

Policy Title:	Screening – OAR		
Policy Number:	I-AB.2 413-015-0200 thru 0225		Effective Date: 5/27/14

Approved By: *on file*

Date Approved:

Policy

Forms, etc.

References

Contact

History

Reference(s):

- APSAC: American Professional Society on the Abuse of Children
<http://www.apsac.org/>
- Annie E. Casey Foundation
<http://www.aecf.org/>
- Child Welfare Practices for Cases with Child Sexual Abuse
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-ab4att5.pdf
- I-AB.1 Introduction to CPS Rules, OAR 413-015-0100 thru 0125
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-ab1.pdf
- I-AB.3 Cross Reporting, OAR 413-015-0300 thru 0310
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-ab3.pdf
- I-AB.4 CPS Assessment, OAR 413-015-0400 thru 0485
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-ab4.pdf
- I-AB.4.1 Day Care Facility Investigation, OAR 413-015-0520 thru 0565
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-ab41.pdf
- I-AB.5 CPS Assessment Dispositions, OAR 413-015-1000
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-ab5.pdf
- I-AB.6 Access to Law Enforcement Data System (LEDS) in Local Child Welfare Offices, OAR 413-015-1100 thru 1125
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-ab6.pdf
- ORS 418.747, ORS 418.748, ORS 418.751, ORS 419B.005 through .419B.050
- Staff Guidelines – Addressing Pregnancies and New Babies
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-ab2att1.pdf

Form(s) that apply:

- Child Welfare Practices for Cases with Domestic Violence
<https://apps.state.or.us/Forms/Served/ce9200.pdf>

Rules:

413-015-0200

Purpose of Screening Rules

OAR 413-015-0200 to 413-015-0225 describe how the Department handles and documents information received, and outlines the criteria used to determine a Department response to the information, including the Department response time lines. This process is known as screening and is conducted by a screener.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-015-0205

Screening Activities

The *screener* must complete the following activities:

- (1) Gather information. When gathering information, the *screener* must do both of the following:
 - (a) Accept reports of child abuse and neglect regardless of where the *child* resides or where the alleged *child abuse or neglect* may have occurred. If the *report* is about a *child* that does not reside in the county where the *report* is received, the *screener* must forward the completed *screening* report form to the local child welfare office in the county or state where the *child* resides. The *screener* must forward the *screening* report form on the same day the *report* is received and confirm that it has been successfully forwarded.
 - (b) Accept and handle anonymous reports of child abuse and neglect in the same manner as other reports, gather the same information from the anonymous *reporter* as the *screener* would from any other *reporter*, and encourage the *reporter* to provide identifying information.
- (2) If appropriate, refer the person to community services and resources.
- (3) Determine the type of information received, Child Protective Services or Family Support Services, and where and when to document the information received.
 - (a) Child Protective Services. This type of information is related to reports of alleged *child abuse or neglect*.
 - (A) Child Protective Services information is documented in the Department's electronic information system.
 - (B) The time line for screeners to complete and document their actions, and document information gathered, unless a CPS supervisor grants the *screener* an extension as provided in OAR 413-015-0220, is:

- (i) Immediately when a "within 24 hours" response time line is assigned;
 - (ii) Within the same day when a "within five days" response time line is assigned; or
 - (iii) No later than the next working day after the *screening* determination is made when the *report* is closed at *screening*.
- (b) Family Support Services. This type of information is not a *report* of alleged *child abuse or neglect*, and it does not include information that indicates a *child* is *unsafe*.
- (A) This information is documented in the Department's electronic information system using a *screening* report form.
 - (B) The time line for screeners to complete and document their actions, and document information gathered is within two days of receiving the request for services.
 - (C) Family Support Services information falls within one of the categories described below:
 - (i) Request for Placement -- Information falls within this category when:
 - (I) A parent or *guardian* requests out-of-home placement of their *child* due solely to obtain services for the emotional, behavioral, or mental disorder or developmental or physical disability of the *child*;
 - (II) The parent or *guardian* requests the Department take legal custody of their *child*; or
 - (III) The court has ordered a pre-adjudicated delinquent into the care of the Department.
 - (ii) Request for Independent Living Program Services -- Information falls within this category when a *former foster child* qualifies for Independent Living Program (ILP) services, is not a participant on an open case, and requests to enroll in the Department's ILP.
 - (iii) Request for Post Legal Adoption and Post Guardianship Services -- Information falls within this category when a family requests post legal adoption or post guardianship services, if the adoption or guardianship occurred through the Department.
 - (iv) Request for Voluntary Services -- Information falls within this category when it does not meet the criteria in subparagraphs (i), (ii), or (iii) of this paragraph, a parent or [caregiver](#) requests assistance with a *child* in the home, and all of the following apply:

- (I) Other community resources have been utilized and determined to be ineffective.
 - (II) Members of the extended family and other responsible adults who are well known to the *child* have been explored or utilized and determined to be unsafe, unavailable, unwilling, or ineffective as support for the family.
 - (III) The parent or *caregiver* is temporarily or will be temporarily unable to fulfill parental responsibilities due to a diagnosed medical condition or a mental health diagnosis.
 - (IV) The parent's or caregiver's inability to fulfill parental responsibilities is temporary and immediate, and will be alleviated with short term services or short term services will transition the family to community services.
 - (V) A Child Welfare program manager approves the request for voluntary services.
- (4) When the *screener* receives Child Protective Services information, the *screener* must complete the *screening* activities described below.
- (a) The *screener* must gather the following information, which is critical to effectively identify if there is a *report* of child abuse or neglect as defined in ORS 419B.005 and if the information alleges that behaviors, conditions, or circumstances could result in *harm* to the *child*:
 - (A) The type of alleged *child abuse or neglect* and the circumstances surrounding the *report*;
 - (B) How the alleged *child abuse or neglect* or the surrounding circumstances are reported to affect the safety of the *child*;
 - (C) Information that identifies how the *child* is vulnerable; and
 - (D) Reported parent or caregiver functioning and behavior.
 - (b) After gathering and documenting the information required in subsection (a) of this section, if the *report* is about a condition or circumstance that occurred in a *Children's Care Provider (CCP)* or a behavior of a CCP, the *screener* must complete the requirements in paragraphs (A) through (C) of this subsection. CPS *screening* activities for CCP referrals are complete after the completion of the activities in paragraphs (A) through (C) of this subsection and additional *screening* activities in this rule do not apply:
 - (A) Immediately pend the *screening* information to the Office of Adult Abuse Prevention and Investigation (OAAPI) screener's workload;
 - (B) Immediately send an e-mail to the OAAPI screener to let the screener know that a *screening* report has been assigned to the screener's workload; and

- (C) When the *report* is new information on an open Department case:
 - (i) Notify the CPS supervisor;
 - (ii) Notify each assigned case worker and their respective supervisors of all new information received on the same day the information is received, and document this notification in the Department's electronic information system case notes; and
 - (iii) Complete notification on the same day the information is received.
 - (c) Gather information from individuals who can provide firsthand information necessary to determine the appropriate *Department response*. This may include individuals who have regular contact with the *child*, doctors, teachers, or others who have evaluated or maintain records on the *child*, people who are in an established personal or professional relationship with the parent or *caregiver* and who can judge the quality and nature of the parent or caregiver behavior, and those who have records or reason to know things about the parent or *caregiver* as a result of their involvement with or exposure to the parent or *caregiver*.
 - (d) Research Department history of every identified *child*, parent, *caregiver*, and household member for information about current or previous Department involvement relevant to the current *child abuse or neglect report*. If the research reveals an "unable to locate" disposition that has not been assessed, the *screener* must reference that assessment, the date the assessment was completed, and those allegations not able to be assessed in the current report summary.
 - (e) Inquire regarding possible Indian or Alaskan Native heritage (for further direction see OAR 413-015-0215(5)).
 - (f) Request relevant information when available and appropriate from law enforcement agencies (LEA), including domestic disturbance calls, arrests, warrants, convictions, restraining orders, probation status, and parole status.
 - (g) Determine the location and corresponding law enforcement jurisdiction of the family's residence and the site where the alleged *child abuse or neglect* may have occurred.
 - (h) Immediately comply with Child Welfare Policy I-B.2.2.3, "Department Responsibilities During Screening and Assessment of a Child Abuse or Neglect Report Involving the Home of a Department Certified Foster Parent or Relative Caregiver", OAR 413-200-0404 to 413-200-0424, when information is related to a Department approved and certified home that is a foster home, relative caregiver home, or home of a *pre-adoptive family*.
 - (i) Immediately comply with the Child Welfare "Fatality Protocol" when information is related to the death of a *child*.
- (5) Explain to reporters the information in all of the following subsections:

