Office of Colorado’s Child Protection Ombudsman

LETTER OF COMPLIANCE CONCERN

Case Number 2019-3838

Stephanie Villafuerte,
Child Protection Ombudsman
December 3, 2019
Introduction

By design, the Office of Colorado’s Child Protection Ombudsman (CPO) serves as an independent, neutral problem solver that helps citizens navigate a complex child protection system in an expert and timely manner. The Ombudsman has independent access to child protection records that are not otherwise available to the public. This allows the CPO to objectively review and investigate complaints, deliver recommendations and drive systemic reform through research and education. Through objective study the CPO works to improve the delivery of services to children and families within the child protection system.

Jurisdiction

The CPO receives “complaints concerning child protection services made by, or on behalf of, a child relating to any action, inaction, or decision of any public agency or any provider that receives public moneys that may adversely affect the safety, permanency, or well-being of a child. The ombudsman may, independently and impartially, investigate and seek resolution of such complaints, which resolution may include, but need not be limited to, referring a complaint to the state department or appropriate agency or entity and making a recommendation for action relating to a complaint.” See C.R.S. §19-3.3-103(1)(a)(I)(A).

Pursuant to C.R.S. §19-3.3-101-110, the CPO does not have the authority to:
- Investigate allegations of abuse and/or neglect.
- Interfere or intervene in any criminal or civil court proceeding.
- Review or investigate complaints related to judges, magistrates, attorneys or guardians ad litem.
- Overturn any court order.
- Mandate the reversal of an agency/provider decision.
- Offer legal advice.

Identified Compliance Concerns

If, through the course of any case the CPO determines that an agency or provider may have violated any rules or laws, the CPO will issue a letter to the agency or provider outlining its compliance concerns. The agency or provider will be given 15 business days to provide a response to the CPO.

The CPO’s letter, and any response submitted by the agency or provider, will then be provided to the agency or provider’s supervising entity. The supervising entity will then make the final determination of whether a violation of law or rule occurred and provide any relevant remedies. The supervising entity will have 15 business days to make their determination and respond to the CPO. After the supervising entity submits its response, the CPO will post its letter, the agency or provider’s response and the supervising entity’s determination on the CPO’s website.
Public Disclosure

In meeting its statutory requirements to “improve accountability and transparency in the child protection system and promote better outcomes for children and families involved in the child protection system,” as stated in C.R.S. §19-3.3-101(2)(a), the CPO will provide the public and stakeholders any recommendations it makes to an agency/provider.

Impartiality

To maintain its impartiality – and in keeping with statute – the CPO will independently collect information, records and/or documents from an agency/provider when reviewing and/or investigating a complaint. “In investigating a complaint, the ombudsman shall have the authority to request and review any information, records, or documents, including records of third parties, that the ombudsman deems necessary to conduct a thorough and independent review of a complaint so long as either the state department or a county department would be entitled to access or receive such information, records, or documents.” See C.R.S. §19-3.3-103(1)(a)(II)(A)
Office of Colorado’s Child Protection Ombudsman

Letter of Compliance Concern
Case 2019 - 3838
(Delivered October 10, 2019)
To: Ms. Katie Griego  
Adams County Human Services Department  
11860 Pecos, Upper Level, St  
Westminster, CO 80234

From: Amanda Pennington, Child Protection Systems Analyst  
Office of Colorado’s Child Protection Ombudsman  
1300 Broadway, Suite 430  
Denver, CO 80203

Date: October 10, 2019

Subject: Possible Compliance Concerns, CPO Case 2019 - 3838

Dear Director Griego,

On August 23, 2019, the Office of Colorado’s Child Protection Ombudsman (CPO) was contacted by a mother who had concerns with Adams County Human Services Department’s (ACHSD) handling of the child welfare assessments and case involving her family. The mother expressed concerns regarding confidentiality, unfair treatment and inconsistencies within the case that impacted her family. The CPO has reviewed the relevant Trails information regarding the family. The CPO has identified several areas in which the actions of ACHSD may not be in compliance with the requirements in Volume 7.

Case Summary

On November 9, 2018, ACHSD received a referral alleging parental substance use resulting in the neglect of two children. The referral was reviewed, accepted for assessment and assigned a five-working day response. The assessment was unfounded and closed on January 31, 2019. According to documentation the assessment was closed with a high-risk score and present safety concerns, but that these concerns would be addressed through the second, open referral.

