



STATE OF MICHIGAN  
DEPARTMENT OF HUMAN SERVICES  
LANSING

RICK SNYDER  
GOVERNOR

MAURA D. CORRIGAN  
DIRECTOR

June 17, 2011

The Honorable Bruce Caswell, Chair  
Senate Appropriations Subcommittee on DHS  
Michigan State Senate  
Lansing, MI 48933

The Honorable Dave Agema, Chair  
House Appropriations Subcommittee on DHS  
Michigan House of Representatives  
Lansing, MI 48933

Dear Senator Caswell and Representative Agema:

The enclosed reports are provided pursuant to PA 190 of 2010 Section 514, the Department of Human Services (DHS) Fiscal Year 2008 Appropriations Act and Sections 722.629a and 722.628d (5) & (6) of 1975 PA 238, the Child Protection Law. These sections require that DHS provide information on Children's Protective Services (CPS) statistical data and a list of significant CPS policies implemented in the preceding fiscal year.

The enclosed information includes the following:

1. 2010 Trends Summary Report.
2. A listing of CPS program definitions.
3. The total number of reports of abuse or neglect received, investigated, and confirmed (categories I through III) from 2001 to 2010.
4. The number of cases classified under abuse/neglect categories I through V.
5. The number of cases in category III that escalated to category I or II.
6. The number of cases in which children were abused as a result of methamphetamine exposure.
7. Victims of Abuse and Neglect report which includes a breakdown of the age, race, and gender of child victims.
8. Perpetrators of Abuse and Neglect report which includes the perpetrator's relationship to the victim.

9. Source of Complaints report which includes both mandated and non-mandated reporters and their relationship to the victim.
10. A listing of significant CPS policy changes and law changes effective in 2010.

If you have any questions, comments, or would like additional information, please contact Suzanne Stiles Burke, Child Welfare Bureau Director at (517) 241-8606.

Sincerely,

A handwritten signature in black ink that reads "Susan Kangas". The signature is written in a cursive style with a large, looping "S" and "K".

Susan Kangas,  
Chief Financial Officer

cc: Senate and House Appropriations Subcommittee on DHS  
Senate and House Fiscal Agencies  
Senate and House Policy Offices  
State Budget Office

## **Children's Protective Services 2010 Trends Report Summary**

The number of Children's Protective Services (CPS) complaints received by the Department of Human Services (DHS) increased from 117,316 in FY 2009 to 121,405 in FY 2010. Assigned complaints increased 9% from 2009 to 2010 and confirmed complaints (i.e., a preponderance of evidence of abuse and/or neglect was found) increased by approximately 11%. Also during 2010 CPS policy and the Child Protection Law were revised to increase protections for children and to clarify responsibilities for persons involved in child protection cases.

### **Highlights of the Report:**

- **CPS Complaint Trends Summary 2001 to 2010 (Attachment A, Graph A.1):**

- The number of complaints steadily increased from 2001 to 2003 and then began to decline from 2004-2007. The number of complaints in 2009 were at their lowest level in over nine years. In 2010, they began to increase similar to 2007 levels.
- There was an increase from the complaints investigated from 2009 (71,780) to 2010 (78,893). In 2010, 27% of investigations resulted in a finding of preponderance of evidence.
- Assigned complaints as a percentage of referrals have increased 10% since 2001. There are a number of factors which may contribute to this increase including: new policies, public awareness based on high profile investigations, and increased number of mandated reporters. This increase and correlation between these factors will be evaluated in the coming year and addressed in future reports.

- **Rejected and Transferred Complaints (Attachment A, Table A.1)**

- From 2003 through 2009, the percentage of rejected complaints consistently ranged from 35% to 40%. In 2010, approximately 32% of complaints were rejected.
- Transferred complaints refer primarily to DHS county-to-county transfers and complaints transferred to Law Enforcement or to the Bureau of Child and Adult Licensing (BCAL). These numbers have decreased over the years and a significant decrease was noted from 2007 to 2008.
- The decrease in transferred complaints is attributed to new data systems (SWSS and BRIDGES). These systems have ensured an increase in data accuracy (the ability to effectively and accurately locate a family) and a more effective system to transfer complaints.

- **Investigation Dispositions (Attachment B):**

This includes statistics for unsubstantiated complaints (those complaints which, after investigation, were determined to have insufficient evidence to support an abuse/neglect substantiation).

- The percentage of investigations confirmed (category I, II or III) from 2004 to 2010 remains consistent between 23% to 27%.

- Only perpetrators identified in investigations disposed as category I and II are placed on central registry.
- Unsubstantiated complaints (category IV and V) totaled 57,013.
- If the perpetrator in a confirmed complaint is a licensed foster parent, foster care or adoption worker at DHS or a child placing agency, licensed or registered child care provider or their employee abusing their own children, or a non-parent adult who resides outside the child's home, the perpetrator must be identified on central registry, regardless of category.

• **Five Category Disposition System (Attachment B):**

- Since 2002, the distribution of investigation dispositions remained consistent. The percentage of preponderance of evidence cases (Categories I, II and III) remained consistent from 22 to 27%. The percentage of non-preponderance cases (Categories IV and V) remained consistent between 72% to 77%. In 2010, those percentages were 27 and 72, respectively.
- Category V (no preponderance) cases have decreased by 2% from 2009 to 2010.
- In 2009, 45% of investigations with a preponderance of evidence were low/moderate risk (category III). That number increased slightly in 2010 to 46%. Dispositions in this category have steadily risen since 2005.
- In 2010, 190 cases were elevated from a category III disposition to a category I or category II disposition. In these complaints, the family either refused to participate in services or did not progress toward alleviating the child's risk level.

