

SOCIAL SERVICES

Social Services for Children and Families

10.25 Child Protection Teams

- A. Purpose. These procedures establish Child Protection Teams (CPT) to coordinate the intervention and services in child abuse and neglect cases in Indian Country. They implement the September 12, 1986, Memorandum of Agreement between the Bureau of Indian Affairs (BIA) and the Indian Health Services (IHS) which makes a commitment to implement a more coordinated plan for the prevention, intervention, and treatment of child abuse and neglect cases in Indian communities.
- B. Policy.
- 1) Child abuse and neglect is a multidimensional problem affecting the child, the family, and the community. With the involvement of many agencies within the community in the provision of services to the abused or neglected child and his family, it is important that the agencies actively coordinate efforts to prevent Indian children from being abused or neglect. In cases where a child has been abused or neglected, efficient and effective protective services are to be provided so as to immediately secure the child's safety and health. Follow-up actions shall then be taken to stabilize the situation for the long-term benefit of the child and, to the extent possible, the family. CPT shall be the catalyst to mobilize the community in the development and implementation of a child protection system which will promote the long-term well-being of the child and the appropriate family members.
 - 2) CPT are technical and advisory in nature. In no way are they intended to undermine the authorities and responsibilities of individual agencies. They are designed to promote cooperation, communication, and consistency among agencies. It is appropriate for CPT to debate what actions would best promote the well-being of a child and provide relevant information and advice to decision-making agencies. The overall goal of each CPT should be to facilitate the decision-making process. Although each team may have several functions, the essential functions are to improve direct services to clients by assisting with assessment, treatment planning, and case monitoring. The roles and responsibilities of the various team members shall be clearly defined by the team itself to minimize a duplication of effort and demands made on the child and family.
- C. Scope. This section outlines the procedures required for the BIA to implement and monitor the CPT at the Agency, Area, and Central Office levels to ensure that all child protection efforts are coordinated in an efficient and comprehensive manner.
- D. Responsibilities.
- 1) The Assistant Secretary – Indian Affairs has the overall responsibility for the BIA's implementation of CPT and for the BIA's appointments to

the BIA/IHS Indian Affairs/Indian Health Services National Oversight Committee for Child Protection.

- 2) The Deputy to the Assistant Secretary – Indian Affairs (Operations) is responsible for operational support and services to implement the program.
- 3) The Deputy to the Assistant Secretary – Indian Affairs (Tribal Services) and the Deputy to the Assistant Secretary/Director – Indian Affairs (Indian Education Programs) are jointly responsible for providing overall guidance and direction to the CPT.
- 4) All BIA Area Directors are responsible for working jointly with the IHS Area Director and the Area Education Office in the development and continued support of the Area CPT and to arrange for the appropriate Bureau employees to serve on the Area CPT and to allow them to have sufficient time available to carry out their responsibilities to the team.
- 5) All BIA Agency Superintendents are responsible for working jointly with the IHS Service Unit and the Agency Education Office in the implementation of the local child protection procedures, to assure that there is a coordinated effort at each agency for the provision of services on a day-to-day basis to abused and neglected children and their families. The Agency Superintendent is responsible for arranging for the appropriate BIA employees to serve on the local CPT and to allow them to have sufficient time available to carry out their responsibilities to the team.

E. Role of Division of Social Services.

- 1) All communities have the need for a permanently organized team of persons from the appropriate professions and agencies to plan and coordinate services to families in which abuse and neglect occur. Only the child protective services agency and law enforcement have the authority to intervene in a family without the family's invitation. In many legal jurisdictions, the legal authority for CPT intervention is based on which child protective services agency or law enforcement office is mandated to receive and investigate reports of suspected abuse and neglect and make recommendations to the court.
- 2) In Indian Country, these child protective services programs could be operated exclusively or through a combined effort by either the State, BIA, or tribal social services program. Therefore, members of the local CPT should serve at the request and for the benefit of the local child protective service or law enforcement agency. The Area and Agency Social Services staff shall assist the Area Director and Agency Superintendent in identifying who the key personnel are in the BIA, State, or tribal child welfare systems so the appropriate persons may be called upon to serve on either the Area or the Agency CPT.

F. Establishment of Local CPT. Where multidisciplinary interagency teams do not already exist, local CPTs shall be cooperatively established within each BIA Agency and complementing IHS service area to coordinate services and to provide technical assistance. Where Agencies serve more than one tribe, Agency representatives may need to participate on more than one CPT. The BIA and IHS have the primary coordinating

responsibilities for the CPTs when they are providing direct services. Additionally, the appropriate Federal, state, county, or tribal programs should be encouraged to interact in a cooperative fashion to assure that American Indian children are provided all available services in instances of child abuse and neglect. BIA staff shall not attempt to duplicate already existing state or tribal multidisciplinary teams serving Indian communities. Where Indian communities are served by interagency groups similar to the described CPT, these teams shall be formally identified so that their needs might be better met and their activities fully supported by the Agency and appropriate staff.

