(s) alleged to be responsible for the abuse and/or neglect.
- eF. The requirements of section (bE) above do not apply in a Family Assessment Response (FAR) where the initial interview may be conducted with the entire family, when doing so does not compromise the safety of the child(ren). Children may be interviewed outside the presence of the suspected person(s) responsible for the abuse and/or neglect at any point during the assessment. ~~If domestic violence is alleged, the non-offending parent victim and alleged victim child(ren) shall be interviewed separate and apart from the alleged perpetrator.~~
- dG. ~~IF DOMESTIC VIOLENCE IS ALLEGED IN A HIGH RISK ASSESSMENT (HRA), TRADITIONAL RESPONSE ASSESSMENT, OR A FAMILY ASSESSMENT RESPONSE (FAR), AT SOME POINT DURING THE ASSESSMENT THE NON-OFFENDING PARENT AND ALLEGED VICTIM CHILD(REN)/YOUTH SHALL BE INTERVIEWED SEPARATE AND APART FROM THE ALLEGED PERPETRATOR.~~ Information obtained from the interview with the non-offending parent and victim child(ren)/YOUTH shall not be revealed to the alleged perpetrator of domestic violence, ~~but~~AND shall be subject to the rules of discovery and governed by the confidentiality provisions under Section 7.605.
- eH. If ~~the~~ FACE TO FACE interview(S) or observation(S) cannot be accomplished WITH THE ALLEGED VICTIM CHILD(REN)/YOUTH within the assigned response timeframe, reasonable efforts to interview or observe the child(ren)/YOUTH shall continuously be made AS DEFINED IN 7.103.61(D). ~~These~~ eEfforts shall BE DOCUMENTED IN THE STATE AUTOMATED CASE

MANAGEMENT SYSTEM AND continue until the interview or observation occurs or the assessment is completed.

- 2C. The assessment shall include;
1. FACE TO FACE interviews AND/OR OBSERVATIONS with:
 - A. ~~a~~All VICTIM children/YOUTH WITHIN THE ASSIGNED TIMEFRAME, EXCEPT AS IDENTIFIED IN 7.104.1 (A),(B),(C) AND (D); ~~caregivers, non-custodial parent(s), family members,~~ and,
 - B. HOUSEHOLD MEMBERS.
 2. DOCUMENTATION OF EFFORTS TO ENGAGE NON-CUSTODIAL PARENT(S); AND other persons identified through the assessment who may have information regarding the alleged abuse and/or neglect. ~~to determine:~~
 3. a. THE ~~e~~Extent of child(REN)/YOUTH ~~maltreatment~~ ABUSE AND/OR NEGLECT, to include, but not limited to:
 - A. Impact to the child(REN)/YOUTH;
 - B. Type and severity of injuries, if applicable; and,
 - C. Child(REN)/YOUTH'S explanation of the ~~maltreatment~~ ABUSE AND/OR NEGLECT.
 4. Circumstances surrounding the child(REN)/YOUTH ~~maltreatment~~ ABUSE AND/OR NEGLECT, to include, but not limited to:
 - A. Caretaker explanation of the ~~maltreatment~~ ABUSE AND/OR NEGLECT;
 - B. Environmental influences; and,
 - C. Contributory factors.
 - D. Child(REN)/YOUTH functioning ~~on a daily basis;~~
 - E. ~~Adults and e~~Caregiver(S) functioning ~~on a daily basis;~~ and,
 - F. Parenting practices and disciplinary practices.
 35. The assessment shall include visiting the alleged victim child(ren)/YOUTH's place of residence or place of custody if:
 - a. The home conditions are the subject of the ~~referral~~ ASSESSMENT; or,
 - b. Information obtained in the interview process indicates assessment of the home environment is necessary due to ~~safety issues~~ CURRENT OR IMPENDING DANGER ~~or to determine findings.~~
 46. The assessment shall determine the names and conditions of any children living in the ~~same place~~ HOUSEHOLD as the alleged victim child(ren) YOUTH.
 57. The assessment shall include consideration of race/ethnicity, religion, accepted work-related practices of agricultural communities, and accepted child-rearing practices of the culture in which the alleged victim child(ren)/YOUTH participates.