- (a) That the Department will not disclose the identity of the *reporter* unless disclosure is to an LEA for purposes of investigating the *report*, disclosure is required because the *reporter* may need to testify as a witness in court, or the court orders the Department to disclose the identity of the *reporter*.
- (b) That anyone making a *report of child abuse or neglect* in good faith, who has reasonable grounds to make the *report*, is immune from liability in respect to making the *report* and the contents of the *report*.
- (c) The Department's decisions about paragraphs (A) through (C) of this subsection. If the decisions have not been made when the *report* is completed, the *screener* must notify the *reporter* that, if contact information is provided, diligent efforts will be made to contact him or her at a later date and inform him or her of the decisions:
 - (A) Whether contact with the *child* was made;
 - (B) Whether the Department determined child abuse occurred; and
 - (C) Whether services will be provided.
- (d) If applicable, that the information reported does not meet the *screening* criteria to be documented and retained in the Department's electronic information system.
- (e) That mandatory reporters should consider maintaining a record of their *report* to document compliance with ORS 419B.010 and 419B.015.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005, 419B.020

413-015-0210

Determining Department's Response and Required Time Lines for CPS Information

- (1) After the *screener* completes *screening* activities required by OAR 413-015-0205, and the *screener* determines the information received is CPS information, the *screener* must determine the *Department response*, either CPS assessment required or close at *screening*. If a CPS assessment is required, the *screener* must then determine the time line for the *Department response*, either within 24 hours or within five calendar days.
- (2) CPS assessment required. A CPS assessment is required if:
 - (a) The *screener* determines that information received constitutes a *report* of child abuse or neglect, as defined in ORS 419B.005, and the information indicates:
 - (A) The alleged perpetrator is a legal parent of the alleged child victim;
 - (B) The alleged perpetrator resides in the alleged child victim's home;
 - (C) The alleged perpetrator may have access to the alleged child victim, and the parent or *caregiver* may not be able or willing to protect the *child*; or

- (D) The alleged child abuse occurred in a day care facility, the home of a Department certified foster parent or relative caregiver, or a private *private child-caring agency* that is not a *Children's Care Provider (CCP)*.
 - (b) A tribe or LEA requests assistance from the Department with an investigation of *child abuse or neglect*, and a CPS supervisor agrees that assistance from the Department is appropriate.
- (3) Response Time Lines. If the *screener* determines that a CPS assessment is required, the *screener* must:
- (a) Determine the CPS assessment response time line. The time line for the *Department response* refers to the amount of time between when the *report* is received at *screening* and when the CPS worker is required to make an *initial contact*. When determining the response time, the *screener* must take into account the location of the *child*, how long the *child* will be in that location, and access that others have to the *child*.
 - (A) Within 24 hours: This response time line is required, unless paragraph (B) of this subsection applies, when the information received constitutes a *report* of child abuse or neglect as defined in ORS 419B.005.
 - (B) Within five calendar days: This response time line must only be used when the *screener* can clearly document how the information indicates the child's safety will not be compromised by not responding within 24 hours and whether an intentional delay to allow for a planned response is less likely to compromise the safety of the *child*.
 - (b) Complete a *screening* report form immediately when a "within 24 hour" response time line is assigned or the same day when a "within five calendar days" response time is assigned, unless a CPS supervisor grants an extension as provided in OAR 413-015-0220.
 - (c) Refer the CPS assessment to the appropriate county as described in OAR 413-015-0213.
- (4) Close at Screening: A *report* will be closed at *screening* if one of the following subsections applies:
- (a) The *screener* determines that information received:
 - (A) Does not constitute a *report* of child abuse or neglect, as defined in ORS 419B.005, and the *screener* determines that the information describes family behaviors, conditions, or circumstances that pose a risk to a *child*;
 - (B) Is third party *child abuse or neglect* that does not require a CPS assessment because the alleged perpetrator does not have access to the *child*, and the parent or *caregiver* is willing and able to protect the *child*; or
 - (C) Is a *report* that there are no children in the home and:
 - (i) An expectant mother is abusing substances during her pregnancy;