• **Exposure to Methamphetamine Production (Attachment C):**

The determination of abuse or neglect based upon the child victims' exposure to drug activity may fall under a wide range of abuse or neglect categories. A child's exposure to methamphetamines is gathered and included in this report.

- In 2010, there were 166 confirmed complaints where it was determined that children had been exposed to methamphetamine production.
- Of the 166 confirmed complaints, it was determined that 314 children were victims of abuse/neglect as a result of this methamphetamine exposure. This is an increase of 12% more confirmed complaints and an increase of 20% more children abused/neglected as a result of methamphetamine exposure than in 2009.
- Twenty-nine Michigan counties had confirmed complaints of methamphetamine production which led to substantiated child abuse/neglect. This is an increase of 38% over 2009.

- **Victims of Abuse and Neglect by Age, Race, and Gender**

- **(Attachment D):**

- There were 21,401 confirmed complaints in 2010 and there was a total of 32,531 identified victims.
    - In 2010, 50.7% of all victims were female, 49.2% male.
    - In 2010, 69% of all victims were White, 29% were African American, and 2% were a combination of American Indian, Asian, Native Hawaiian or unable to determine.
    - In 2010, 38% were age three and under.

- **Perpetrators of Abuse and Neglect (Attachment E):**

- In 2010 there were 24,619 confirmed perpetrators of abuse and neglect.
  - In 79% of all confirmed complaints the perpetrator was the parent.

- **Reporting Sources of Complaints (Attachment F):**

- Law enforcement represents the largest source of complaints filed of all mandated reporters (23%).
  - The largest non-mandated reporting source is the parent(s) (24%), followed by anonymous reporters (22%) and then relatives (19%).

- **Changes to Policy and Law in 2010 (Attachment G):**

- To ensure a complete investigation when children are born to parents who have a child in out-of-home care and the parents report a plan of adoption for the newborn.
  - To ensure all medically fragile children receive a medical assessment and/or examination.
  - To eliminate the need for workers to submit multiple reports for the same family.
  - To require timely entry of social worker contacts.
  - To require timeliness of supervisory review and approval of CPS reports.
  - To require that CPS workers make at least one monthly face-to-face contact with each child.
  - To ensure that quality caseworker visits occur for every open CPS complaint.
  - To require conferences which ensure family engagement at critical case decision points.
  - To require participation of incarcerated parents in abuse and neglect proceedings.
  - To modify mandatory termination requirements as required by the Child Protection Law.
  - To create a specialized Maltreatment-In-Care unit to investigate abuse and/or neglect of children in court ordered out-of-home placement. These specialized units will be referred to as the CPS-MIC unit.

## Children's Protective Services (CPS) Program Definitions 2010

**Assigned for Investigation:** This occurs when a child abuse and/or neglect complaint is assigned to a worker for the interview of family members, victims, and other informational sources as needed for verification of the accuracy of the complaint and clarification of the situation. This also includes a complete and thorough review of the evidence and circumstances of the complaint. The worker completes the investigation and submits a report of their findings and disposition of the case.

**Category Disposition:** Developed in July 1999 and fully implemented in FY 2001, the five category disposition system was developed to allow more definitive case dispositions and to provide an adequate level of services to families with varied risk levels. Those categories are as follows:

- **Category V** — CPS investigated and found no evidence of child abuse/neglect; or the family did not cooperate and the court did not require them to cooperate; or the family cannot be located.
- **Category IV** — CPS investigated and found there was not a preponderance of evidence of child abuse and/or neglect. CPS may assist the family in accessing community-based services.
- **Category III** — CPS investigated and found there was a preponderance of evidence of child abuse and/or neglect and the risk to children was low or moderate. CPS must assist the family in receiving community-based services commensurate with the risk to the child. The perpetrator is not listed on central registry. *Exception:* If the perpetrator is a licensed foster parent, foster care or adoption worker at the Department of Human Services (DHS) or a child placing agency, licensed or registered child care provider or their employee abusing their own children, or a non-parent adult who resides outside the child's home, the perpetrator must also be identified on central registry when a preponderance of evidence is determined, regardless of the category.
- **Category II** — CPS investigated and found a preponderance of evidence of child abuse and/or neglect and the risk to children is high or intensive. CPS must open a protective service case and provide services. The perpetrator is listed on central registry.
- **Category I** — CPS found a preponderance of evidence of child abuse and/or neglect and the Child Protection Law or policy requires a petition for court action. The perpetrator is listed on central registry.

**Central registry:** List of perpetrators who have been substantiated for child abuse and/or neglect.

**Complaint (Referral):** The report taken by the DHS and entered into a database system at the DHS local office.

**Confirmed Investigations:** Investigations where a preponderance of evidence of child abuse and/or neglect is found and includes category I, II, and III case dispositions.

**Disposition:** The results or findings of a worker's case investigation, submitted in the investigation summary report within 30 days of the complaint date.

