



Guide for
Parents and
Caregivers Involved
with
**CHILD
PROTECTIVE
SERVICES
(CPS)**

**RIGHTS, RESPONSIBILITIES,
AND
ANSWERS
TO FREQUENTLY
ASKED QUESTIONS**



Rhode Island Department of
Children, Youth & Families

If you need an interpreter because you don't speak the same language as the investigator, you can request one for free.

If you and/or your child identify as having a disability, your caseworker must ensure reasonable accommodations are made to help you participate in DCYF services.

Si necesita un intérprete porque no habla el mismo idioma que el investigador, puede solicitarlo de forma gratuita.

Si usted y/o su hijo identifican que tienen una discapacidad, su investigador social debe asegurarse de que se hagan adaptaciones razonables para ayudarlo a participar en los servicios del DCYF.

What is DCYF?

DCYF stands for the Rhode Island Department of Children, Youth & Families. This organization is responsible for helping children and their families who are dealing with child protection, behavioral health, and juvenile justice issues. Their mission is to partner with families and communities to raise safe and healthy children and youth in a caring environment. DCYF staff are expected to engage respectfully and effectively with people from all backgrounds, recognizing the value of all individuals and protecting their dignity.

We understand this is a stressful time for you. The goal of this booklet is to provide answers to some of your questions, clarify your rights and responsibilities, and give you important contact information. If you have additional questions, do not hesitate to ask the investigator assigned to your family.

CONTACT INFORMATION

DCYF Child Protective Services (CPS)

Investigator's Name: _____

Phone: _____

Supervisor's Name: _____

Phone: _____

Office Address: 101 Friendship St., Providence, RI 02903

Hours: Monday through Friday, 8:30 a.m. - 4 p.m.

Phone: (401) 528-3500

24 Hour Hotline: 1 (800) RI CHILD

1 (800) 742-4453

What is child abuse and neglect?

Child abuse or neglect is when a child is seriously harmed or at risk of serious harm due to the actions or inactions of a parent, caregiver, or anyone responsible for the child's well-being.

Why has an investigator from CPS come to my home?

An investigator from Child Protective Services (CPS) has come to your home because CPS received a report suggesting that your child might have been abused, neglected, or is at risk. Rhode Island law requires anyone who believes that a child might be abused or neglected to report it to CPS. These reports are made on behalf of the child, not against the parents or family.

The investigator's role is to assess the functioning of your family and ensure that your child is safe.

Who filed the report?

By law, DCYF cannot disclose who made the report. However, the investigator will try to provide as much detail as possible regarding the report.

What if I don't want my family to be investigated?

In most cases, families cooperate with CPS during the investigation. However, sometimes families are not willing to talk to an investigator. It is important to understand the investigation is being conducted because there are concerns for your child's safety and your family's well-being. During an investigation, CPS is required to meet with parents and all children in the household. If a family refuses a home visit or obstructs the investigation in other ways, CPS may seek assistance from the police or the courts. Remember, the investigator's purpose is to ensure your child's safety, and once the investigation is completed, you will receive a letter with the findings.

What happens during an investigation?

Interviews: The investigator collects information about the report of abuse or neglect by talking to you and other members of your household. The investigator must see all the children in your home, especially the child for whom the report was made. The investigator may also want to speak to your child's teachers, pediatrician, counselor, or other individuals with relevant information. You can also provide the investigator with the names of people who know you, like a neighbor or a member of the clergy. These interviews with your family and others are the basis of the investigation.

Safety Plan: If the investigator identifies safety concerns, you will be asked to take steps to ensure your child's safety. Every family has strengths, and the investigator will work with you to identify them. Together, you will create a Safety Plan built upon your strengths, along with available services and supports, to ensure your family's safety and stability. A Safety Plan is a written agreement developed by you with the investigator, your family and supportive individuals in your life. It clearly outlines what needs to be done to manage safety concerns in your home so your child can remain there safely.

Assessment: The investigator will get a comprehensive understanding of how your family functions through in-depth interviews and conversations. They will look at how your family interacts, your parenting capacities, and your child's needs. The investigator will determine any necessary behavioral changes to promote child safety. Your input in this process is important and will be considered in the assessment and in recommendations for services. If services are recommended, your input will also be considered when choosing service providers and making other decisions.