- (ii) An expectant mother or a household member has had his or her parental rights to another *child* terminated; or
 - (iii) An expectant mother or a household member is known to have conditions or circumstances that would endanger a newborn child.
 - (b) When a *report* is received, but the *screener*, after extensive efforts, is unable to obtain sufficient information to locate the *child*. Name and exact address are not necessary if a location is obtained.
- (5) If a *report* is closed at *screening*, the *screener* must:
- (a) Document the current information that supports the decision to close the *report* at *screening*.
 - (b) Decide whether other services are appropriate and make service or resource referrals, as necessary. Document what service or resource referrals are made, if any.
 - (c) Make diligent efforts to contact the *reporter* if contact information was provided and when the *reporter* was not informed of the following information prior to completing the *screening* report form.
 - (A) Whether contact with the *child* was made;
 - (B) Whether the Department determined child abuse occurred; and
 - (C) Whether services will be provided.
 - (d) Complete a *screening* report form no later than the next working day after the *screening* determination is made, unless a CPS supervisor grants an extension, as provided in OAR 413-015-0220.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-015-0211

Additional Screening Activities

In the specific circumstances described below, the *screener* must complete additional activities to complete the *screening* process.

- (1) The *screener* receives information on an open CPS assessment.
 - (a) When a *screener* receives duplicate information (same alleged victim, same alleged perpetrator, same allegation of *child abuse or neglect*, and same incident dates) on an open CPS assessment, the *screener* must:
 - (A) Inform the *reporter* that a new *screening* report will not be documented because the information has already been received;

- (B) Provide the *reporter* with the assigned caseworker's name and phone number; and
 - (C) Provide contact information about the *reporter* and any information the *screener* received to the assigned caseworker.
- (b) When a *screener* receives information that constitutes a new *report* of child abuse or neglect as defined in ORS 419B.005 on an open CPS assessment, the *screener* must:
- (A) Document the information in a new *screening* report form; and
 - (B) Notify the assigned CPS worker and their supervisor of all new information received on the same day the information is received, and document this notification in the Department's electronic information system.
- (c) When a *screener* receives information that constitutes a closed at *screening* on an open CPS assessment, the *screener* must:
- (A) Document the information in a new *screening* report form; and
 - (B) Notify the assigned CPS worker and their supervisor of all new information received on the same day the information is received, and document this notification in the Department's electronic information system.
- (2) The *screener* receives new information on an open Department case.
- (a) When a *screener* receives new information on an open Department case, the *screener* must:
- (A) Consult with a CPS supervisor;
 - (B) Notify each assigned case worker and their respective supervisors of all new information received on the same day the information is received, and document this notification in the Department's electronic information system's case notes; and
 - (C) Complete notification on the same day the information is received.
- (b) When a *screener* receives a new *report* of child abuse or neglect, as defined in ORS 419B.005, but there is no open CPS assessment, the *screener* must document the information in a new *screening* report form.
- (c) The information received by a *screener* on an open Department case that will not be documented in a new *screening* report form but must be documented in the Department's electronic information system's case notes includes:
- (A) Additional information on an open case that does not meet the criteria for a new CPS assessment or closed at *screening*;