- G. Procedures for Local CPT. Tribal contractors may have established procedures which shall be complied with by Federal staff to the extent practicable, except where in conflict with these procedures.
- 1) Organizational Framework.
 - a. Membership. To assure effective group interaction, membership is ideally limited to eight persons or less. Although other program representatives may serve as resources for the CPTs, at a minimum, appropriate tribal, state, or Federal representatives from the following service providers shall be members of the local CPTs:
 - i. Child Protective Services.
 - ii. Law Enforcement.
 - iii. Medical.
 - iv. Judicial Services.
 - v. Counseling/Psychological Services (including alcohol and substance abuse service provider).
 - vi. Education.
 - b. Administration. All committee members should establish a clear understanding and agreement among themselves on the frequency, time, and location of the local CPT meetings. Minutes shall be maintained for each meeting.
 - 2) Responsibilities of the Local CPT. To coordinate and actualize the day-to-day activities involved in providing direct services to abused and neglected children, the following procedures shall be developed and implemented:
 - a. Oversight. A systematic approach shall be developed which will ensure that the CPT maintains oversight on active child abuse and neglect cases in the designated service area.
 - b. Facilitating Services. The local CPT members' common goal should be in the best interest of the child. In this spirit, they should cooperate and coordinate their mandated functions to minimize the risk to the child. The coordination of services will facilitate a positive response to, and outcome for, child victims of child abuse and neglect.
 - c. Providing Technical Assistance. The CPT should be ready to respond to requests for technical assistance from agencies and individuals concerned about children and families. In addition, the CPT should be available, upon request, to provide consultative services to support tribal

- efforts to advocate and address conditions that may cause or increase child abuse and neglect.
- 3) Local CPT Plan of Operation. Each CPT shall develop working agreements and protocols among the various agencies involved in providing services to children who are abused or neglected which will clearly delineate the method through which it systematically tracks referrals to the CPT. Each local CPT shall also have a clearly documented plan of operation that shall relate to the critical elements identified below and specify the involvement of each of the members:
- a. Prevention. To the extent local resources permit, each local CPT shall implement community-wide prevention and development strategies which include activities such as the following:
 - i. Conducting public awareness campaigns to inform all segments of the community of the extent and nature of child abuse and neglect, all reporting procedures, and the resources necessary to prevent it, as well as those required to protect children and strengthen families.
 - b. Referral. Each CPT shall thoroughly assess the information provided to it through the referral mechanism established by the CPT protocol and make recommendations to the various pertinent agencies regarding future actions.
 - c. Investigation. The investigation of allegations of child abuse and neglect is not the responsibility of the local CPT. However, it is important for each CPT to work closely with local law enforcement and social services to formalize procedures for investigations which will meet the needs of their locale. The CPT will assist law enforcement in developing a written plan for the local emergency procedures which are in operation for investigating child abuse and neglect cases. In order to reduce the trauma to the victims and the opportunity for revictimization by the investigative process, social services and law enforcement shall define their working relationship by reaching agreement regarding methods for cross-reporting, protocols for determining when joint investigations are appropriate, roles and responsibilities, and cross-training on procedures.
 - d. Case Assessment and Review by Full CPT. In the disposition of the investigation of reports of suspected child abuse, a decision should be made as to whether to continue a direct service, to withdraw, or to make a referral to a particular agency or service. The involvement of the CPT in the decision making process should be advisory in nature and should be clearly understood by all parties involved. It is the role of the local prosecutors to decide if further legal action is warranted.
 - e. Protective Action Procedures. Local CPT shall develop working agreements among the various agencies involved in providing protective services to children to minimize the risk of continuing or future harm to the child.