On January 15, 2019, ACHSD received a referral alleging continued parental substance use resulting in the neglect of two children. The referral was reviewed, accepted for assessment and assigned a five-working day response. The assessment was founded and closed. An ongoing child welfare case was opened and a dependency and neglect court action was filed. The children were able to safely remain

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1 Trails: comprehensive child welfare information system (CCWIS)
2 Code of Colorado Regulations, 12 CCR 2509-7
3 See Trails Referral ID: Referral Acceptance
4 See Trails Referral ID: Closure Summary
5 See Trails Referral ID: Referral Acceptance
6 See Trails Referral ID: Closure Summary
in the home. The case closed per court order on July 10, 2019, at the request of the family and guardian ad litem, but against the request of ACHSD.7

**Volume 7 Regulations/Children’s Code Requirements**

Volume 7 contains the minimum guiding principles and standards to which county human services departments are held in assessing and ensuring a child’s safety. The CPO finds that the following rules are the most relevant to the identified compliance concerns:

**Volume 7, 7.103.61 (A)(3)** states that a five-working day response count starts on the first business day following the receipt of referral and expires at the end of the fifth business day at 11:59P.8

**Volume 7, 7.104.1 (B)(1)** states that the assessment must include either observation or interview of the victim children by the response timeframe. If the child is not able to be interviewed, the documentation must demonstrate why the interview was unable to take place and how the allegations in the referral were addressed by observation alone. **Volume 7, 104.1 (C)** states that the interview or observations must address the children’s explanation of the abuse/neglect, impact to the children and child functioning.9

**Volume 7, 7.107.11** provides the requirements for the use of the Colorado Family Safety Assessment. It requires that the safety assessment be completed at the initial response with household members, and at the time of contact with the victim children when current or pending danger has been identified, and prior to ending a safety plan.10

**Volume 7, 7.107.18 (A)** requires that the Colorado Family Safety Assessment be documented in Trails no later than 14 calendar days after contact with the family.11

**Volume 7, 7.107.17** provides the requirements for how a safety plan is initiated, required elements and the timing of approval by supervisor. It additionally requires that safety plans be documented in Trails no later than 14 calendar days from the date the victim children were interviewed.12

**Volume 7, 7.301.21 (A)** requires that the Family Service Plan (FSP) be completed and documented within 60 calendar days of the referral date. The FSP is used to address the areas of need identified in the assessment.13

**Volume 7, 7.301.3 (E)** requires that the Family Service Plan be reviewed every 90 days to determine whether the child, parents, family members and placement providers, if applicable, are receiving the services mandated by the plan. Additionally, it requires that services be appropriate, timeframes remain current and progress is being made towards the specific objectives identified in the plan.14

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7 See Trails Case ID: [Redacted] Closure Summary
8 12 CCR 2509-7, Rule 7.103.61 (A)(3)
9 12 CCR 2509-7, Rule 7.104.1 (B)(1)
10 12 CCR 2509-7, Rule 7.107.11
11 12 CCR 2509-7, Rule 7.107.18 (A)
12 12 CCR 2509-7, Rule 7.107.17
13 12 CCR 2509-7, Rule, 7.301.21 (A)
14 12 CCR 2509-7, Rule 7.301.3 (E)
Identified Compliance Concerns

The CPO has reviewed the assessments and case in Trails along with the relevant rule package and sections of Volume 7. The CPO found several areas in which the ACHSD may not be in compliance with state regulations. This information was last verified by the CPO on September 18, 2019. Specifically, the CPO observed:

1. On November 9, 2018, Trails Referral ID: [redacted] was received; it was assigned a five-working day response. There is no documentation that demonstrates the victims or family were contacted by the response deadline of November 16, 2018.\(^\text{15}\) If accurate, this is a violation of 7.103.61 as the documentation does not demonstrate an attempt to contact the victims within the required timeframe.

2. According to documentation in Trails Referral ID: [redacted], the victim children were observed but not interviewed by the required response time. The two victims were not interviewed about the allegations in the referral until March 2019. According to documentation, the ACHSD made two unannounced attempts to visit the home in February. It is unclear to the CPO why the ACHSD did not attempt to interview the children at their schools or make a telephone call to the parents to arrange a home visit, prior to March 2019.\(^\text{16}\) If accurate, this is a violation of 7.104.1 (B)(1) that requires specific content be addressed in victim interviews and within the required timeframe.