**Non-Preponderance:** Investigations where there is not a preponderance of evidence of child abuse and/or neglect. Includes category IV and V case dispositions.

**Pending Complaint:** Status of a complaint that is currently being investigated and pending disposition.

**Perpetrator:** A person responsible for a child's health and welfare who has abused and/or neglected that child.

**Preponderance:** The level of evidence needed to confirm that abuse/neglect occurred; i.e., more evidence (at least 51%) indicates that an incident did occur than the evidence suggesting it did not.

**Re-Complaint or Re-Referral:** A separate case complaint taken on a family recorded in the data system after the original complaint.

**Recurrence:** The number of child victims that have subsequent victimizations. Usually reported as a rate by dividing the number of children that had subsequent victimization in a given time period by the total number of child victims.

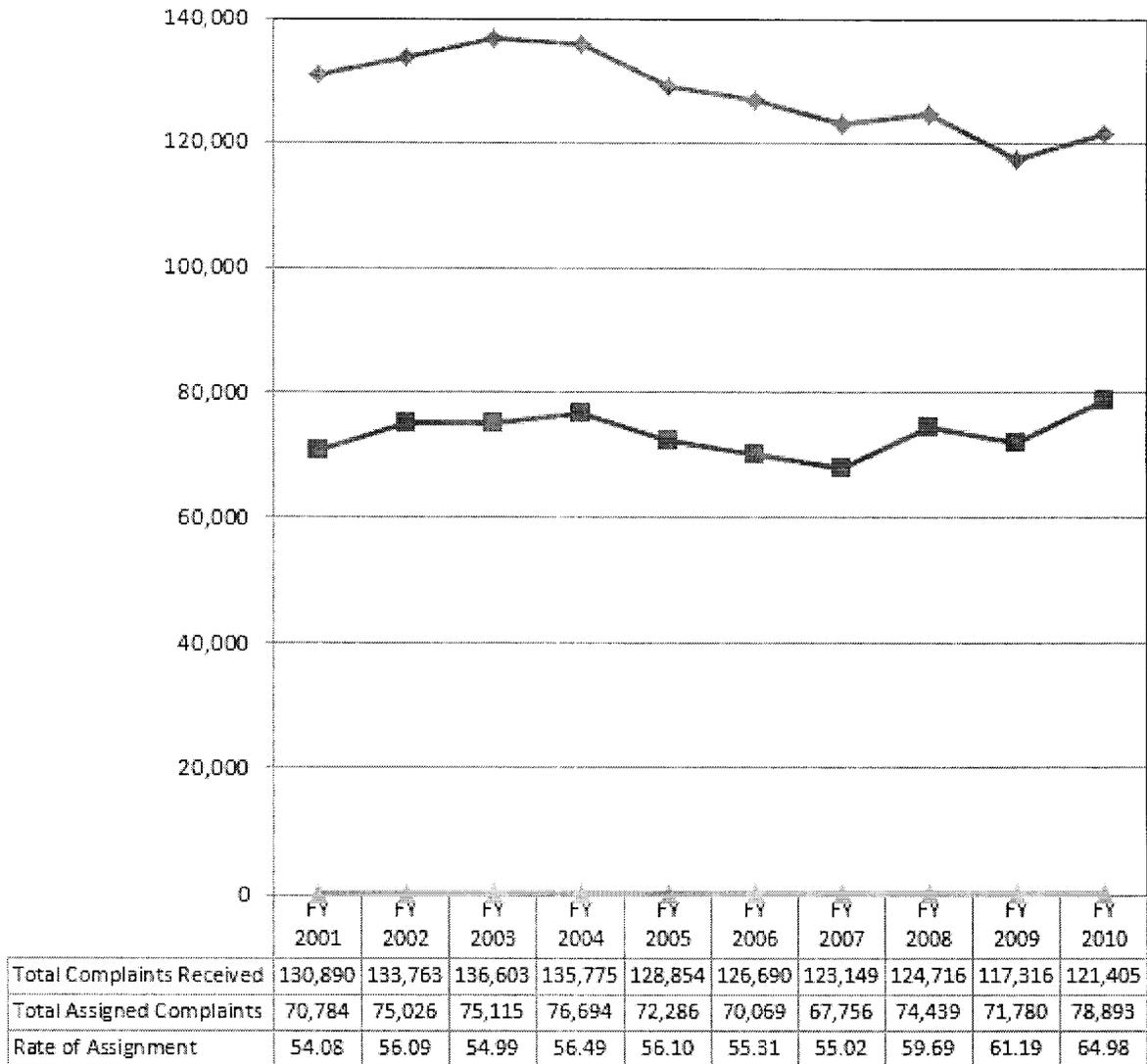
**Screened Out (Rejected) Complaint:** A complaint that is not assigned for investigation.

**Substantiated:** Investigations in which a preponderance of evidence of child abuse/neglect is found and the perpetrator is listed on Central Registry. Includes investigations disposed as Category I and II.