- f. Case Plan Development. The CPT shall be available to assist the caseworker in making resources available when the caseworker develops a case plan with the client. The CPT should also carefully assess its need for any ongoing involvement with the case, and should develop a plan for any periodic review or monitoring of services initiated through the CPT activities.
- g. Case Plan Implementation. (Treatment Phase) The social worker should assume responsibility for implementing the case plan and for developing long and short range goals with the parents. The goal of CPT in working with the parents should be that the child should receive adequate care and that the parents should become able to fulfill their parental roles adequately. It is important that the services of the medical, psychiatric, psychological, and judicial services team members be utilized in the protection of children. They should assist in the provision of services to meet the identified needs and problems of the children and their families, as indicated in the case plan. As CPT members, they should provide information and professional support in their particular fields of competence to better enable social workers to use their knowledge and skills in serving children and families. The actual case management of the cases and decisions regarding the overall case plan should be clearly understood by all CPT members, and in most cases, will be the responsibility of the social worker.
- h. Monitoring and Evaluation of Ongoing Cases. Each local CPT shall develop a tracking system to ensure that all child abuse and neglect cases referred to the CPT are followed through the child protective services system, with appropriate intervention and supportive services provided by the CPT when necessary.
- i. Case Closure. The local CPT should decide when it will cease its review of a case it is following. Cases followed by the CPT should be considered to be a cooperative intervention, with the CPT members and professionals being involved in planning the termination of their intervention as a CPT. The closure of CPT cases may or may not coincide with the closure of services through the courts or the local child protection service providers.
- j. Data Collection. Statistical data for the local CPT shall be maintained and utilized to demonstrate an accurate record of services rendered and to identify recurring problems that have implications for community action. Specifically, each local CPT shall develop and maintain a system for collecting and recording the following data to be submitted in a monthly report to the BIA Area Social Services Office:
 - i. Number of child abuse and neglect reports to local law enforcement.
 - ii. Number of child abuse and neglect referrals reviewed by the local CPT.

- a) Total numbers.
- b) Subtotal of number involving alcohol and/or drug use.
- iii. Types of referrals.
 - a) Child abuse.
 - b) Child neglect.
 - c) Child sexual abuse.
- iv. Result of investigation.
 - a) Substantiated.
 - b) Unsubstantiated.
 - c) Under investigation.
- v. Actions taken.
 - a) Referral to court.
 - b) Referral to social services or other agency.
 - c) No follow-up.

H. Implementation and Strategy for Local CPT. In establishing a cooperative approach to child abuse, communities may wish to follow the following implementation approaches:

- 1) Establish a working committee. The committee shall be composed of key service providers in the community. If such a group exists already, the social services work program should take the lead in presenting a plan whereby the local committee could formalize its role in the community by establishing a comprehensive and coordinated child abuse intervention plan. The working committee shall assure that the composition of the committee implements the procedures identified in 66 BIAM 10.25(G)(1)(a). A facilitator shall be chosen who has an open approach to the multidisciplinary concept and is capable of allowing a group process style that will enable the group an opportunity to gain a consensus. All policies drafted by the committee shall be reviewed and approved by the local tribal government.
- 2) Develop a Mission Statement. The working committee should develop a mission statement which clearly identifies the goals and objectives of the working committee. In preparing such a statement the committee should first undergo a careful analysis of the problem and utilize the mission statement as a method to gain a clear understanding of the importance of a multidisciplinary approach to child abuse. The committee should also determine the focus of the CPT approach and the population that it proposes to serve.
- 3) Develop Interagency Agreements. To formalize the cooperative arrangements being made between the local service providers, the development of local interagency agreements may be utilized. Each agreement should establish and formalize the cooperation among the agencies involved in the community intervention system by defining a coordinated systems response to child abuse.
- 4) Develop Written Procedures. To formalize the committee's role in the community, the committee should develop a written plan of operation which clearly identifies the procedures and protocols which reflect the overall mission, goals, and objectives of the committee.

- I. Review of Local CPT Activities. To improve the direct services to clients, reviews of the local CPT activities should be conducted by the committee itself on a routine basis. Once a structure and plan has been implemented, the CPT should evaluate its activities against its written plan of operation. If there are protocols or procedures that are not assisting the CPT approach and are not expediting the provision of services to the victims, then these procedures should be modified or changed by the committee to ensure that the system they have formulated for their community does produce positive results.
- J. Establishment of Area CPT. The purpose of the Area CPT should be to provide oversight and policy direction to the local CPT.
- K. Procedures for Area CPT.
 - 1) Organizational Framework.
 - a. Membership. The BIA and IHS should take the lead in establishing Area CPT which should be a joint effort between the BIA and IHS, and where feasible, various Federal, state, county, or tribal programs. The Area Social Worker, or designee, shall participate on the Area CPT. The Area CPT members should be encouraged to interact in a cooperative fashion to ensure that Indian children are provided all available services in instances of child abuse and neglect. Selection of Area CPT members should include appropriate representation from the social services, law enforcement, medical, mental health, and judicial services fields. The representatives should be selected on the basis of their specialized knowledge of child abuse and neglect, their experience, their ability to offer sensitive and timely services and solutions to problems, and their willingness to collaborate with other professionals.
 - b. Administrative. At a minimum, the Area CPT shall meet quarterly. The Area CPT shall develop clear guidelines for the conduct of their meetings to assure their regularity and continuity. They shall prepare minutes of each meeting which will be transmitted through the Chief, Division of Social Services to the National Oversight Committee.
 - 2) Responsibilities of the Area CPT. The Area CPT are charged with the following duties:
 - a. Providing General Oversight of the Local CPT. The specific oversight activities of the Area CPT are as follows:
 - i. Review local CPT plans in the Area for their completeness.
 - ii. Make suggestions regarding improvements local CPT's may wish to make in their local plans.
 - iii. Monitor local CPT activities to determine whether they are appropriate, timely, efficient, and effective.
 - iv. Collect local CPT data, as required by 66 BIAM 10.25G(3)(m), and submit it to the Division of Social Services.