- ~~67. The assessment shall include a review of any current and/or prior involvement by any county department with any of the child(ren) in the home, the parents, the person alleged to be responsible for the abuse and/or neglect or any person residing in the home. This review shall:~~
- ~~a. Analyze each prior involvement for actions taken and services provided;~~
 - ~~b. Determine whether there is a pattern of behavior in the family that is a threat to the safety of the child(ren) and take action to secure safety, if indicated, or seek more information to make a determination; and,~~
 - ~~c. Include a review by the supervisor to ensure the review has occurred.~~
8. WHEN ASSESSING ALLEGATIONS OF INTERFAMILIAL ABUSE AND/OR NEGLECT, THE ASSESSMENT SHALL INCLUDE RECORD CHECKS OF ALL CAREGIVERS ADULTS RESIDING IN THE HOUSEHOLD CHILD(REN)/YOUTH'S HOME TO ASSESS FOR FELONY, AND/OR MISDEMEANOR CRIMINAL CONVICTIONS, RELATED TO CHILD ABUSE AND/OR NEGLECT, INCLUDING CRIMES OF VIOLENCE, DOMESTIC VIOLENCE, OR UNLAWFUL SEXUAL BEHAVIOR. INFORMATION GATHERED FROM RECORD CHECKS SHALL BE USED AS ONE COMPONENT TO INFORM THE OVERALL ASSESSMENT PROCESS. SAFETY DECISIONS AND FINDINGS SHALL NOT BE MADE SOLELY ON THE INFORMATION GATHERED. RECORDS CHECKS SHALL INCLUDE:
- A. THE STATE AUTOMATED CASE MANAGEMENT SYSTEM;
 - B. COLORADO COURT MANAGEMENT SYSTEM OF THE STATE JUDICIAL DEPARTMENT; AND
 - C. THE NATIONAL SEX OFFENDER PUBLIC WEBSITE OPERATED BY THE UNITED STATES DEPARTMENT OF JUSTICE.
 - D. WHEN COUNTY DEPARTMENTS HAVE A MEMORANDUM OF UNDERSTANDING TO ALLOW ACCESS TO THE NATIONAL CRIME INFORMATION CENTER (NCIC) DATA, B AND C MAY BE SUBSTITUTED WITH DOCUMENTATION THAT AN NCIC CHECK WAS COMPLETED.
9. WHEN ASSESSING ALLEGATIONS OF SEXUAL ABUSE, THE COUNTY DEPARTMENT SHALL:
- A. Use due diligence in following specific check criteria for each website; and,
 - B. Immediately report any violations of sex offender registration to local law enforcement; and,
 - C. Report all law enforcement verified matches of sex offenders to the individual supervision officer/agent or team responsible for community supervision and public safety;
 - D. Use both the state and national websites to check if a person alleged to be responsible of the abuse and/or neglect is a sex offender; and,
 - E. County departments may check with USE LOCAL law enforcement to check if a person alleged to be responsible for the abuse and/or neglect is a sex offender.
710. The assessment shall include making reasonable DOCUMENTATION OF efforts to interview and advise the person(s) alleged to be responsible for the abuse and/or neglect of the referral and afford such person(s) an opportunity to respond to the allegations.

- 811. The assessment shall include use of the Colorado FAMILY Safety Assessment tool as describe in Section 7.107.1.
- 912. The assessment shall include use of the Colorado Family Risk Assessment tool as described in Section 7.107.2.
- 4013. The assessment shall include ~~making~~ DOCUMENTATION OF reasonable efforts to prevent out-of-home placement, unless an emergency exists, and to maintain the family unit. Reasonable efforts include, but are not limited to:
 - a. Engaging family and extended family in safety planning as described in Section 7.107.167, if appropriate;
 - b. Providing in-home services, if appropriate and available;
 - c. Removing the person(s) alleged to be responsible for the abuse and/or neglect from the home rather than the child(ren)/YOUTH, if possible;
 - d. ~~Requesting~~ WORK WITH the caregiver TO place the child(REN)/YOUTH and ~~self~~ in a safe environment; or,
 - e. Engaging family and extended family in securing a kinship placement.