**Transferred Complaints:** A complaint that is transferred to another entity (i.e., law enforcement, licensing).

Attachment A  
Graph A. 1

CPS Complaint Trends  
FY 2001 - 2010



## Attachment A

## Table A. 1

## CPS Complaint Trends

FY 2001 - 2010

	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Total Complaints Received	130,890	133,763	136,603	135,775	128,854	126,690	123,149	124,716	117,316	121,405
Transferred Complaints	9,437	9,614	11,651	8,650	6,499	7,390	6,584	3,656	3495	3554
Screened Out Complaints (Rejected)	50,669	49,123	49,837	50,431	50,069	48,162	48,809	45,966	41,134	38,875
Total Assigned Investigations	70,784	75,026	75,115	76,694	72,286	70,069	67,756	74,439	71,780	78,893
Confirmed Investigations	16,494	16,425	17,052	17,847	16,889	17,523	17,748	17,460	18,977	21,401
*Pending Complaints										246

Attachment B  
Graph B. 1

CPS Complaint Dispositions

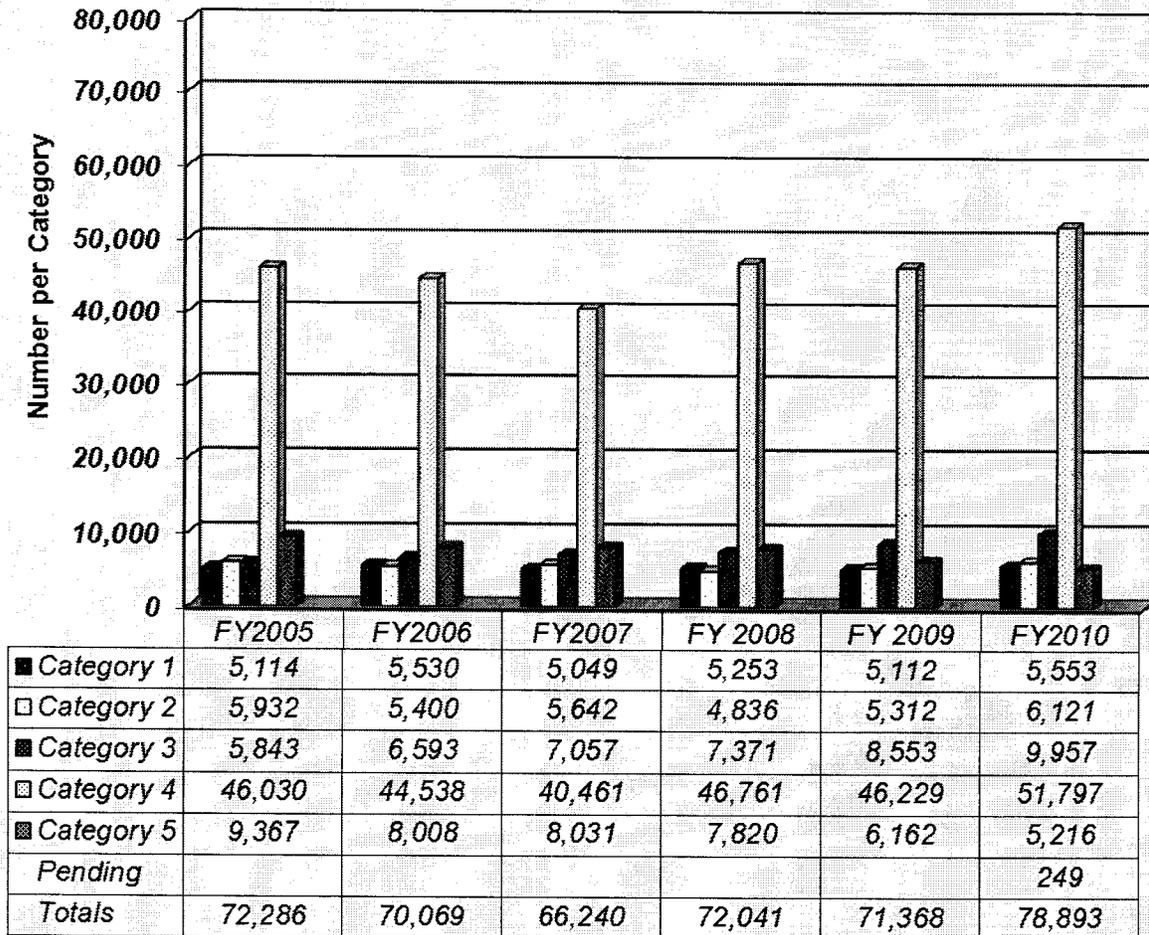


Table B. 2

Category III Escalations	FY10
Category III cases that escalated to Cat II	161
Category III cases that escalated to Cat I	29
Total	190