- v. Develop and submit annual reports to the Division of Social Services, to be transmitted to the National Oversight Committee, which includes the following:
 - a) A comprehensive summary and assessment of the status of CPT activities on both local and Area levels.
 - b) Identification of the strengths and weaknesses of the local CPT.
 - c) A discussion of the effectiveness of the Area and local CPT.
 - d) Recommendations for improvements at the local, Area, and national level.
 - b. Facilitating Local CPT Activities. The Area CPT shall be ready to respond and take action where needed to improve the overall delivery system to children and families to facilitate the functioning of the local CPT activities. Specific actions shall include:
 - i. Based on identified needs and weaknesses, recommend appropriate corrective actions to local CPT.
 - ii. To the extent possible, assist local CPT in obtaining adequate resources for their operations.
 - iii. Coordinate local CPT activities with national and regional resources, programs, and professional organizations.
 - iv. Communicate changes in national policy to local CPT's.
 - c. Providing Technical Assistance. At the request of the tribes or Agency Superintendents, the Area CPT shall serve as a resource by providing training and technical assistance to Area and Agency staff and to tribes on programs, services, and developments in the child protection field. The Area teams shall be prepared to provide technical guidance and consultation to Agency and tribal personnel charged with the responsibility for the child protection programs in order to maintain conformity with established policies, standards, and procedures. Specific duties include:
 - i. Developing Area policies for local CPT which would specifically address the jurisdictional and service provision issues which may be peculiar to certain localities.
 - ii. Identifying effective CPT models developed in other areas and assisting local CPT's in adapting these models.
 - iii. Identifying local CPT training needs and, if possible, providing available training resources.
 - iv. Providing appropriate expertise and skills to local CPT's.
- 3) Plan of Operation for Area CPT. Each Area CPT shall develop a written plan of operation that has the concurrence of the Area Director on the following items:

- a. Identifying membership.
 - b. Meeting dates.
 - c. Responsibilities and duties of the members.
 - d. Timelines for obtaining feedback from local CPT.
 - e. Specification of review and monitoring activities of BIA/IHS agencies.
 - f. Data collection.
- L. Implementation Strategy for Area CPT. In a fashion similar to the strategy proposed for the local CPT's, each Area CPT shall develop an implementation strategy which contains the following essential components:
- 1) Steering committee.
 - 2) Mission statement.
 - 3) Interagency agreements.
 - 4) Written procedures.
- M. Review of Activities.
- 1) Self Review. Each Area CPT shall develop a method to review its own activities in relation to its overall purpose of providing oversight and policy direction to the local CPT. Its activities shall be measured against its own plan of operation to determine if the CPT's activities are directly related to its overall mission to improve the delivery system for child protection.
 - 2) Review of Local CPT. In addition to its self review, the Area CPT shall develop an annual plan which coordinates site visits of the local CPT, including a complete assessment and review based on the local CPT plan of operation. The information gained through these local reviews will provide an opportunity for the Area CPT to provide troubleshooting for the local CPT, technical assistance to correct any problems which may arise, and to provide a basis for the annual evaluation of local and Area activities to be submitted to the National Oversight Committee, through the Division of Social Services.
- N. Establishment of National Oversight Committee. The Assistant Secretary – Indian Affairs and the Director, IHS, shall appoint members to a BIA/IHS National Child Protection Oversight Committee (Committee) for Child Protection to review and analyze the effectiveness of CPT. The purpose of the Committee is to promote interagency cooperation, advise on policies and procedures, provide technical assistance and consultation to BIA, IHS, and tribal child protection workers, and to promote tribal and community involvement in child protection matters.
- O. Committee Procedures.
- 1) Organizational Framework.
 - a. Membership. The membership of the National Committee shall reflect the disciplines involved in child protection at the local and Area levels. The Assistant Secretary – Indian Affairs will appoint a maximum of six program managers who are responsible on a daily basis for child welfare services, judicial services, law enforcement, alcohol and substance

abuse services, and educational services. In coordination with IHS, the Assistant Secretary – Indian Affairs may request additional participation from the Department of the Interior, and other Federal agencies, including Department of Justice and the Department of Health and Human Services. The Assistant Secretary – Indian Affairs may request field representation from the various disciplines and tribal organizations involved in child protection services.

