



MTL # 0502 – 07232021
07/23/2021

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POLICY DISTRIBUTION

Enclosed find the following policy for distribution to all applicable staff within your organization:

0502 DEVELOPMENTAL ASSESSMENTS AND SERVICES POLICY

This policy is/was effective: 07/20/2021

- This policy is new. Please review the policy in its entirety
- This policy replaces the following policy(s): MTL # 0502-2007 Policy Name: Child Abuse Prevention and Treatment Act (CAPTA) – Individuals with Disabilities Education Act” (IDEA) Part C
- This policy has been revised. Please see below for the type of revision:
 - This is a significant policy revision. Please review this policy in its entirety.

Major changes include:

- Clarification between CAPTA and IDEA referrals, when parental consent is required, and how to complete the referrals.
- The addition of referrals for children over the age of 3 to Child Find when there are concerns of development.
- Monitoring of developmental services during open cases.
- This is a minor policy revision: (List page number & summary of change):
- A policy form has been revised: (List form, page number and summary of change):

Added form:

502B – Service Array Window Instructions

NOTE:

- Please read the policy in its entirety and note any areas that are additionally required by your agency to be in compliance with the policy enclosed.
- This is an **ALL STAFF MEMO** and it is the responsibility of the person listed above to disseminate the policy enclosed to appropriate staff within his/her organization and to ensure compliance.
- The most current version of this policy is posted on the DCFS Website at the following address:
<http://dcfs.nv.gov/Policies> Please check the table of contents on this page for the link to the chapter you are interested in.

0502 DEVELOPMENTAL ASSESSMENTS AND SERVICES POLICY

Policy Approval Clearance Record

<input checked="" type="checkbox"/> Statewide Policy <input type="checkbox"/> Administrative Policy <input type="checkbox"/> DCFS Rural Region Policy	<input type="checkbox"/> New Policy <input checked="" type="checkbox"/> Modified Policy <input checked="" type="checkbox"/> This policy supersedes: Child Abuse Prevention and Treatment Act (CAPTA) – Individuals with Disabilities Education Act” (IDEA) Part C
Date Policy Effective:	07/20/2021
Attorney General Representative Review:	06/01/2021
DCFS Deputy Administrator Approval	07/20/2021
DMG Original Approval	10/19/2007
DMG Approved Revisions	07/20/2021

STATEMENT OF PURPOSE

Policy Statement: In response to Individuals with Disabilities Education Act (IDEA) requirements child welfare agencies are to identify children birth through age twenty-one (21) who are involved with the child welfare agency and may be in need of developmental services and should receive an assessment. Additionally, Child Abuse and Prevention Act (CAPTA) requires policies and procedures for the referral of 1) children under the age of three who are a victim in a substantiated case of child abuse or neglect and 2) children who are identified as substance exposed.

Policy Purpose: To assure that children, of all ages, who are involved with or in the custody of a child welfare agency who have a substantiated case of child abuse or neglect, are substance exposed, or are found to be in need of services will be referred for possible developmental assessment and services.

AUTHORITY

Federal: [Child Abuse and Prevention Act Public Law, Section 106 \(b\) \(2\)\(A\) \(ii\), \(iv\), \(xxi\)](#); [Individuals with Disabilities Education Act \(IDEA, Part C, 2004\)](#); [Comprehensive Addictions and Recovery Act of 2016 \(CARA\)](#).
NAC: [NAC 432B.220](#)
NRS: [NRS 432B.170](#); [NRS 432B.180](#); [NRS 432B.190](#); [NRS 432B.220](#); [NRS 432B.230](#); [NRS 432B.260](#); [NRS 432B.300](#)

DEFINITIONS

Agency which Provides Child Welfare Services: In a county whose population is less than 100,000, the local office of the Division of Child and Family Services; or In a county whose population is 100,000 or more, the agency of the county which provides or arranges for necessary child welfare services. May also be referred to as “Agency” or “Child Welfare Agency.”

Areas of development: include

- A. Physical development
- B. Cognitive Development
- C. Communication Development
- D. Social or Emotional Development
- E. Adaptive Development

CARA Plan of Care (CARA Plan): Comprehensive Addiction and Recovery Act (CARA) of 2016 mandates a state to require the development of a CARA Plan of Care. This plan will address the safety, health and substance use disorder treatment needs of the infant and affected family member or caregiver through the interdisciplinary coordination of services to enhance the overall well-being of the infant and family/caregiver.