Attachment C  
Graph C. 1

FY 2010 Victims of Methamphetamine Related Abuse by County

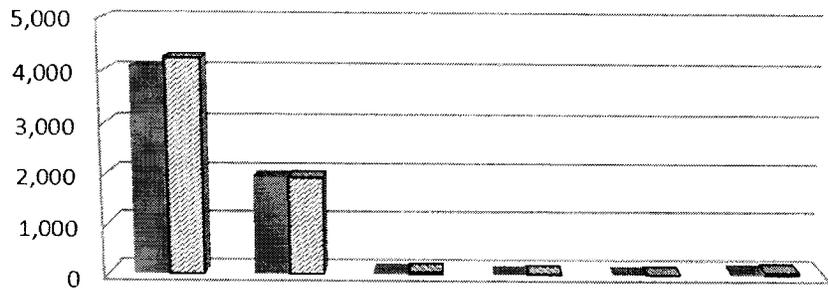
County	Abuse and Neglect Description	Children Identified
Allegan	Methamphetamine	20
Barry	Methamphetamine	15
Bay	Methamphetamine	3
Berrien	Methamphetamine	4
Branch	Methamphetamine	17
Calhoun	Methamphetamine	10
Cass	Methamphetamine	17
Charlevoix/Emmet	Methamphetamine	1
Cheboygan	Methamphetamine	9
Clinton	Methamphetamine	5
Eaton	Methamphetamine	11
Hillsdale	Methamphetamine	16
Ingham	Methamphetamine	3
Ionia	Methamphetamine	5
Iosco	Methamphetamine	1
Jackson	Methamphetamine	3
Kalamazoo	Methamphetamine	59
Lenawee	Methamphetamine	1
Marquette	Methamphetamine	1
Mecosta	Methamphetamine	3
Montcalm	Methamphetamine	8
Newaygo	Methamphetamine	1
Osceola	Methamphetamine	2
Oscoda	Methamphetamine	3
Shiawassee	Methamphetamine	2
St.Clair	Methamphetamine	3
St.Joseph	Methamphetamine	55
Van Buren	Methamphetamine	35
Wexford/Missaukee	Methamphetamine	1
Statewide Total		314

County	Abuse and Neglect Description	Children Identified
Allegan	Methamphetamine	20
Barry	Methamphetamine	15
Bay	Methamphetamine	3
Berrien	Methamphetamine	4

Branch	Methamphetamine	17
Calhoun	Methamphetamine	10
Cass	Methamphetamine	17
Charlevoix/Emmet	Methamphetamine	1
Cheboygan	Methamphetamine	9
Clinton	Methamphetamine	5
Eaton	Methamphetamine	11
Hillsdale	Methamphetamine	16
Ingham	Methamphetamine	3
Ionia	Methamphetamine	5
Iosco	Methamphetamine	1
Jackson	Methamphetamine	3
Kalamazoo	Methamphetamine	59
Lenawee	Methamphetamine	1
Marquette	Methamphetamine	1
Mecosta	Methamphetamine	3
Montcalm	Methamphetamine	8
Newaygo	Methamphetamine	1
Osceola	Methamphetamine	2
Oscoda	Methamphetamine	3
Shiawassee	Methamphetamine	2
St.Clair	Methamphetamine	3
St.Joseph	Methamphetamine	55
Van Buren	Methamphetamine	35
Wexford/Missaukee	Methamphetamine	1
Statewide Total		314

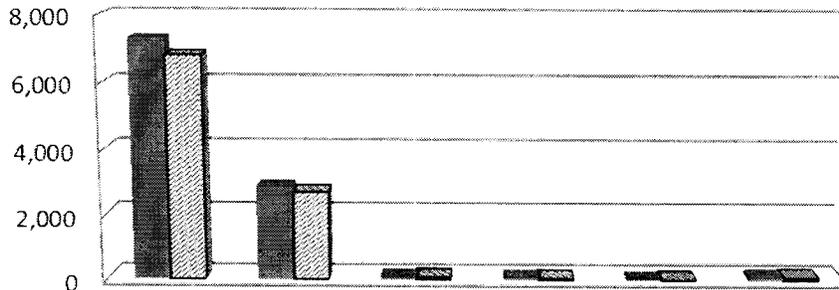
Attachment D

**GRAPH D.1 FY 2010 Victims of Abuse/Neglect by Race and Gender (Age: 3 and Under)**



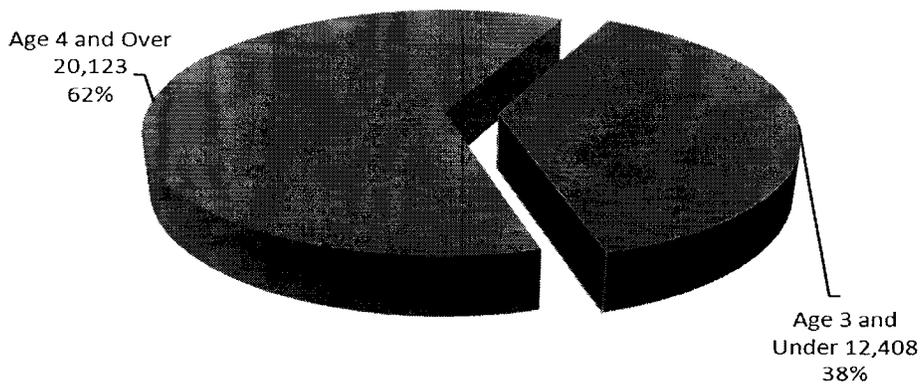
	White	Black	American Indian	Asian	Native Hawaiian	Unable to Determine
F	4,082	1,945	42	12	3	47
M	4,246	1,929	43	11	0	48

**GRAPH D.2 FY 2010 Victims of Abuse/Neglect by Race and Gender (Age: 4 and Up)**



	White	Black	American Indian	Asian	Native Hawaiian	Unable to Determine
F	7,312	2,884	64	38	5	82
M	6,826	2,720	74	36	4	78

