	Department of Human Services CHILDREN, ADULT & FAMILIES CLIENT SERVICES MANUAL I ISSUED BY: Office of Self-Sufficiency and Child Safety EFFECTIVE DATE:	NUMBER: I-AB. OAR: 413-015-0100 to 1030 SECTION: AB Child Protective Services SUBSECTION: 1 through 10
SUBJECT: 1 through 10. Child Protective Services - Oregon Administrative Rule		

Prior Version

REFERENCES:

ORS 419B.005
ORS 418.747
ORS 419B.005 through .020
I-AB.1 Introduction to CPS, 413-015-0100 through 0130
I-AB.2 Screening, 413-015-0200 through 0225
I-AB.3 Cross Reporting, 413-015-0300 through 0310
I-AB.4 CPS Assessment, 413-015-0400 through 0405
I-AB.5 Child Safety Assessment and Child Safety Planning, 413-015-0500 through 0515
I-AB.6 Working with Other Entities, 413-015-0600 through 0635
I-AB.7 Interviewing, 413-015-0700 through 0755
I-AB.8 Photographing and Documenting, 413-015-0800
I-AB.9 Medical Examination, 413-015-0900 through 0905
I-AB.10 Child Abuse Assessment Dispositions, 413-015-1000

CHILD PROTECTIVE SERVICE AUTHORITY AND RESPONSIBILITY

413-015-0100
Child Protective Service Authority and Responsibility

Information regarding suspected child abuse, including neglect and third-party abuse, is received by the Department, screened for Department response, and assigned for CPS assessment and disposition. These processes and time lines for completion are provided in division 015 of this chapter of rules. OAR 413-015-0100 through 0125 provide an overview of division 015, which implements ORS 418.015 and 419B.005 to 419B.050.

413-015-0105
Purpose of Child Protective Services

(1) The purposes of Child Protective Services are to identify child abuse and to assure protection of children.

(2) The goals of Child Protective Services are to:

(a) Assure a child's welfare and safety through various protective strategies;

(b) Reduce the factors, causes, and stresses that led to the child abuse;

(c) Support and encourage family preservation or reunification; and

(d) Initiate permanency plans when it is determined that a child cannot safely remain in or return to the home.

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413-015-0110
Introduction to Rules Governing Child Protective Services

The rules of this division are organized as follows:

(1) Introduction to Child Protective Services, OAR 413-015-0100 through 0125

(2) Screening, OAR 413-015-0200 through 0225

(3) Cross Reporting, OAR 413-015-0300 through 0310

(4) Child Protective Services Assessment, OAR 413-015-0400 through 0410

(5) Child Safety Assessment and Child Safety Planning, OAR 413-015-0500 through 0510

(6) Working with Other Entities, 413-015-0600 through 0615

(7) Interviewing, 413-015-0700 through 0740

(8) Photographing and Documenting, 413-015-0800

(9) Medical Examination, 413-015-0900 through 0905

(10) Child Abuse Assessment Dispositions, 413-015-1000

413-015-0115
Definitions

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Unless the context indicates otherwise, these terms are defined for use in OAR chapter 413, division 015:

(1) "Caregiver" is a guardian, legal custodian, or other person acting in loco parentis, who exercises significant authority over and responsibility for a child.

(2) "Child" means a minor under 18 years of age.

(3) "Child abuse" means any form of abuse, including abuse through neglect and abuse or neglect by a third party, of a person under age 18.

(4) "Child protective services (CPS)" means a specialized social service program that the Department provides on behalf of children who are abused or who are at substantial risk of child abuse by a parent or caregiver.

(5) "Child protective services assessment" means activities and interventions that evaluate potential safety threats, risk influences, and caregiver protective capacity and determine whether or not child abuse has occurred. Activities include development of a child safety plan and identification of services.

(6) "Child protective services supervisor (CPS supervisor)" means an employee of the Department trained in child protective services and designated as a supervisor.

