

CAPTA Referral Notice to Coordinators

BACKGROUND

The Individuals with Disabilities Education Act of 2004 (IDEA) requires Part C systems to accept all referrals from Child Abuse Prevention and Treatment Act (CAPTA) referring agencies.

REQUIREMENTS

Once the Department of Human Services (DHS) has become involved with a family based upon abuse and neglect the procedure is as follows:

1. DHS will refer all children, birth to three, who are involved in a Category I or II case to *Early On*;
 2. *Early On* child find systems shall accept all referrals made by DHS that have sufficient information to contact the family; and
 3. *Early On* systems shall follow all procedures outlined in the current Michigan State Plan and Code of Federal Regulations with regard to any child referred to *Early On*.
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REFERENCES

The requirements delineated in this bulletin are referenced and supported in the following federal and state statutes, regulations, rules, and policies:

1. 42 USC 5101 Child Abuse Prevention and Treatment Act
 2. Public Law 108-446 Individuals with Disabilities Education Improvement Act 2004, Part C
 3. Part C regulations 34 CFR 303
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DEFINITIONS

CAPTA refers to the Child Abuse Prevention and Treatment Act.

Category I is defined as a case of child abuse and neglect that the DHS, children's protective services has found to be substantiated for abuse and neglect requiring court involvement. This is the most serious category of abuse and neglect.

Category II is defined as a case of child abuse and neglect that the DHS, children's protective services has found to be substantiated for abuse and neglect and children's protective services must work with the family to remediate the safety concerns.

Referral is defined as the process by which the local Part C agency is notified of a suspected developmental delay or established condition for an infant or toddler, birth to age three. This notification of a suspected developmental delay or established condition begins the federal timeline. Michigan State Plan, Part Three, Section V

DISCUSSION

DHS and the Michigan Department of Education (MDE) are required by law to work collaboratively to provide services to families involved in child abuse and neglect. Research has shown that families involved in abuse and neglect have a much higher likelihood of having a child become involved with the special education system. Providers working with these families can help them understand their own child's development as well as the attributes of typical development.

Often these families are intimidated by public systems becoming involved in their lives due to past and/or present negative experiences. In order to effectively help the child and family, good communication between the public agencies is essential. Families may be hesitant to engage with *Early On* due to their involvement and referral from DHS. Both *Early On* providers as well as DHS workers should help the family be aware of the different roles each has in assisting with their child's development.