**GRAPH D.3 FY 2010 Victims of Abuse/Neglect by Age**



## Attachment E

Table E. 1

## 2010 Perpetrators Relationships to Victim

<b>Perpetrators of Abuse/Neglect</b>	
<b>Relation to Victim Desc</b>	<b>FY10</b>
Adoptive Parent	414
Adoptive Sibling	11
Aunt/Uncle	251
Biological Parent	19,098
Child Day Care Provider	7
Cousin	53
Foster Parent (non-relative)	75
Friends or Neighbors	39
Grandparent	446
Group Home or Residential Care Staff	9
Guardian	183
Half Sibling	25
Non-relative	1,930
Other	245
Other Professionals	4
Other Relative	82
Putative Parent	143
Relative Foster Care Provider	30
Sibling	89
Step Parent	1,322
Step Sibling	16
Unknown	147
<b>Grand Total</b>	<b>24,619</b>

Attachment F

Table F. 1

Non- Mandated Reporters	
Anonymous	7,260
Court Personnel	977
Friend/Neighbor	4,597
Hospital/Clinic Personnel	343
New Birth Match	545
Other	3,885
Other Public Social Agency Personnel	412
Other School Personnel	503
Parent/Sub in Home	2,556
Parent/Sub out of Home	5,345
Relative	6,175
Sibling	213
Victim	289
<b>Total Non-Mandated</b>	<b>33,100</b>

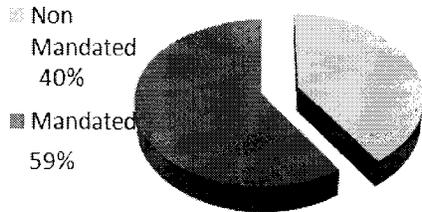
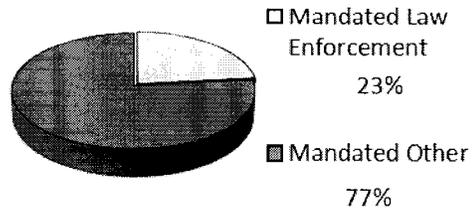
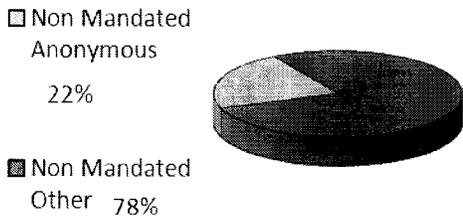


Table F. 2

Mandated Reporters	
Audiologist	5
Child Care Provider	397
Clergy	102
Coroner/Medical Examiner	41
Court Social Worker	467
Dentist	45
DHS Facility Personnel	308
DHS Facility Social Worker	2,289
DMH Facility Personnel	65
DMH Facility Social Worker	675
Domestic Violence Providers	240
FIS/ES Worker/Supervisor	337
Friend of Court	266
Hospital/Clinic Physician	1,522
Hospital/Clinic Social Worker	5,943
Law Enforcement	11,295
Licensed Counselor	1,154
Marriage/Family Therapist	489
Nurse (Not School)	1,811
Other Public Social Worker	1,996
Other Social Worker	1,045
Paramedic/EMT	38
Private Agency Social Worker	2,647
Private Physician	658
Private Social Agency Personnel	333
Psychologist	458
School Administrator	2,543
School Counselor	5,949
School Nurse	259
Social Services Specialist/Manager (CPS,FC)	1,125
Teacher	4,083
<b>Total Mandated</b>	<b>48,585</b>
<b>Total Mandated/Non Mandated</b>	<b>81,685</b>



Attachment G

FY 2010  
CHILDREN'S PROTECTIVE SERVICES (CPS)  
Policy Changes

**REMOVAL OF OBSOLETE REFERENCES (JUNE 2010)**

**PSM 712-6, 712-8, 713-1, 714-4, 715-4 and 716-2**

References to obsolete DHS Forms were removed from policy. References to an older computer program, ASSIST, were also removed.

*Reason:* To ensure that obsolete forms are removed and that references to programs are updated.

**INTENTION TO ADOPT (JUNE 2010)**

**PSM 712-6 and 713-8**

Policy requiring CPS to conduct a full field investigation if a child is born to parents who currently have a child in out-of-home care, or is/was a permanent ward as a result of child abuse/neglect court action and the intent of the parent(s) is to have the new child adopted.

*Reason:* To ensure child safety.

**MEDICALLY FRAGILE CHILDREN (JUNE 2010)**

**PSM 713-4 and 716-8**

Changes made to identify the need for all medically fragile children (those with chronic medical needs or those identified as medically fragile) to undergo a medical assessment and/or medical review to ensure that their medical needs are being met by their caregiver.

*Reason:* To ensure child safety. Policy change based in part on a recommendation from the Office of the Children's Ombudsman.

**MULTIPLE UPDATED SERVICE PLANS (JUNE 2010)**

**PSM 713-9**

Changes made to remove the requirement for CPS caseworkers to create multiple updated service plans for the same complaint. The case with the highest risk level will remain open.

*Reason:* To eliminate paperwork redundancy.

**SERVICES WORKER SUPPORT SYSTEM (SWSS) UPDATE (JUNE 2010)**

**PSM 713-12**

Removal of an obsolete reference to a SWSS function in the Family Assessment of Needs and Strengths and in the Child Assessment of Needs and Strengths.

*Reason:* Removal of an obsolete reference.