3. Although the safety assessment is documented as being completed on January 22, 2019, the ACHSD did not interview the children in order to obtain the current circumstances of the allegations. The information utilized for the safety assessment was not based on the information provided from victim interviews. In March 2019, the children were interviewed again, and the safety assessment was completed. The children disclosed how severe the circumstances were and the only option to mitigate the safety concerns was to put a safety plan in place. There is no documentation to demonstrate that a safety assessment was completed prior to the end of the safety plan.\(^\text{17}\) If accurate, this is a violation of 7.107.11.

4. The safety assessment completed in Trails Referral ID: [redacted] on December 4, 2018, was documented in Trails on December 19, 2018. The safety assessment completed in Trails Referral ID: [redacted] on January 22, 2019 was documented in Trails on February 11, 2019.\(^\text{18}\) If accurate, this is a violation of 7.107.18 (A), which requires these assessments be entered within 14 calendar days of the contact with the family.

5. There is no documentation that demonstrates a safety plan was put in place in order to mitigate the safety concerns, even though the assigned caseworker determined that one was required.\(^\text{19}\) If accurate, this is a violation of 7.107.17, which requires the plan to be entered into Trails within 14 calendar days of contact with the victim.

6. The FSP was created on April 30, 2019.\(^\text{20}\) If accurate, this is a violation of 7.301.21, which requires the plan be created within 60 days of the receipt of referral, the plan was due by March 16, 2019.

\(^\text{15}\) See Trails Referral ID: Contacts
\(^\text{16}\) See Trails Referral ID: Contacts
\(^\text{17}\) See Trails Referral ID: Safety Assessment
\(^\text{18}\) See Trails Referral ID: Safety Assessment and Safety Assessment
\(^\text{19}\) See Trails Referral ID: Safety Assessment Section 7
\(^\text{20}\) See Trails Case ID: FSP
7. The FSP was not reviewed until case closure on July 10, 2019.\textsuperscript{21} If accurate, this is a violation of 7.301.3 which requires the FSP be reviewed every 90 days.

Conclusion

Pursuant to policies 4.200 and 5.200 in the \textit{Colorado Child Protection Ombudsman’s Case Practices and Operating Procedures}, the CPO will notify any agency or provider if it identifies potential violations of law or rule. The CPO will NOT make a final determination of whether the violation took place. Instead, the CPO will ask the relevant agency or provider to respond to the CPO’s concerns in writing.

After receiving the ACHSD’s response, the CPO will submit its original letter and ACHSD’s full response to the CDHS, which serves as the ACHSD’s supervising entity. (See C.R.S. § 26-1-111 and C.R.S. § 26-1-118.) The CDHS will then determine whether any violations occurred and any relevant remedies. The CDHS will have 15 business days to make its determination and respond to the CPO in writing. After receipt of the CDHS’ response, the CPO will post this correspondence and both responses to the CPO’s website. All child and family information will be redacted prior to the public release.

Please provide the ACHSD’s response to the possible violations listed in this letter no later than November 1, 2019.

Thank you for your time and please do not hesitate to contact me if you have any questions.

Sincerely,

Amanda Pennington

\textbf{Amanda Pennington}

Child Protection Systems Analyst

Approved by:

\textbf{Stephanie Villafuerte}

Stephanie Villafuerte

\textsuperscript{21} See Trails Case ID: [REDACTED] FSP, Review
October 31, 2019

Office of Colorado’s Child Protection Ombudsman
Stephanie Villafuerte, Child Protection Ombudsman
1300 Broadway, Suite 430
Denver, Colorado 80203

RE: Response to Compliance Concerns Letter Issued October 10, 2019

Dear Ms. Villafuerte,

On October 10, 2019, our agency (ACHSD) was notified of a complaint that had been reported to the Office of Colorado’s Child Protection Ombudsman (CPO) on August 23, 2019. The complainant expressed concerns regarding confidentiality, unfair treatment and inconsistencies within the case that impacted her family.