(7) "Child protective services worker (CPS worker)" means an employee of the Department who has completed the mandatory department training for child protective service workers.

(8) "Child safety assessment" means actions or interventions, which include face-to-face contact with the child and parent, or caregiver, to determine whether a child is safe.

(9) "Child safety plan" means a documented set of actions or interventions that describe how a child’s safety is achieved by eliminating or managing a safety threat.

(10) "Department" means the Department of Human Services Child Welfare Program.

(11) "Department response" means how the Department intends to respond to a report of child abuse after a report of alleged abuse is screened.

(12) "FACIS" means the Family and Child Information System.

(13) "Guided Assessment Process (GAP)" is a tool used to determine the presence of a safety threat that requires consideration of risk influences and parent or caregiver protective capacity.

(14) "Harm" means impairment, damage, detriment, or injury to a child's physical, sexual, emotional, or mental development or functioning.

(15) "Immediate safety threat" means behavior, conditions, or circumstances that are presently beyond the parent's or caregiver's current ability to manage and are likely to result in harm to a child.

(16) "Impending safety threat" means behavior, conditions, or circumstances that are not presently beyond the parent's or caregiver's current ability to manage but are likely to become so within the near future and are likely to result in harm to a child.

(17) "ICWA" means the Indian Child Welfare Act.

(18) "Multi-disciplinary team (MDT)" is a county investigative team, described in ORS 418.747, that includes law enforcement personnel, child protective service workers, district attorneys, school officials, health department staff, and juvenile department personnel.

(19) "Risk influences" means those circumstances and situations that contribute to the severity of identified safety threats and that are considered by the CPS worker when a safety plan is developed.

(20) "Protective capacity" means a parent's or caregiver's strengths or abilities to manage existing safety threats, prevent additional safety threats from arising, or stop risk influences from creating a safety threat.

(21) "Protective custody" means custody authorized by ORS 419B.150.

(22) "Referral" means a report that has been assigned for the purpose of CPS assessment.

(23) "Report" means information provided to the Department that constitutes an allegation of child abuse.

(24) "Safe" means there is an absence of safety threats in a family or there is sufficient protective capacity within the family to manage the existing safety

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threats.

(25) "Safety threat" means behavior, conditions, or circumstances that are likely to result in harm to a child.

(26) "Screening" means the process used by a screener to determine the Department's response when information alleging abuse is received.

(27) "Screener" means a department employee with training required to provide screening services.

(28) "Substantial harm" means immobilizing impairment, life threatening damage, or significant or acute injury to a child's physical, sexual, psychological, or mental development or functioning.

(29) "Team Decision Meeting (TDM)" means a facilitated meeting with family, extended family, community members, service providers, and child welfare staff held for the purpose of making child placement related decisions.

(30) "Third-party abuse" means abuse by a person who is not the child's parent, not the child's caregiver or other member of the child's household, and not a person responsible for the child's care, custody, and control. Examples of persons who could be considered as a third-party under this definition include school personnel, day-care providers, coaches, and church personnel.

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413-015-0120
Initiating Child Protective Services

Child protective services for a child or family may be initiated in a variety of ways, including but not limited to:

(1) A child or family requests services.

(2) A person provides information about suspected child abuse.

(3) A county or another state requests services.

(4) A juvenile court orders or recommends services.

(5) The Department receives information from law enforcement about suspected child abuse.

413-015-0125
Department Responsibility Ends

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The Department is not responsible for providing protective services when:

(1) The screener determines that information received does not constitute child abuse (*see* OAR 413-015-0210(2)(a) and (b)).

(2) The CPS assessment results in a disposition of unfounded.

(3) The CPS assessment does not identify information sufficient to request juvenile court intervention, and the parents or caregivers do not request or agree to receive voluntary services.

(4) Pertinent safety threats have been eliminated, or the parent's or caregiver's protective capacity can manage identified safety threats.