- AD. If at any point during the assessment, a county department becomes aware of an allegation that a child(REN)/youth is, or may be a victim of sex trafficking, the county department shall:
 - 1. Report immediately, and no later than twenty-four (24) hours from when the county department becomes aware, to the local law enforcement agency, and,
 - 2. Document the details of the report to law enforcement in the state automated case management system.

~~7.104.11 Additional Requirements When Assessing Allegations of Sexual Abuse [Eff. 1/1/15]~~

- ~~A. When the assessment involves allegations of sexual abuse, the assessment shall include at a minimum in-state and out-of-state sex offender checks of the person(s) alleged to be responsible for the abuse and/or neglect. The sex offender check shall be conducted using the following:

 - ~~1. County departments shall use Colorado Courts to check if a person alleged to be responsible for the abuse and/or neglect is a sex offender; or,~~
 - ~~2. County departments shall use both the state and national websites to check if a person alleged to be responsible for the abuse and/or neglect is a sex offender; and/or,~~
 - ~~3. County departments may check with law enforcement to check if a person alleged to be responsible for the abuse and/or neglect is a sex offender.~~~~
- ~~B. When conducting any website checks, county departments shall:

 - ~~1. Use due diligence in following specific check criteria for each website; and,~~
 - ~~2. Check for adult felony, misdemeanor, and/or juvenile adjudication records with a sexual offense.~~~~
- ~~C. County departments shall also:~~

1. ~~Access or attempt to access government issued (tamper-resistive) photographic identification of the person alleged to be responsible for the abuse and/or neglect and document the full name(s), including nicknames and/or aliases, address(es) and date(s) of birth in the state automated case management system;~~
2. ~~Access or attempt to access information from the person alleged to be responsible for the abuse and/or neglect on any possible involvement with law enforcement, probation, parole, corrections, community corrections, and/or child welfare services in Colorado, in any other state, and/or jurisdiction that may include federal, military, tribe, and/or country;~~
3. ~~Immediately report any possible violations of sex offender registration to local law enforcement; and,~~
4. ~~Report all law enforcement verified matches of sex offenders to the individual, supervising officer/agent or team responsible for community supervision and public safety.~~

7.104.12 Audio or Video Recording of the Interview or Observation [Eff. 1/1/15]

- A. The interview or observation may be audio or video taped except when it is impracticable under the circumstances or will result in trauma to the child, as determined by the county department.
- B. If audio or video recording is conducted, the following standards shall be followed:
 1. The interview shall be conducted by a competent interviewer, and may occur at a child advocacy center, as defined in Section 19-1-103(19.5), C.R.S., that has a Memorandum of Understanding with the county department responsible for the assessment or by a competent interviewer for the county department.
 2. The child shall be advised that audio or video taping of the interview is to be conducted and the advisement shall be documented in the state automated case management system. If the child objects to videotaping of the assessment, such taping shall not be conducted by the county department.
 3. If it is the county department's policy to routinely video or audio tape interviews, and an exception is made, the reason for the exception shall be documented in the state automated case management system.
 4. If there is a request by any party to the action to view or listen to an audio or video tape, the child and/or the guardian ad litem shall be notified in advance of the request, when possible.
 5. Access to these audio or video tapes shall be subject to the rules of discovery and governed by the confidentiality provisions under Section 7.605.

7.104.13 Conclusion of Assessment – Timing, Findings, Services [Eff. 4/4/15]

7.104.131 Timing [Eff. 4/4/15]

- A. High Risk Assessments (HRA) or Traditional Response Assessment shall be APPROVED BY A CERTIFIED SUPERVISOR AND CLOSED ~~be completed~~ within sixty (60) calendar days of the date the referral was received.
- B. The initial assessment phase of a Family Assessment Response (FAR) shall be approved by the A supervisor and closed within sixty (60) calendar days from the date the referral was received.