During the course of the CPO’s review of ACHSD’s work, multiple compliance issues were noted as they related to the completion of the two assessments open on the family, as well as the open child welfare case. A response to each concern identified by the CPO is outlined below:

1. “On November 9, 2018, Trails Referral ID: [redacted] was received; it was assigned a five working day response. There is no documentation that demonstrates the victims or family were contacted by the response deadline of November 16, 2018. If accurate, this is a violation of 7.301.61 as the documentation does not demonstrate an attempt to contact the victims within the required timeframe.”

   The ACHSD disputes this finding. Due to a state recognized holiday (Veteran’s Day), on November 12, the required response time under rule was November 19, 2018. The caseworker documented an attempt to see the children and family on November 19, 2018.

2. “According to documentation in Trails Referral ID: [redacted] the victim children were observed but not interviewed by the required response time. The two victims were not interviewed about the allegations in the referral until March 2019. According to documentation, the ACHSD made two unannounced attempts to visit the home in February. It is unclear to the CPO why the ACHSD did not attempt to interview the children at their schools or make a telephone call to the parents to arrange a home visit, prior to March 2019. If accurate, this is a violation of 7.104.1(B)(1) that requires specific content be addressed in victim interviews and within the required timeframe.”
The ACHSD acknowledges this finding in part. The caseworker met the required timeframe for initial response by responding to the home and observing the children on January 22, 2019. The caseworker did complete incident focused interviews with the parents and found there to be no current or impending danger to the children, which comports with 7.104.1(B)(1) which states, “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.”

The ACHSD acknowledges that the caseworker failed to document why the children were not interviewed during that home visit. While ACHSD would agree that best practice would have been for the caseworker to attempt to visit the children at school, this is not a requirement under Volume VII. Further, the caseworker attempted unannounced home visits based on concerns for the person responsible for abuse and/or neglect reportedly being under the influence while caring for the children. The caseworker outreached to the parents via telephone on January 25 and January 29, 2019 as well as made attempts to the home on February 7 and February 19, 2019. The caseworker further documented a conversation with the protective parent on February 22 requesting to schedule a home visit, as well as phone calls on February 25 and February 26 requesting home visits to be scheduled. The caseworker made an attempted contact on February 28, 2019; however, due to an emergency was delayed and the family declined a later evening visit that same day. The ACHSD believes this demonstrates that the caseworker took active efforts to engage the family in the assessment process.

3. “Although the safety assessment is documented as being completed on January 22, 2019, the ACHSD did not interview the children in order to obtain the current circumstances of the allegations. The information utilized for the safety assessment was not based on the information provided from victim interviews. In March 2019, the children were interviewed again, and the safety assessment was completed. The children disclosed how severe the circumstances were and the only option to mitigate the safety concerns was to put a safety plan in place. There is no documentation to demonstrate that a safety assessment was completed prior to the end of the safety plan. If accurate, this is a violation of 7.107.11”

The safety assessment completed on January 22, 2019 is a compilation of information obtained in the accompanying assessment (2907985) as well as information gathered from the person responsible for abuse and/or neglect and the protective parent, both of which were interviewed on January 22, 2019. At the time of that assessment, the children were deemed safe as the person responsible for the abuse and/or neglect had been admitted for inpatient treatment services for a period of three weeks. The ACHSD believes that the above assertion that the information utilized for the safety assessment was not based on interviews is inaccurate.
Secondarily, the CPO asserts that a safety plan was initiated due to "severe circumstances" in March 2019. In the ACHSD review of the file and TRAILS documentation, there was no safety plan initiated for the family. TRAILS clearly reflects, "Current or impending danger to the child/youth is identified as part of this assessment AND caregiver(s)' or family's actions DO CONTROL FOR all identified danger. The child/youth is determined to be SAFE." Based on this information, there would have been no requirement of ACHSD to complete a second safety assessment prior to ending a safety plan as asserted by the CPO. Therefore, the ACHSD disagrees with the finding by the CPO that ACHSD is in violation of 7.107.11.

4. "The safety assessment completed in Trails Referral ID: [redacted] on December 4, 2018, was documented in Trails on December 19, 2018. The safety assessment completed in Trails Referral ID: [redacted] on January 22, 2019 was documented in Trails on February 11, 2019. If accurate, this is a violation of 7.107.18(A), which requires these assessments to be entered within 14 calendar days of the contact with the family."