Child Find: The legal requirement, mandated by the Individuals with Disabilities Education Act (IDEA), that school districts identify, locate, and evaluate children from birth through twenty-one (21) years of age who have disabilities and who may be entitled to special education services.

Child Welfare Services: Defined by NRS 432B.044, includes, without limitation: 1. Protective Services, investigations of abuse or neglect and assessments; 2. Foster care services, as defined in NRS 432.010; and 3. Services related to adoption.

Early Intervention Services: The developmental services funded by the Individuals with Disabilities Education Act, Part C (IDEA 2004). IDEA entitles developmentally disabled children under the age of three and their parents to Early Intervention Services and supports. Some of the services available include but are not limited to: evaluation and assessment for the purpose of determining eligibility, family training, counseling, home visits, service coordination, occupational and physical therapy, as well as psychological testing.

Infant: A child between birth and age one (1).

Parent (defined by IDEA): The term "parent" refers to a natural, adoptive, or foster parent of a child (unless prohibited by State law from serving as a parent), a guardian, an individual acting in the place of a natural or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare. Individuals with Disabilities Education Improvement Act (IDEIA) 02004, Section 602 (23) (A-C).

Parental Consent: Consent obtained by a parent(s) to complete a referral. Parental consent includes a verbal acknowledgement that the caseworker is able to complete the referral. One parent's consent is sufficient unless the caseworker is aware of a valid joint legal custody order in place, in which case both parents' consent is required.

State: An alternate word for the Division of Child and Family Services (DCFS) or Family Programs Office (FPO).

STANDARDS/PROCEDURES

Developmental Assessments and Services Overview:

- 1. Early Intervention Services (for children under the age of three (3) years old):**
 - a. IDEA entitles developmentally disabled children under the age of three (3) years old and their parents to Nevada Early Intervention Services (NEIS) and supports. Services included but are not limited to: evaluation and assessment for the purpose of determining eligibility, family training, counseling, home visits, service coordination, occupational and physical therapy, as well as psychological testing.
 - i. CAPTA Referrals to NEIS are required for all children under the age of three (3) years old who are a victim in a substantiated case of child abuse and neglect. CAPTA referrals will prompt NEIS to complete a screening for the child referred. If the screening indicates concern for developmental delays, NEIS will complete evaluation and assessment.
 - ii. IDEA referrals to NEIS must be attempted if it is suspected that a child has developmental delays and they are not a victim in a substantiated case of child abuse and neglect. IDEA referrals will prompt NEIS to complete evaluation and assessment for the child referred.
- 2. Child Find Services (for children three (3) years old and older):**
 - a. IDEA entitles developmentally disabled children between the ages of three (3) years old and twenty-one (21) years old to educational and developmental services. The agency refers

children between the ages of three (3) years old and twenty-one (21) years old found to be in need for educational services through their local school district.

Completing Early Intervention Referrals

1. CAPTA Referrals: For any child under the age of three (3) years old who is a victim in a substantiated case of child abuse or neglect must be referred to NEIS by the caseworker or designee within five (5) business days of the substantiation.
 - a. The caseworker must complete the CAPTA referral form and fax or email to NEIS. Parental consent is not required to complete the CAPTA referral.
 - i. When the agency has custody of the child the caseworker may share all pertinent information about the child with NEIS.
 - ii. When the agency does not have custody of the child the caseworker may provide contact information, demographic information (i.e. child's date of birth and gender) and the reason for referral to NEIS if parental consent is not obtained. The caseworker must obtain parental consent to share behavioral, health, or other information with NEIS.
 - b. *The agency may designate the completion of CAPTA referrals for the caseworker via automated weekly data reporting and the caseworker does not need to complete the referral in this circumstance.*
2. IDEA (Non-CAPTA) referrals: **(Click [HERE](#) for referral form)**
 - a. If there are general concerns of developmental delays in a child under the age of three (3) years old, the agency must attempt to complete a referral to NEIS within five (5) business days of identifying concerns.
 - b. CARA Plans of Care: The agency must attempt to complete a referral to NEIS within five (5) business days of determination to not substantiate for an infant with a CARA Plan of Care if:
 - i. The healthcare provider who completed the CARA Plan of Care has not referred the infant to NEIS;
 - ii. The report was screened-in; and
 - iii. The agency will not be substantiating maltreatment (as a CAPTA referral would apply).
 - c. When the agency has custody of the child, the caseworker must complete and send the IDEA referral to NEIS. The agency may share all pertinent information about the child with NEIS.
 - d. When the agency does not have custody of the child, the caseworker must attempt to obtain parental consent in order to send the IDEA referral to NEIS.
 - i. If parental consent is obtained, the caseworker must complete and send the IDEA referral to NEIS.
 - ii. If parental consent is not obtained, the caseworker must provide the parent with a [brochure about NEIS](#) and advise that if the parent consents at a later time, the referral can be sent then.
3. Circumstances when the caseworker or designee is not required to complete a referral to NEIS include:
 - a. The infant has a CARA Plan of Care and was referred to NEIS by the healthcare provider.
 - b. The child is currently receiving early intervention services.