- (B) When an in-home *protective action plan*, *initial safety plan*, or *ongoing safety plan* is violated, but the violation is not a new incident of *child abuse or neglect*;
 - (C) Reports of an ongoing concern in an open case, which the Department is currently addressing;
 - (D) Reports of child runaways; and
 - (E) Any requests for case information received by the *screener*.
- (3) When a *screener* receives information related to the home of a Department certified foster parent or relative caregiver, the *screener* must notify and document that the *screener* has notified each assigned case worker, assigned certifier, and their respective supervisors of all information received (see Child Welfare Policy I-B.2.2.3, "Department Responsibilities During Screening and Assessment of a Child Abuse or Neglect Report Involving the Home of a Department Certified Foster Parent or Relative Caregiver", OAR 413-200-0404 to 413-200-0424).
- (4) When a *screener* receives information related to a minor parent as an alleged perpetrator:
- (a) The *screener* must gather information to determine if there is a *report* of abuse or neglect with the minor parent as an alleged victim.
 - (b) If the *screener* determines there is a *report* of abuse or neglect of the *child* of the minor parent with the minor parent as an alleged perpetrator and another *report* with the minor parent as an alleged victim, the *screener* must document the information in the following manner to determine when to use the mother or father's name as the case name:
 - (A) The allegation with the minor parent as an alleged perpetrator must be documented with the mother or father of the alleged victim as the case name (the mother or father being a minor does not preclude them from being the case name); and
 - (B) The allegation with the minor parent as an alleged victim must be documented with the mother or father of the minor parent as the case name.
- (5) When a *screener* receives a *report* of a child fatality alleged to be the result of abuse or neglect or involving a *child* known to the Department, the *screener* must:
- (a) Consult with a CPS supervisor;
 - (b) Refer to the Child Welfare "Fatality Protocol";
 - (c) Complete a *screening* report form identifying in the Department's electronic information system that the *report* involves a child fatality;
 - (d) Notify the CPS consultant; and

- (e) Complete subsections (a) through (d) of this section even when there are no siblings to the deceased *child* and no other children in the home where the fatality occurred.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-015-0212

Screener Consultation with a CPS Supervisor

Screeners may consult with a CPS supervisor about any *screening* determination. Screeners must consult with a CPS supervisor or designee in each of the following situations:

- (1) A *report of child abuse or neglect* involving a *child*, parent, *caregiver*, or perpetrator who was a *child*, parent, *caregiver*, or perpetrator in a CPS assessment that resulted in a founded disposition in the preceding six months.
- (2) A review of Department records on a family that is the subject of a *child abuse or neglect report* finds multiple consecutive reports were closed at *screening*, and the information received in the current *report*, in combination with the prior reports regarding the same family, may meet the criteria to refer the *report* for a CPS assessment.
- (3) A new *report* involving a family that has an open Department case.
- (4) A *report* involving the home of a Department certified foster parent or relative caregiver.
- (5) A *report* involving a *private child-caring agency*.
- (6) A *report* involving a day care facility.
- (7) A *report* of a child fatality.
- (8) A decision not to refer for assessment a report of a baby who is born with substances in his or her system.
- (9) A *report of child abuse or neglect* in which a community partner or an employee of any program, office, or division of the Department of Human Services or the Oregon Youth Authority is the alleged perpetrator.
- (10) A *report of child abuse or neglect* that is expected to receive media attention or that already is being reported by the media.
- (11) A decision that an additional *screening* report form is needed because the reported information alleges a threat of *harm* to additional children in other families.
- (12) A review of Department history reveals a prior allegation that has not been assessed because the Department was unable to locate the family.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-015-0213

Determining the County to which the CPS Assessment will be Referred

- (1) Except as described in section (2) of this rule, the *screener* must refer the CPS assessment to the local Department office in the county where the *child* resides, and that county is responsible for completing the CPS assessment.
- (2) When the alleged *child abuse or neglect* occurred in a foster home or a residential care facility, the *screener* must refer the CPS assessment to the local Department office in the county where the alleged *child abuse or neglect* occurred, and that county is responsible for completing the CPS assessment.
- (3) The District Managers in the affected counties must jointly approve any exception to sections (1) or (2) of this rule. When a joint decision cannot be made, the CPS Program Manager or designee must approve the exception.
- (4) As a courtesy, and to assist with the CPS assessment process, when the *child* resides in a different county than the county where the alleged *child abuse or neglect* occurred, CPS workers may be assigned in the county of the child's residence and the county where the alleged *child abuse or neglect* occurred. The county that is responsible for completing the CPS assessment is described in sections (1) and (2) of this rule.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-015-0214