The ACHSD acknowledges that the caseworker should have had the safety assessment for Referral ID: [redacted] entered into the state database by December 18, 2018. The caseworker entered the safety assessment into TRAILS on December 19, 2018. Further, the ACHSD acknowledges that the safety assessment completed for Referral ID: [redacted] should have been completed by the caseworker on February 5; however, did not enter it into TRAILS until February 11, 2019.

5. "There is no documentation that demonstrates a safety plan was put in place in order to mitigate the safety concerns, even though the assigned caseworker determined that one was required. If accurate, this is a violation of 7.107.17, which requires the plan to be entered into Trails within 14 calendar days of contact with the victim."

The ACHSD disagrees with this finding by the CPO. In reviewing TRAILS and the case file, there is no safety assessment completed on this family indicating the need for a safety plan. Safety assessments completed on December 19, 2018, January 30, 2019, February 11, 2019 and March 14, 2019 all indicate that the children are safe and/or that safety is being adequately ensured by the children's caregivers. This is clearly identifiable in a review of the TRAILS database.

6. "The FSP was created on April 30, 2019. If accurate, this is a violation of 7.301.21, which requires the plan be created within 60 days of the receipt of referral, the plan was due by March 16, 2018."

The ACHSD acknowledges that due to the complexity of issues in this assessment that there was a delay in entering the FSP into the Trails database by the required 60-day timeframe. The ACHSD would assert that a Dependency and Neglect case was filed
with the courts, along with an initial assessment plan (JAP) on March 28, 2019. While this is outside of the required Volume VII guidelines, the ACHSD does not believe that the delay of 12 days had a significant impact on the family’s progress as the family was engaged in services throughout the assessment phase and said services were being monitored by the assigned assessment worker.

7. ‘The FSP was not reviewed until the case closure on July 10, 2019. If accurate, this is a violation of 7.301.3 which requires the FSP be reviewed every 90 days.”

*Per Volume VII 7.301.3, “The family services plan shall be reviewed in conference with the caseworker and the supervisor. Documentation by the caseworker and approval by the supervisor shall be entered into the state automated case management system within 90 calendar days from the initial treatment plan and then within 90 calendar days from the prior review and thereafter. The court report, when entered in the state automated case management system, or six-month administrative review of children in out of home placement, may substitute for a 90-day review.”*

The ACHSD acknowledges that there was a delay in the creation of the treatment plan as outlined in point 6 above. Had the treatment plan been created and entered in accordance with Volume VII, the case would have subsequently been required to be reviewed no later than June 15, 2019. In the ACHSD review of TRAILS, it is noted that the FSP 3A (Family Services Plan) was created by the caseworker on April 30, 2019. This was subsequently reviewed and signed off on by the supervisor and submitted to the court for approval. The court adopted the treatment plan as an order of the Court on May 8, 2019. The ACHSD acknowledges that the ongoing caseworker failed to transfer this review information to the “Review” tab in TRAILS. The signed FSP 3A, however, demonstrates that this review occurred. Further, in consultation with the assigned ongoing caseworker and supervisor, it was determined that the supervisor and caseworker met two additional times to review the case, as well as treatment services and needs. These reviews occurred on June 6 and June 13, 2019. The supervision notes for these two reviews were not entered into TRAILS at the time of the CPO review; however, they have since been added to accurately reflect the reviews which occurred. The three above outlined reviews demonstrate compliance with 7.301.3 which requires the review to be held within 90 days. The ACHSD acknowledges that the caseworker failed to document the reviews, along with the supervisory approval, in TRAILS within 90 calendar days as outlined in Volume VII.

While the ACHSD acknowledges that the caseworker missed entering information into the state database in a timely manner, the ACHSD full review of the work completed found that the errors on data entry did not have a direct impact on the safety of the children or service delivery to the family. The ACHSD has offered feedback to the supervisor of the assigned assessment caseworker regarding ensuring timeframes are more closely adhered to by caseworkers. The ACHSD was unable to provide any additional training to the caseworker involved as the caseworker is no longer with the ACHSD.
Further, the mother involved in this assessment voiced concerns to the ACHSD on numerous occasions as she disputed the involvement of the ACHSD with her family. The Assessment/Response Manager spoke multiple times with the mother involved regarding her concerns and explaining the assessment process. Further, the Division Director and Assessment/Response Manager met with the mother at length to hear her concerns regarding the ACHSD involvement and to attempt to convey the concerns for her children’s physical and emotional safety, as well as the steps the mother needed to take to ensure that her children’s needs were being met in a safe and appropriate manner. The ACHSD had significant concerns regarding the mother’s mental health and substance use, both of which were demonstrated throughout the assessment. Based on these concerns, the ACHSD did not believe that it was appropriate for the case to close when it did and verbalized those concerns to the Court. The Court made the decision to dismiss the Dependency and Neglect action against the recommendation of the ACHSD. In review of the information, I believe the ACHSD was appropriate in the recommendation to maintain the Dependency and Neglect case and provide substance use and mental health services to the mother.

