

Processing and Notifications for an Alleged Institutional Abuse/Neglect Case

Rhode Island Department of Children, Youth and Families

Policy: 500.0060

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All persons in Rhode Island are required by law (RIGL 40-11-3) to report known or suspected cases of child abuse and/or neglect to the Department of Children, Youth, and Families.

Child abuse and neglect means the physical or mental injury, sexual abuse or exploitation, negligent treatment or maltreatment of a child under the age of eighteen (18) by a person, including any employee of a residential facility or any staff person providing out-of-home care who is responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare. The term encompasses both acts and omissions on the part of a responsible person.

A person responsible for a child's welfare, for the purposes of this policy, includes the child's foster parent, an employee of a public or private residential home or facility or other person legally responsible under State law for the child's welfare in a residential setting, or any staff person providing out-of-home care. Out-of-home care means child day care, i.e., family day care, group day care and center-based day care.

For each report received by the Call Floor alleging institutional abuse and/or neglect, a CPS report is completed and processed in the same manner as any other report to the Call Floor. That is, to initiate a Child Protective Services (CPS) Investigation, the Call Floor worker must decide that the four (4) criteria of a Child Protective Services case are present and have "reasonable cause to believe" that abuse and/or neglect circumstances exist. Otherwise, the call is processed as an Early Warning Call. For each case in which the four (4) criteria exist, a CPI or Inspector shall be assigned to investigate the report.

For each report of alleged institutional abuse and/or neglect, there is a procedure for notification of the Licensing Unit (except those reports involving the Rhode Island Training School for Youth), CASA, the Office of the Child Advocate, the assigned worker(s) when applicable and, in situations involving group homes and other residential facilities, the facility director that such a report has been received by the Call Floor.

The Department maintains a firm commitment to the principle of confidentiality of information received on all abuse/neglect allegations/investigation. In developing the following notification procedures, the Department has placed strong emphasis on protecting the privacy of the individual under investigation. In addition, the Department stresses the importance of disseminating specific information regarding the allegations/investigation to certain Department personnel who have a need to know in order to protect the best interests of the child involved in the investigation.

Notification that a CPS Report has been accepted regarding a foster home is sent via E-mail to the Licensing Unit and the active worker(s). Information in the report can be accessed online. When the investigation is completed, the Licensing Unit and the active worker(s) receive an E-mail message. The Licensing Unit is notified so that it may make a determination on whether any licensing action should be taken on the foster home. The service workers of children in the foster home are notified of the results, so they may appropriately plan for the child(ren).

Information regarding allegations in residential facilities (except the RI Training School), and allegations pertaining to day care providers is sent via E-mail to the Licensing Unit. The Licensing Unit also receives an E-mail message when an investigation is completed. The report can be accessed online. Detailed information is necessary to ensure that Licensing Unit staff may appropriately monitor the program operations of the facility or day care provider.

Related Procedures...

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Processing and Notifications for an Alleged Institutional Abuse/Neglect Case - Early Warning Calls

Procedure From Policy 500.0060: Processing and Notifications for an Alleged Institutional Abuse/Neglect Case

- A. Early Warning Calls - Foster Homes, Residential Facilities (except RI Training School), and Day Care Providers. The CPS report is processed as another report. After the Call Floor Supervisor accepts the report, he/she creates a case or links the report to an existing case.
- B. The Call Floor Supervisor sends an E-mail message to licensing and the active worker(s). No verbal or written notification of the report is required for the Child Advocate.

Processing and Notifications for an Alleged Institutional Abuse/Neglect Case - Child Protective Services Calls

Procedure From Policy 500.0060: Processing and Notifications for an Alleged Institutional Abuse/Neglect Case