- b. Administration. The BIA members of the Committee will designate the BIA's co-chairman of the Committee. The BIA Central Office Child Protection Coordinator will be responsible for arranging with IHS for agendas and for periodic and special meetings of the Committee. At a minimum, the Committee will meet quarterly and will maintain minutes of each meeting to be distributed to each Area CPT.

2) Committee Responsibilities.

- a. Monitor. The Committee shall establish procedures to monitor reports of child abuse and neglect transmitted to the Division of Social Services from the Local CPT and to the Law Enforcement Services Central Registry. The data should be reviewed for the following reasons:
 - i. To monitor compliance with legal mandates and agency policies and procedures.
 - ii. To gather information in a uniform manner to facilitate management planning by providing statistical data on the characteristics of reported cases, the response of the agency to these reports, and the outcomes for children and families.
 - iii. To obtain agency statistical information to ascertain the incidence of child abuse and neglect in order to influence public policy and legislation and obtain adequate resources for children and families.
- b. Reviews of Child Protection Activities. Each fiscal year, the Committee shall establish a plan which will provide for the review of child protection activities in all Areas. Reviews shall be made by various members of the Committee in coordination with Area IHS and BIA personnel and with tribal authorities. These reviews shall, at a minimum, be structured to meet the following objectives:
 - i. To learn Area strengths and successes in child protection.
 - ii. To become acquainted with weaknesses or barriers in the Area so that Central Office/Headquarters support of child protection activities can be enhanced.
 - iii. To develop an annual report of the findings and recommendations of the reviews to the Director, IHS, and the Assistant Secretary – Indian Affairs.
 - iv. To assist and monitor the implementation of recommendations and corrective action plans.

- c. Recommend Policies and Procedures. The Committee shall recommend policies and procedures to be implemented at local, Area, and Central Office levels, to promote prevention and education to ensure that children are protected and to obtain effective services for victims. The Committee shall recommend policies and procedures for services for offenders.
 - d. Provide Coordination. The Committee shall promote, initiate, and maintain intra/interagency coordination including identification of responsibilities and child protection resources among tribal, local, county, state, and relevant offices within IHS and BIA Federal agencies.
 - e. Establish Objectives. The Committee shall adopt work objectives with assigned responsibilities. Progress in meeting these objectives shall be regularly reviewed and revised by the Committee.
 - 3) Plan of Operation. The Committee shall develop a written plan of operation that has the concurrence of the Assistant Secretary – Indian Affairs and the Director, IHS on the following items:
 - a. Identifying membership.
 - b. Meeting dates.
 - c. Responsibilities and duties of members.
 - d. Timelines for obtaining and providing feedback to the local CPT transmitted through the Area.
 - e. Specification of review and monitoring activities of BIA/IHS agencies.
- P. Implementation Strategy. In a fashion similar to the strategy proposed for the local and Area CPT, the Committee will review the bylaws under which it is currently operating to assure that there is an agreement as to whether the following essential components are covered by the bylaws:
 - 1) Membership.
 - 2) Mission statement.
 - 3) Interagency agreements.
 - 4) Written procedures.
- Q. Review of Activities.
 - 1) The Committee shall review its own activities in relation to its overall purpose of reviewing and analyzing the effectiveness of the CPT effort. Its activities should be measured against its own plan of operation to determine if the Committee's activities are directly related to its overall mission to improve the delivery system for child protection. The BIA members of the Committee will provide periodic reports to the Assistant Secretary – Indian Affairs as to its activities and objectives.
 - 2) In addition to its self-review, the Committee shall develop an annual plan which would coordinate site visits with Area CPT which would include a complete assessment and review based on the Area CPT plan of operation. The information gained through these Area reviews will provide an opportunity for the Committee to develop any initiatives or proposals on items requiring special attention. The BIA members

of the Committee will assist in developing an annual report to the Assistant Secretary – Indian Affairs which will incorporate information received from all local, Area, and Committee reports and reviews.