The ACHSD holds quality service delivery to children and families of our community as a first priority and is continually working to ensure that practice aligns with Volume VII and the Colorado Children’s Code. The ACHSD will continue its ongoing work with caseworkers to ensure that documentation of work completed is entered into the state database in a timely fashion.

Sincerely,

[Signature]

Janis L. James, M.Div., LCSW
Adams County Human Services Department
Deputy Director, Children and Family Services
I hope you are well. We are providing this letter with the Colorado Department of Human Services, Division of Child Welfare (DCW) Response to Child Protection Ombudsman (CPO) Complaint 2019-3838, regarding Adams County Human Services Department (ACHSD). Our office has reviewed this complaint, the county’s response, and relevant sections of Colorado Regulations which are detailed below.

Concern 1: On November 9, 2018, Trails Referral ID: [redacted] was received; it was assigned a five-working day response. There is no documentation that demonstrates the victims or family was contacted by the response deadline of November 16, 2018. If accurate, this is a violation of 7.103.61 as the documentation does not demonstrate an attempt to contact the victims within the required timeframe.

DCW response to concern 1: DCW does not agree with the finding. Section 7.103.61 involves Red Teams. Section 7.103.60.A.3 requires a five working day response. Weekends and holidays are excluded from the five working day response timeframe. Veterans Day was on November 12, 2018, which made the due date November 19, 2018. The deadline was met.

Concern 2: According to documentation in Trails Referral ID: [redacted] the victim children were observed but not interviewed by the required response time. The two victims were not interviewed about the allegations in the referral until March 2019. According to documentation, the ACHSD made two unannounced attempts to visit the home in February. It is unclear to the CPO why the ACHSD did not attempt to interview the children at their schools or make a telephone call to the parents to arrange a home visit, prior to March 2019. If accurate, this is a violation of 7.104.1 (B)(1) that requires specific content be addressed in victim interviews and within the required timeframe.

DCW response to concern 2: DCW agrees this was a violation of Section 7.104.1.B.1. An incident focused interview occurred with the mother on January 22, 2019. The two minor children were observed and there was a brief conversation with each, which was not specific to the referral. The caseworker had a brief conversation with the father of the children and stated that she would follow up on another date. The documentation did not indicate a discussion about the recent referral.

DCW also acknowledges the extensive attempts that the caseworker made in order to connect with the parents by telephone and in person on the following dates: January 25, January 29, February 7, February 19, February 22, February 25, February 26, and February 28, 2019.

Concern 3: Although the safety assessment is documented as being completed on January 22, 2019, the ACHSD did not interview the children in order to obtain the current circumstances of the allegations. The information utilized for the safety assessment was not based on the information provided from victim interviews. In March 2019, the children were interviewed again, and the safety assessment was completed. The children disclosed how severe the circumstances were and the only option to mitigate the safety concerns was to put a safety plan in place. There is no documentation to demonstrate that a safety assessment was completed prior to the end of the safety plan. If accurate, this is a violation of 7.107.11.
DCW response to concern 3: DCW disagrees with the finding. The safety assessment determined that no safety plan was needed due to the family’s actions controlling for the identified danger. The child/youth were determined to be safe. Please see Section 7.107.14.C and Section 7.107.15.B.

Concern 4: The safety assessment completed in Trails Referral ID: [redacted] on December 4, 2018, was documented in Trails on December 19, 2018. The safety assessment completed in Trails Referral ID: [redacted] on January 22, 2019 was documented in Trails on February 11, 2019. If accurate, this is a violation of 7.107.18 (A), which requires these assessments be entered within 14 calendar days of the contact with the family.