Assignment of the CPS Assessment

Whenever possible, separate CPS workers must be assigned to complete the assessments of allegations when a minor parent is an alleged perpetrator and alleged victim.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-015-0215

Notifications and Reports to Specific Agencies or Entities

- (1) Law Enforcement Agency (LEA). The *screener* must cross report to LEA as required by OAR 413-015-0305(1).
- (2) Office of Child Care, Department of Education, Early Learning Division. The *screener* must notify the Office of Child Care when a *report* involves a day care facility, as required by ORS 419B.020(1). If the *report* is closed at *screening*, a copy of the completed *screening* report form must be sent to the Compliance Unit of the Office of Child Care after information related to the reporter's identity and other confidential information is removed.
- (3) Office of Adult Abuse Prevention and Investigation (OAAPI). The *screener* must report to the OAAPI when:

- (a) A *report* involves a *Children's Care Provider* as outlined in OAR 413-015-0205(4)(b); or
 - (b) A *report* involves a *child* with intellectual or developmental disabilities in a residential group home licensed by the Office of Developmental Disabilities Services.
- (4) Indian Tribes. If the *screener* knows or has reason to know that the *child* is an Indian child, the *screener* must give notice within 24 hours to the Indian child's tribe that a CPS assessment is being conducted.
 - (5) Teacher Standards and Practices Commission (TSPC). The *screener* must notify the TSPC when a *teacher* or *school administrator*, as defined in OAR 413-015-0115, is identified as an alleged perpetrator in a *report*. A copy of the *report* must be sent to the TSPC after information related to the reporter's identity and other confidential information is removed.
 - (6) Community Mental Health Program, Community Developmental Disabilities Program, or Adult Protective Services. The *screener* must make a report to the Community Mental Health Program, Community Developmental Disabilities Program, or the local Adult Protective Service office when the *screener* has reasonable cause to believe:
 - (a) That any person 18 years of age or older with a mental illness, a developmental disability or a physical disability, or any person 65 years of age or older, with whom the *screener* comes into contact while the *screener* is acting in an official capacity, has suffered abuse; or
 - (b) That any person with whom the *screener* comes into contact, while acting in an official capacity, has abused a person 18 years of age or older with a mental illness, developmental disability, or physical disability, or any person 65 years of age or older.

Stat. Auth.: ORS 418.005, 419B.017

Stats. Implemented: ORS 418.005, 419B.015, 419B.017

413-015-0220

Screening Extensions

- (1) Except as provided in section (2) of this rule, the CPS supervisor may grant an extension to the deadline in OAR 413-015-0205 if the *screener* is unable to complete all required *screening* activities the same day that the *report* alleging *child abuse or neglect* is received because critical information, such as the child's location, is still needed to determine the *Department response*. The *screener* must document in the Department's electronic information system the reason for the extension, including the critical information that remains to be collected, and the CPS supervisor's approval.
 - (a) The CPS supervisor may grant a one-business day extension up to two times; and
 - (b) *Screening* activities may not exceed two business days beyond the day the *report* alleging *child abuse or neglect* is received by the Department.

- (2) If the *screener* has the critical information needed to determine the *Department response* or has information that indicates the *child* is *unsafe*, no extension to the deadline in OAR 413-015-0205 may be allowed.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-015-0225 Supervisory Review

The CPS supervisor or designee must review all closed-at-screening reports within five days of the completion of *screening* activities and electronic submission of the *screening* report forms for review.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

Contact(s):

- **Name:** Deb Carnaghi; **Phone:** 503-947-5418

Policy History

- [07/01/03](#)
- [08/01/04](#)
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