~~IF Once ONGOING services are identified IN or the assessment PHASE OF A has reached sixty (60) calendar days, the Family Assessment Response (FAR), THE FAR SHALL BE OPENED INTO is considered to be in the service phase, and a FAR service plan shall have been BE completed in collaboration with the family that identifies the agreed upon services, the steps to be accomplished in accessing services, by what party, and time frames for implementation. THE SERVICE PHASE SHALL INCLUDE A FAR SERVICE PLAN (FARSP) WHICH IS SPECIFIC, MEASURABLE, ACHIEVABLE, REALISTIC, AND TIME LIMITED (SMART). THE FARSP SHALL BE CREATED IN COLLABORATION WITH THE FAMILY.~~

- C. THE COLORADO FAMILY SAFETY ASSESSMENT TOOL SHALL BE APPROVED IN THE STATE AUTOMATED CASE MANAGEMENT SYSTEM BY A CERTIFIED SUPERVISOR AS SOON AS POSSIBLE AND NO LATER THAN FOURTEEN (14) CALENDAR DAYS FROM THE DATE THE ALLEGED VICTIM CHILD(REN)/YOUTH WAS INTERVIEWED OR OBSERVED.

7.104.132 Findings and Services [Eff. 4/4/15]

- A. County departments shall enter a finding of founded, inconclusive or unfounded, as an outcome of all high risk or traditional assessments in the state automated case management system no later than sixty (60) days after the receipt of the referral.
- B. County departments may elect to defer entering a founded finding pursuant to Section 19-3-309.5, C.R.S. If the county department elects to defer entering a finding of founded abuse and/or neglect, the county shall enter into a pre-confirmation agreement ~~known as a safety plan agreement, as authorized pursuant to Section 19-3-309.5, C.R.S.~~, and follow the procedures described in Section 7.108.
- C. ~~IF THE PERSON ALLEGED TO BE RESPONSIBLE FOR THE ABUSE AND/OR NEGLECT IS UNKNOWN OR CANNOT BE DETERMINED, A finding of "founded" may BE ENTERED be made irrespective of whether a person alleged for the abuse and/or neglect was identified. In these circumstances, the person alleged for the abuse and/or neglect is labeled "unknown."~~ INTO the state automated case management system.
- D. In a Family Assessment Response (FAR), no finding shall be made.
- E. Prior to closing an assessment, county departments shall refer all victim child(ren) under the age of five (5) to the appropriate state or local agency for developmental screening when the county department makes a finding of founded abuse and/or neglect.
- F. County departments may refer any child under the age of five (5) to the appropriate state or local agency for developmental screening in a Family Assessment Response (FAR) or Traditional Response Assessment, if a parent consents and the child presents with needs that might benefit from a developmental screening as determined by the county department.
- G. IN A HIGH RISK ASSESSMENT (HRA) OR TRADITIONAL RESPONSE ASSESSMENT, COUNTY DEPARTMENTS SHALL ENTER THE FINDINGS OF ABUSE AND/OR NEGLECT IN THE STATE AUTOMATED CASE MANAGEMENT SYSTEM EVEN IF THERE IS A CRIMINAL OR CIVIL PROCEEDING PENDING AGAINST THE PERSON FOUND RESPONSIBLE FOR THE ABUSE AND/OR NEGLECT ARISING OUT OF THE SAME INCIDENT.

7.104.14 Documentation Required During Assessment [Eff. 4/4/15]

- A. At the time of a new assessment, county departments shall document that a review related to prior involvement as set forth in Section 7.104.1, B, 6, has occurred. This shall be documented in the assessment closure SUMMARY ~~section~~ of the state automated case management system.
- B. ~~In assessments involving allegation of sexual abuse,~~ The results of any RECORD CHECKS INCLUDING FELONY, AND/OR MISDEMEANOR CRIMINAL CONVICTIONS, RELATED TO CHILD ABUSE-AND/OR NEGLECT, CRIMES OF VIOLENCE, DOMESTIC VIOLENCE, OR

~~UNLAWFUL SEXUAL BEHAVIOR COLORADO COURTS, LAW ENFORCEMENT, website or sex offender registry check, RELATED TO ABUSE AND/OR NEGLECT INCLUDING SEX OFFENDER REGISTRY CHECKS ON ALL ADULTS RESIDING IN THE HOUSEHOLD BEING ASSESSED, and attempts to access other information as set forth in Section 7.104.11 shall be documented in the state automated case management system~~