## **GRAMMATICAL CHANGES (JUNE 2010)**

### **PSM 713-2 AND 715-3**

Minor grammatical revisions made.

*Reason:* Policy review.

## **TIMELY ENTRY OF FACE-TO-FACE SOCIAL WORK CONTACTS INTO SWSS CPS (AUGUST 2010)**

### **PSM 713-3**

All face-to-face contacts with children, parents, and foster parents/relative/unrelated caregivers must be entered into SWSS CPS within five calendar days of contact. Families First contractors must submit all face-to-face contacts with children, parents, and foster parents/relative/unrelated caregivers to the CPS caseworker by the third business day of every month.

A subsequent bulletin modified this data entry time frame from five calendar days to five business days. PSM 713-3 was updated in December 2010.

*Reason:* CPS Program Office clarification to achieve Child and Family Services Review (CFSR) outcomes.

## **SUPERVISOR APPROVAL (AUGUST 2010)**

### **PSM 713-10**

Policy change to require supervisors to review and approve the Children's Protective Services Investigation Report (DHS-154) and the Protective Services Updated Services Plan (DHS-152) within 14 calendar days of receipt, rather than 30 days. All reports must be reviewed and approved by signature. The supervisor must determine whether minimal child safety needs and investigation requirements have been met. When the report is not approved, the supervisor must document the reason why and require that the CPS caseworker complete the unapproved item within a specified time frame.

*Reason:* Field and Program Office change to appropriately reflect staffing needs based on pending cases.

## **CPS CASEWORKER VISITS (AUGUST 2010)**

### **PSM 714-1**

- During the time a case is being monitored, the CPS caseworker must make at least one face-to-face contact with each child, each month. There must be a private meeting between the CPS caseworker and the child.
- During the visits, the CPS caseworker must focus on and document each child's observations and feelings about safety factors, their needs, and goals.

- Tools have been developed to aid the CPS caseworker in gathering the required information during the monthly calendar visit. The Children's Protective Services Caseworker/Child Visit Tool (DHS-903-A) is used for guiding and taking notes. The Children's Protective Services Caseworker/Child Visit Quick Reference Guide (DHS-903) is used as an outline to address the information that must be covered in the monthly visit.

*Reason:* Department of Health and Human Services CFSR and Dwayne B. v Granholm, et al. Consent Decree.

**PERMANENCY PLANNING CONFERENCES (AUGUST 2010)  
PSM 714-2 AND 715-2**

Permanency Planning Conferences (PPC) are conducted to make or recommend critical case decisions. During an emergency removal, the CPS caseworker must make a PPC referral immediately. The PPC must be no later than the next business day of the removal. If the CPS caseworker and supervisor are considering removal of children from the home, a request for a PPC must occur immediately. The PPC must be scheduled within two business days of the referral.

*Reason:* Dwayne B. v Granholm, et al. Consent Decree.

**INVOLVING INCARCERATED PARENTS (SEPTEMBER 2010)  
PSM 713-8, 713-10, 715-2**

A memorandum and Program Service Bulletin was issued to all county directors advising that CPS must attempt to involve the incarcerated parent in placement decisions. When a petition is filed with the Court the petitioner must notify the court of the incarceration and notify the court that a telephonic hearing is required pursuant to MCR 2.004

*Reason:* Michigan Supreme Court decision *In re Mason*.

**CHILD PROTECTION LAW UPDATE (SEPTEMBER 2010)**

A memorandum was issued to all county directors regarding a change in the Michigan Child Protection Law, 722.638 Section 18(1)(b)(ii) that includes a specific list of circumstances that must have been present in the previous termination, before a request for termination becomes mandatory. Additional directives will be provided to the field in the form of a Children's Protective Services Interim Bulletin.

*Reason:* Public Act 12.

**MALTREATMENT IN CARE (DECEMBER 2010)  
PSM 712-6, 713-8, 716-6 AND 716-9**

Allegations of child abuse/neglect involving children in court ordered out-of-home placements will be investigated by new Children's Protective Services-Maltreatment In Care units (CPS-MIC unit).

- The below listed referrals will be investigated by the CPS-MIC units. Bureau of Children and Adult Licensing (BCAL) no longer investigates child abuse/neglect of children in the following regulated child care organizations:
  - Detention centers
  - Youth homes
  - Shelter homes
  - Residential care facilities
  - Halfway houses
- BCAL is responsible for investigating allegations of child abuse/neglect of children who are not the child of the licensee, occurring in the following regulated child care organizations:
  - Licensed child care centers
  - Regulated child care group and family homes
  - Children's camps
- Prosecuting attorney/law enforcement agencies are responsible for the investigation of child abuse/neglect in unregulated institutional settings such as:
  - Schools
  - Incidental out-of-home or in-home child care
  - Mental health facilities not subject to PA 116
  - Unregulated child care group and family homes

If at any time BCAL suspects child abuse/neglect regarding children residing in an alleged perpetrator's home, BCAL must make an immediate complaint to CPS. Special instructions are provided for CPS and CPS-MIC units to work together when a complaint is received regarding an alleged perpetrator who is a licensed foster parent or employed by a child caring institution, and has other children residing in their home. When a complaint is received that involves multiple counties, the complaint will be assigned to the county in which the child caring institution or foster family home is located. All requests for courtesy interviews, case records, and assistance from one county to another, must be honored.