NEIS Emails and fax information:

NEIS South (Central Intake location) – Fax (702)486-7686 or Email:

NEISReferrals@adsd.nv.gov

(Las Vegas, Henderson, Boulder City, Mesquite, Pahrump, Laughlin, Overton)

NEIS North – FAX (775)688-2984 or Email: adsd-neis-reno-fax@adsd.nv.gov

(Reno, Sparks, Pyramid Reservation, Gerlach, Nixon, Wadsworth, Verdi, Washoe Valley, Incline Village)

NEIS Carson City – FAX (775)687-0110 or Email: NEISCarsonCity@adsd.nv.gov

(Carson City, Dayton, Fernley, Fallon, Yerington, Hawthorne, Silver Springs, Gabbs, Shurz, Gardnerville, Stagecoach Wellington, Stateline)

NEIS Northeast – FAX (775)753-6017 or Email: NEISElko@adsd.nv.gov

(Elko, Carlin, Lovelock, Spring Creek, Lamoille, Montello, Osino, Jiggs, Oasis, Pequop, Lovelock, Imlay, Grass Valley, Humboldt, River Ranch, Wells, Battle Mountain, Winnemucca, Austin, Eureka, Ely, Hadley/Round Mountain, Owyhee, McDermott, Jackpot, West Wendover, Tonopah, Baker, Ruth, McGill, Cherry Creek, Lund, Hamilton, Preston, Argenta, Crescent Valley, Duckwater, Pioche, Panaca, Caliente, McDermitt, Paradise Valley, Golconda, Denio, Valmy)

Notification to parents of referral made:

1. When a referral has been made the caseworker must attempt to explain to the parents or primary caregiver:
 - a. The purpose and requirement for referring the child to NEIS;
 - b. That NEIS will contact parents or primary caregiver; and
 - c. How NEIS can benefit the child and their family.

Documenting NEIS Referrals

1. Each referral must be documented in the Service Array Window (CFS 067) in UNITY by the caseworker or designee. See attachment 502B: Service Array Window Instructions.
2. If a referral is not required because a referral was previously made during the current case or because the child is receiving early intervention services, the Service Array Window must be completed with as much information is known about the referral or services.
3. If applicable, parental consent must be documented in a UNITY case note within five (5) business days.

Completing Child Find Referrals (for children ages three (3) years and older)

For children between the ages of three (3) years old and twenty-one (21) years old who may be in need of developmental services, the agency must attempt to complete a referral for services within five (5) business days of identifying concerns.

1. The caseworker or designee is not required to complete a referral for Child Find services if the child is already receiving developmental services.
2. When the agency has custody of the child, the caseworker may share all pertinent information about the child with the local school district (i.e. Child Find program) or public school the child attends.
3. When the agency does not have custody of the child the caseworker must attempt to obtain parental consent in order to refer the child to the local school district (i.e. Child Find program) or public school the child attends.
 - a. If parental consent is obtained, the caseworker must contact the local school district (i.e. Child Find program) or public school the child attends to complete the referral.
 - b. If parental consent is not obtained, the caseworker must staff this with their supervisor.
4. If the child is currently enrolled in a public school, the caseworker or designee shall contact the school the child attends to complete the referral.
5. If the child is not currently enrolled in a public school, the caseworker or designee shall contact the school district's Child Find program where the child resides to complete the referral (Click [HERE](#) for contact information for each school district). This includes children who:
 - a. Are over the age of three (3) years old, but not yet of age to attend public school; or
 - b. Are homeschooled; or
 - c. Attend a private or charter school.

Notification to parents of referral made:

1. When a referral has been made the caseworker must attempt to explain to the parents or primary caregiver:
 - a. The purpose and requirement for the referral;

- b. That someone from the school district or local school will contact parents or primary caregiver; and
- c. How the services can benefit the child and their family.

Documenting Child Find/Student Support Services Referrals

1. Each referral must be documented in the Service Array Window (CFS 067) in UNITY by the caseworker or designee. See attachment 502B: Service Array Window Instructions.
2. If applicable, parental consent must be documented in a UNITY case note within five (5) business days.