- A. Child Protective Service calls, notification of investigation containing the four (4) criteria, are as follows:
1. Foster Homes:
 - a. The CPS report is completed and forwarded by the Call Floor worker to the Call Floor Supervisor.
 - b. The Call Floor Supervisor accepts the CPS report and creates a case or links the report to an existing case. The case is assigned to the Investigative Unit for initiation of an investigation. A copy of the CPS Report Protocol is sent to the Office of the Child Advocate via interdepartmental mail.
 2. Day Care Homes:
 - a. The CPS report is completed and forwarded by the Call Floor Worker to the Call Floor Supervisor.
 - b. The Call Floor Supervisor accepts the CPS report and creates a case or links the report to an existing case. The case is assigned to the Investigative Unit for initiation of an investigation. A copy of the CPS Report Protocol is sent to the Office of the Child Advocate via interdepartmental mail.
 3. Residential Facilities
 - a. The facility director or his/her designee must be verbally notified of all reports alleging institutional abuse/neglect:
 - (1) The Inspector/CPI assigned to the investigation calls the Executive Director/designee at the initiation of a child abuse/neglect investigation. The Inspector/CPI reads the narrative on the CPS report to the Executive Director/designee, excluding any reference(s) to the identity of the reporter.
 - (2) If the Executive Director is not available, the Inspector/CPI will ask to speak to the designee. If no Assistant Director is available, the staff person will be requested to contact an Assistant Director and have him/her call the Inspector/CPI. If no call back is received, the Inspector/CPI will proceed in accordance with Departmental policy and time frames.
 - b. The Inspector/CPI records the date, time of notification, and person notified in a Case Activity Note.
 - c. If the scope of an investigation is significantly broadened during the course of an investigation, the Inspector/CPI will inform the Executive Director/designee and keep him/her aware of major developments in the case.

4. Day Care Centers - The day care centers are not notified of reports alleging abuse/neglect.
5. Training School:
 - a. The Inspector assigned the case will make an initial attempt to interview appropriate staff persons or to schedule a definitive date and time for such interview to occur.
 - b. In the event that such initial attempt does not result in either an interview being conducted or a definitive date and time for an interview being scheduled, the Inspector shall immediately contact the Superintendent of the Rhode Island Training School.
 - c. In the event that the staff person to be interviewed is an alleged perpetrator, the Superintendent and the Inspector shall agree upon an interview time and date when the employee is scheduled to work. The Superintendent shall send to the employee by certified mail, return receipt requested, a Letter of Notification.
 - d. In the event that the employee fails to appear for the scheduled interview, the Inspector will complete his/her investigation and arrive at his/her conclusions without the input of the alleged perpetrator.
 - e. In the event that the staff person to be interviewed is a witness, the Superintendent and the Inspector shall agree upon an interview time and date when the employee is scheduled to work. The Superintendent shall send to the employee by certified mail, return receipt requested, a Letter of Notification.

Child Protective Investigation - Notification of Results

Procedure From Policy 500.0060: Processing and Notifications for an Alleged Institutional Abuse/Neglect Case

- A. Foster Homes - Notification of Investigation Results (Indicated and Unfounded):
 - 1. An E-mail message is automatically sent to the Licensing Supervisor and the active worker(s). The report can be accessed online.
 - 2. A CPS Report Notification is sent to the foster parents with the results of the investigation.
 - 3. The CPI forwards a copy of the completed investigation to the Office of the Child Advocate via interdepartmental mail.
- B. Residential Facilities Indicated and Unfounded Cases Results Notification(other than RI Training School):
 - 1. An E-mail message is automatically sent to the Licensing Supervisor and the Active worker(s). The report can be accessed online.
 - 2. The Chief of Licensing, through the facility liaison, provides the facility director with notification of the results of the investigation. The following will be documented:
 - a. Whether allegations were Indicated or Unfounded.
 - b. Recommendations, if any, resulting from an Indicated investigation.
 - 3. Inspector forwards a copy of the completed investigation to the Office of the Child Advocate via interdepartmental mail.
- C. Day Care Providers - Centers and Homes Results Notification:
 - 1. An E-mail message is automatically sent to the Licensing Supervisor. The report can be accessed online.
 - 2. The Chief of Licensing gives the provider written notification of the results of the investigation. The following will be documented:
 - a. Whether allegations were Indicated or Unfounded.
 - b. Recommendations, if any, resulting from an Indicated investigation.
 - 3. Inspector forwards a copy of the completed investigation to the Office of the Child Advocate via interdepartmental mail.
- D. RI Training School - Indicated and Unfounded Cases Results Notification:
 - 1. Inspector forwards a copy of the CPS Report to the Associate Director of Juvenile Correctional Services or designee.
 - 2. The Associate Director of Juvenile Correctional Services has access to review and/or authority to designate the Assistant Director or Assistant Director of Juvenile Correctional Services to review the full record of investigation in CPS if desired. Access to review the full record is limited to the Associate Director, Assistant Director and/or Assistant Director.
 - 3. The Associate Director of Juvenile Correctional Services or designee provides the employee under investigation with notification of the results of the investigation. The following will be documented:
 - a. Whether allegations were Indicated or Unfounded.

- b. Recommendations, if any, resulting from an Indicated investigation.
4. Inspector forwards a copy of the completed investigation to the Office of the Child Advocate via interdepartmental mail.