DCW response to concern 4: DCW agrees with the finding. This was a violation of Section 7.107.18.A.

Concern 5: There is no documentation that demonstrates a safety plan was put in place in order to mitigate the safety concerns, even though the assigned caseworker determined that one was required. If accurate, this is a violation of 7.107.17, which requires the plan to be entered into Trails within 14 calendar days of contact with the victim.

DCW response to concern 5: DCW disagrees with the finding. The safety assessment determined that no safety plan was needed due to the family’s actions controlling for the identified danger. The child and youth were determined to be safe. Please see 7.107.14.C and 7.107.15.B.

Concern 6: The FSP was created on April 30, 2019. If accurate, this is a violation of 7.301.21, which requires the plan be created within 60 days of the receipt of referral, the plan was due by March 16, 2019.

DCW response to concern 6: DCW agrees with the finding. This was a violation of Section 7.301.21. DCW also acknowledges that there were dynamics throughout the involvement that added complexity to the case. The caseworker made extensive attempts to meet with the parents of the children throughout the assessment phases and experienced barriers in being able to meet those obligations.

Concern 7: The FSP was not reviewed until case closure on July 10, 2019. If accurate, this is a violation of 7.301.3 which requires the FSP be reviewed every 90 days.

DCW Response to concern 7: DCW does not agree with the finding. While documentation of a review of the FSP by the supervisor and caseworker in the comprehensive child welfare information system was late, it did occur on June 6 and June 13, 2019. The court adopted the FSP on May 8, 2019. This was not a violation of 7.301.21.E, which is the specific citation alluded to related to caseworker and supervisor review of the FSP.

Adams County Human Services Department acknowledged staff delays in documenting information in Concern 7. The issue has been addressed with the supervisor, however the caseworker is no longer with Adams County.

DCW will oversee and continue to provide supervision and guidance as needed. Please let us know if you have any further concerns or questions.

Sincerely,

Kari Daggett,
Deputy Director, Division of Child Welfare
Grievance/Inquiry Review Form

[To be completed by the assigned Division of Child Welfare (DCW) County Intermediary]

<table>
<thead>
<tr>
<th>Unit/Intermediary: Mary Griffin</th>
<th>County: Adams</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Assigned (by manager): 11/01/2019</td>
<td>Due Date: 11/25/2019</td>
</tr>
<tr>
<td>Complaint Number: 93-2019</td>
<td>Complainant Role (Select from the following):</td>
</tr>
<tr>
<td>Comments: Completed a review of relevant citations in Section 7.100 and Section 7.301 (12 CCR 2509-2 and 12 CCR 2509-4); reviewed Tries referral #2917383 and 2927378 and corresponding interviews, 90 day court &amp; supervision report; relevant contact notes; safety assessments dated 12/19/2019, 1/30/2019, 2/11/2019, and 3/14/2019; risk assessments dated 12/17/2018 and 2/11/2019, and Framework dates in Triads.</td>
<td>Parent, Guardian, Legal Custodian</td>
</tr>
</tbody>
</table>

The basis of grievance/inquiry (mark all that apply):

- Federal/State Statutory violation
- Administrative rule violation
- Other county practice, policy, procedure, etc. (specify):

DCW assessment of county disposition of grievance/inquiry:

- Agree with county disposition
- Disagree with county disposition

DCW assessment of action/s taken by county:

- Agree with action/s taken by county
- Disagree with action/s taken by county

Action/s taken by DCW:

- DCW did not find a violation of federal/state statute and/or of the administrative rules, therefore, no further action will be taken by DCW.
- DCW found the following violation federal/state statute and/or of the administrative rules:

DCW found concerns with county practice, policy, procedure, etc.; specify:


Based upon this finding, the following action/s will be taken by DCW:

Technical assistance (TA) and/or guidance (i.e. date, actions, next steps etc.):

DCW intermediary reached out to Adams County on November 7, 2019 to clarify steps that have been taken by Adams County with supervisors and caseworkers to address relevant time frames throughout a case, including documentation.

Other(specify):

Mary Griffin
Printed Name AND Signature of DCW County Intermediary

Toilynn Edwards
Printed Name AND Signature of DCW County Intermediary Supervisor

Korey Elgin
Printed Name AND Signature of DCW Unit Manager

Date review form sent to county and client services (CPO Only) Date response sent