- C. ~~In assessments,~~ The full name(s), including nicknames and/or aliases, address(es), and date(s) birth of the person(s) alleged to be responsible for the abuse and/or neglect shall be documented in the state automated case management system.
- D. All interactions with the family, including efforts to engage the family and extended family, as part of the assessment shall be documented in the state automated case management system. Any specific ~~evidence~~ INFORMATION gathered, such as electronic media, photographs or videotapes shall be filed in the case record and referenced in the state automated case management system.
- E. When an FACE TO FACE interview or observation of the alleged victim child(ren)/YOUTH is video or audio taped, the required advisement of the child(REN)/YOUTH shall be documented-AS SET FORTH IN SECTION 7.104.12.
- F. If it is the county department's policy to routinely video or audio tape interviews, and an exception is made, the reason for the exception shall be noted in the state automated case management system.
- G. The ~~responses to the~~ Colorado FAMILY Safety Assessment Tool shall be COMPLETED WITH HOUSEHOLD MEMBERS AND documented in the state automated case management system. ~~and shall identify any safety concerns that are or were observed during the assessment.~~ Documentation AND APPROVAL BY A CERTIFIED SUPERVISOR IN THE STATE AUTOMATED CASE MANAGEMENT SYSTEM is required as soon as possible and no later than fourteen (14) calendar days from the date the alleged victim child(ren)/YOUTH was interviewed or observed.
- H. If a Family Assessment Response (FAR) is changed to a High Risk Assessment (HRA), the change shall be made in the state automated case management system and all information DOCUMENTATION SHALL ~~entered to date will~~ be transferred.
- I. Any reasonable efforts to prevent out-of-home placement shall be documented in the state automated case management system.

7.104.141 Documentation Required at Conclusion of Assessment [~~Eff. 1/1/15~~]

- A. County departments shall document the completed assessment in the state automated case management system, including completion of the assessment closure summary. ~~template, and~~ sSupervisors shall approve the closure of the assessment WITHIN SIXTY (60) CALENDAR DAYS FROM THE DATE OF THE REFERRAL. The assessment closure shall include the following:
 - 1. Brief summary of initial concerns and ANY additional concerns ~~uncovered~~ DISCOVERED during the assessment, THE ACTIONS THAT WERE TAKEN, AND/OR PROTECTIVE FACTORS THAT EXIST WHICH MITIGATE THE HARM, DANGER OR RISK;
 - 2. Worker ~~reflection~~ ANALYSIS of:
 - A. RELEVANT CRIMINAL, COLORADO COURTS STATE MANAGEMENT SYSTEM OF THE STATE JUDICIAL DEPARTMENT, NATIONAL SEX OFFENDER REGISTRY HISTORY, AND/OR CHILD WELFARE HISTORY GATHERED THROUGHOUT THE ASSESSMENT, AND ANY CONCERNS IDENTIFIED RELATED TO THE CURRENT ASSESSMENT; ~~the history of state~~

and county department records, criminal, Colorado courts, sex offender registries and how the history relates to the current assessment;

3. ~~The concerns identified, the actions that were taken, or protective factors that exist which mitigate the harm, danger or risk;~~
 4. B. Efforts to engage the family and extended family;
 5. C. For High Risk Assessments (HRA), or traditional response assessments, ~~the facts that support the findings~~ THAT REQUIRE A FINDING, CLEARLY SUMMARIZE THE TYPE, SEVERITY LEVEL AND FACTS THAT SUPPORT THE DECISION; and,
 6. D. Family and/or agency plan, if applicable.
- B. In a HRA or traditional response assessment, county departments shall enter the findings of abuse and/or neglect in the state automated case management system even if there is a criminal or civil proceeding pending against the person found responsible for the abuse and/or neglect arising out of the same incident. The reported data shall include the following:
1. The name, address, gender, date of birth, and race of the victim child(ren);
 2. The composition of the victim child(ren)'s immediate family;
 3. At a minimum, the name and last known mailing address of the person found to be responsible for the abuse and/or neglect, the date of birth, and Social Security Number, if known;
 4. The type of abuse and/or neglect;
 5. The severity level of the abuse and/or neglect;
 6. Any previous incidents of abuse and/or neglect of the victim child(ren) or siblings;
 7. The name(s) and address(es) of any person(s) previously found responsible for abuse and/or neglect, if known;
 8. The name of the source of the referral submitted to the county department, if known;
 9. The county department that conducted the assessment of the referral; and,
 10. The date the referral was made and the date the county department made the finding of founded abuse and/or neglect.