Monitoring of Developmental Needs and Services

1. The agency will continue to monitor and assess the child’s developmental needs and make appropriate referrals when needs are identified.
2. The child welfare agency will monitor developmental services received by children monthly throughout the life of the child welfare case.
3. The caseworker shall clearly document the child’s and family’s services and progress in UNITY case notes and the Child Wellbeing section when updating the case plan and incorporate the information at Child and Family Team Meetings (CFT).

Timeline: Policy/procedure development and implementation will adhere to any statewide policies when developing internal policy timelines.

Requirement	Starting Date	Deadline	Responsible Party	Actions to be Taken
CAPTA Referral: Refer child under the age of three (3) who is involved in a substantiated case of abuse or neglect to NEIS	When case finding is substantiated	Within five (5) business days of substantiation or via weekly automated reporting	Assigned caseworker or designee or Weekly automated report	-Complete referral to NEIS using CAPTA referral form or via weekly automated reporting
IDEA Referral: Complete referral to NEIS if concerns for development are identified with child under the age of three (3). Parental consent is required if child is not in the custody of the agency.	When developmental concerns are identified	Within five (5) business days of identifying developmental concerns	Assigned caseworker or designee	-Attempt to obtain parental consent, if required -If obtained or not required, complete referral to NEIS -Use IDEA (Non-CAPTA) referral form
IDEA Referral: Complete referral to NEIS if infant has CARA Plan of Care and the case will not be substantiated. - Parental consent must be obtained if agency does not have custody. - If the case is being substantiated, complete CAPTA referral.	When determination to not substantiate is made.	Within five (5) business days of determination to not substantiate case and infant has CARA Plan of Care	Assigned caseworker or designee	-Attempt to obtain parental consent, if required -If obtained or not required, complete referral to NEIS -Use IDEA (Non-CAPTA) referral form

Requirement	Starting Date	Deadline	Responsible Party	Actions to be Taken
Refer child between the ages of three (3) and twenty-one (21) who may be in need of educational services. Parental consent is required if child is not in custody of agency.	When child is identified to possibly need educational services	Within five (5) business days of identifying child may be in need of educational services	Assigned caseworker or designee	-Attempt to obtain parental consent, if required -Refer children who do not attend public school to the school district. -Refer children who attend public school by contacting their school.
Monitor developmental services.	When child is referred for services.	As needed, but not less than monthly	Assigned caseworker or designee	-Contact with developmental service providers. -Document services in UNITY case notes and Child Wellbeing of case plan -Incorporate information into CFTs

Documentation: This section outlines what documentation must be done in the case files and/or UNITY to be in compliance with the state policy.

Case File Documentation (paper)

File Location	Data Required
<ul style="list-style-type: none"> Primary File 	<ul style="list-style-type: none"> Completed referral form Documentation of child's developmental services plan and progress

UNITY Documentation (electronic)

Applicable UNITY Screen	Data Required
<ul style="list-style-type: none"> Service Array Window 	<ul style="list-style-type: none"> NEIS Referral completed School district or public school referral completed Update to reflect services provided
<ul style="list-style-type: none"> Case Notes 	<ul style="list-style-type: none"> Document services and progress
<ul style="list-style-type: none"> Case Plan (Child Well-Being) 	<ul style="list-style-type: none"> Document services and progress

JURISDICTIONAL ACTION

Development of Internal Policies: Agencies which provide child welfare services shall develop internal policies and procedures as necessary to implement the provisions of Federal and State law and this policy.

Agencies are encouraged to expand communication with local NEIS and special education services to enhance understanding of each other's services, policies, procedures, responsibilities, and restrictions. Additionally, Agencies are encouraged to develop additional policies or procedures with their local NEIS and special education services to facilitate the referral process, enhance communication, and ensure service coordination on behalf of families.

Supervisory Responsibility: Provide guidance to caseworker during times of concern of uncertainty in regard to this policy.

STATE RESPONSIBILITIES

The State will provide technical assistance regarding program development and implementation to the child welfare agencies. The state will monitor ongoing compliance with this policy through the quality assurance process.

POLICY CROSS REFERENCE

[0519 CARA Plan of Care Policy](#)

History and Updates: This policy supersedes 0502.0 Child Abuse Prevention and Treatment Act (CAPTA) – Individuals with Disabilities Education Act (IDEA) Part C that was effective as of 09/27/2005.

ATTACHMENTS

502A – CAPTA Referral Form
502B – Service Array Window Instructions