Risk and Safety Assessments must be completed on CPS-MIC investigations. The CPS-MIC caseworker must have contact with the child caring institution administrator or licensee designee prior to contact with the alleged child victim and prior to completion of the complaint.

Policy was edited to emphasize that per MCL 722.628(8), DHS has the responsibility to notify the parents or guardians of any children interviewed at school or other institution. This would include CPS-MIC investigations unless parental rights were terminated.

*Reason:* Dwayne B. v Granholm, et al. Consent Decree.

## **DISPOSITION OF INVESTIGATIONS (DECEMBER 2010)**

### **PSM 713-9**

A preponderance of evidence finding, regardless of risk level, on a licensed/registered provider or employee of a child caring institution or licensed foster family home, of abuse/neglect against any child(ren), including children in their own home, requires their name to be placed on central registry and the risk level raised to a high level.

The results cannot be shared with the perpetrator's employee.

A copy of the investigative report must be forwarded to BCAL within five business day of completion.

When BCAL completes an investigation, CPS must request a copy of the BCAL report.

*Reason:* Dwayne B. v Granholm, et al. Consent Decree.

2010 Child Protection Law Changes  
(Changes are indicated by underlined text)

**722.627j Individual not named in central registry case as perpetrator of child abuse or neglect; documentation; receipt of central registry clearance information; request; automated system.** (Changed by Act 81, Immediate effective date May 21, 2010)

Sec. 7j.

- (1) Upon written request, the department may provide to an individual, or whoever is appropriate, documentation stating that the individual is not named in a central registry case as the perpetrator of child abuse or child neglect.
- (2) An individual or the department may share the document provided in subsection (1) with whoever is appropriate for the purpose of seeking employment or serving as a volunteer if that employment or volunteer work will include contact with children.
- (3) An employer, a person or agency to whom an individual is applying for employment, or a volunteer agency, with appropriate authorization and identification from the individual, may request and receive central registry clearance information if that employment or volunteer work will include contact with children.
- (4) The department may develop an automated system that will allow an individual applying for child-related employment or seeking to volunteer in a capacity that would allow unsupervised access to a child for whom the individual is not a person responsible for that child's health or welfare to be listed in that system if a screening of the individual finds that he or she has not been named in a central registry case as the perpetrator of child abuse or child neglect. The automated system developed under this section shall provide for public access to the list of individuals who have been screened for the purposes of complying with this section. An automated system developed under this section shall have appropriate safeguards and procedures to ensure that information that is confidential under this act, state law, or federal law is not accessible or disclosed through that system.

**722.638 Submission of petition for authorization under MCL 712A.2; conditions; request for termination of parental rights; conference.** (Changed by Act 12, effective September 4, 2010)

Sec. 18.

- (1) The department shall submit a petition for authorization by the court under section 2(b) of chapter XIIA of 1939 PA 288, MCL 712A.2, if 1 or more of the following apply:
  - (a) The department determines that a parent, guardian, or custodian, or a person who is 18 years of age or older and who resides for any length of time in the child's home, has abused the child or a sibling of the child and the abuse included 1 or more of the following:
    - (i) Abandonment of a young child.
    - (ii) Criminal sexual conduct involving penetration, attempted penetration, or assault with intent to penetrate.
    - (iii) Battering, torture, or other severe physical abuse.
    - (iv) Loss or serious impairment of an organ or limb.
    - (v) Life threatening injury.
    - (vi) Murder or attempted murder.
  - (b) The department determines that there is risk of harm to the child and either of the following is true:

- (i) The parent's rights to another child were terminated as a result of proceedings under section 2(b) of chapter XIIA of 1939 PA 288, MCL 712A.2, or a similar law of another state.
- (ii) The parent's rights to another child were voluntarily terminated following the initiation of proceedings under section 2(b) of chapter XIIA of 1939 PA 288, MCL 712A.2, or a similar law of another state and the proceeding involved abuse that included 1 or more of the following:
  - (A) Abandonment of a young child.
  - (B) Criminal sexual conduct involving penetration, attempted penetration, or assault with intent to penetrate.
  - (C) Battering, torture, or other severe physical abuse.
  - (D) Loss or serious impairment of an organ or limb.
  - (E) Life-threatening injury.
  - (F) Murder or attempted murder.
  - (G) Voluntary manslaughter.
  - (H) Aiding and abetting, attempting to commit, conspiring to commit, or soliciting murder or voluntary manslaughter.

(2) In a petition submitted as required by subsection (1), if a parent is a suspected perpetrator or is suspected of placing the child at an unreasonable risk of harm due to the parent's failure to take reasonable steps to intervene to eliminate that risk, the department shall include a request for termination of parental rights at the initial dispositional hearing as authorized under section 19b of chapter XIIA of 1939 PA 288, MCL 712A.19b.

(3) If the department is considering petitioning for termination of parental rights at the initial dispositional hearing as authorized under section 19b of chapter XIIA of 1939 PA 288, MCL 712A.19b, even though the facts of the child's case do not require departmental action under subsection (1), the department shall hold a conference among the appropriate agency personnel to agree upon the course of action. The department shall notify the attorney representing the child of the time and place of the conference, and the attorney may attend. If an agreement is not reached at this conference, the department director or the director's designee shall resolve the disagreement after consulting the attorneys representing both the department and the child.