7.104.15 Notice [Eff. 4/1/15]

- A. Notice of the outcome of an assessment shall be made as described below. Unless otherwise described below or authorized by law, no other entity shall receive notification.
- B. Regardless of the outcome of the assessment and as allowable by law, county departments shall notify AND DOCUMENT IN THE STATE AUTOMATED CASE MANAGEMENT SYSTEM:
 1. The parent(s), guardian(s), custodian(s), or caregiver(s) of the alleged victim child(ren)/YOUTH of the outcome of the assessments. Non-custodial parent(s) shall also be notified of the outcomes of the assessments unless;

- A. DOCUMENTATION SUPPORTS EFFORTS TO LOCATE THE NON-CUSTODIAL PARENT WERE UNSUCCESSFUL; OR,
 - B. DOCUMENTATION SUPPORTS THAT IT is not in the best interests of the child(ren)/YOUTH TO GIVE NOTICE TO THE NON-CUSTODIAL PARENT.
2. The person alleged to be responsible for the abuse and/or neglect of the outcome of the assessment;
 3. The specified mandatory reporting party, WHO MEETS THE CRITERIA OF 7.103.8(A) AND IS identified in Section 7.103.8, B, of the;
 - A. ~~n~~Name of the child/YOUTH;
 - B. ~~and t~~The date of the referral;
 - C. ~~w~~Whether the referral was accepted for assessment;
 - D. ~~w~~Whether the referral was closed without services;
 - E. ~~w~~Whether the assessment resulted in services related to the safety of the child;
 - F. ~~t~~The name ~~of~~ and contact information for the county caseworker responsible for the assessment; and,
 - G. ~~t~~The county procedure for requesting updated information within ninety (90) calendar days after the county department received the referral; and,
 4. Where applicable, the local licensing unit, the director or administrator of the facility, the agency with licensing or certifying authority and the State Department, Division of Child Welfare and Division of Early Care and Learning, if the abuse and/or neglect assessment involved a state-licensed or county-certified facility. The referral and assessment may be used for investigations and licensing action where the referral involves a licensed child care provider as defined in the Child Care Licensing Act, Section 26-6-101, C.R.S., et seq.
- C. When the assessment results in a finding of founded abuse and/or neglect, county departments shall provide additional notice as described below:
1. County departments shall notify the local law enforcement agency and the District Attorney's Office of a founded report. Any copies of child abuse/neglect reports provided to law enforcement or the District Attorney's office shall be marked confidential.
 2. County departments shall notify the person found responsible for child abuse and/or neglect of the finding by first-class mail to the responsible person's last known mailing address, using a form approved by the State Department. County departments shall retain a copy of the notice in the case file showing the date of mailing. The notice shall include the following information:
 - a. The type and severity level of the abuse and/or neglect, the date the referral was made to the county department, which county department completed the assessment, the date the county department made the finding in the state automated case management system, and information concerning persons or agencies that have access to the information.
 - b. The circumstances under which information contained in the state automated case management system will be provided to other individuals or agencies.

- c. How to access the county's dispute resolution process. County departments are authorized to offer a county dispute resolution process to persons alleged to be responsible for abuse and/or neglect.
- d. The right of the person found to be responsible for abuse and/or neglects to request a state level appeal as set forth in Sections 7.111 through 7.112. The county department shall provide the State Department approved appeal form to the person found to be responsible for abuse and/or neglect.
- e. Notice that the scope of the appeal is limited to challenges that the finding(s) are not supported by a preponderance of the evidence or that the actions found to be abuse and/or neglect do not meet the legal definitions of abuse and/or neglect. The State Department will be responsible for defending the determination at the state level fair hearing.
- f. A full explanation of all alternatives and deadlines contained in Sections 7.111 through 7.112.