Outcomes: The investigator will determine whether abuse or neglect is likely to have occurred. They will also determine whether any safety risks are present. Families may need to be referred to community-based services. They may need the help of a social caseworker to plan for their family's safety and well-being. In some cases, the investigator may need to remove a child temporarily from their home.

How long does an investigation last?

Investigations usually take 30 days to complete.

How will I know the results of the investigation?

You will receive a Notification Letter about the findings upon completion of the investigation.

If the investigator determines my family needs more support, what happens next?

If safety concerns remain after planning with you and your family, DCYF will need to work with you to put additional supports in place.

If your home is safe for your child without significant safety concerns, your family might be referred to the Family Community Care Partnership (FCCP). FCCP is a group of community-based service providers who offer services to help maintain your child's safety at home.

If your family has ongoing safety concerns, the case will be transferred to DCYF's Division of Family Services. This division has trained social caseworkers who help families with ongoing case planning. Your family will be assigned a social caseworker.

Does DCYF file criminal charges?

No, DCYF does not file criminal charges. However, in specific situations, such as reports of sexual abuse, severe physical injury, or child death, DCYF is required by law to notify law enforcement, who have the authority to file criminal charges.

Will my child be taken away?

Most children stay in their homes. DCYF's goal is to keep children with their families whenever possible and work to ensure their health and safety needs are met. If a child cannot remain safely at home, every effort is made to place children with family members or people they know. In a small number of cases where there is an immediate risk of harm, DCYF might ask the court for permission to remove a child and place them with family members or in a foster home. In emergencies, DCYF can remove a child before receiving court permission but must appear in court within two days to request approval. DCYF's goal is to return the child home as soon as it is safe to do so.

If my child is removed from home, how will DCYF minimize the effect of the separation on my child?

DCYF minimizes the negative effects of separation by providing age-appropriate information about why children are being separated from their parents and what will happen next. DCYF also makes sure children have personal items they need, explain when they will see their families again, and maintain contact with their families and cultural or tribal communities. The agency discusses separation and loss and collects information about children's daily routines, cultural practices, preferred foods and activities, education, and health needs. DCYF also ensures children receive the necessary medications and medical equipment and any additional information to ensure they receive appropriate care.

If my child is removed from home, how will DCYF minimize the effect of the separation on my family?

DCYF minimizes the negative effects on families by providing information about what will happen next, explaining parents' rights and responsibilities, and how family members can maintain contact with children. DCYF discusses separation and loss and address immediate needs related to the separation.

Caring Connection Calls

DCYF uses Caring Connections Calls to support you and foster parents/kinship caregivers and to build relationships, so you can collaborate and share.

A Caring Connections Call is a telephone or video call connecting you and foster parents or kinship caregivers so you can ask questions and share valuable information about the care of your child.

DCYF's goal is to help all the caring adults involved in a child's life work together to best support the child and each other.

Children are most likely to benefit and thrive when the important adults in their lives cooperate with each other and share responsibilities and decision-making. DCYF is committed to making the Caring Connection Call as soon as possible after the child is placed into care.



Rights and responsibilities during the investigation

You have the **right** to:

- Request a professional interpreter if you do not speak the same language as the investigator, at no cost to you.
- Know why DCYF is involved with your family.
- Know the alleged abuse or neglect details in the CPS report.
- Understand any safety concerns found by DCYF.
- Understand the possible results after the assessment, including what actions DCYF could take.
- Consult with an attorney at any time at your own expense.
- Learn about the services DCYF can offer to your family.
- Accept or refuse services that are not court-ordered.
- Suggest relatives/kin or other caring adults in your life who can care for your child if needed; kin are given priority consideration.
- Receive written notification of the results of the investigation.
- Be informed of any legal actions taken by DCYF.
- Have an attorney with you in court if DCYF seeks custody of your child.
- Request your records through DCYF's Records Center.
- Make a complaint or appeal regarding any decisions made by DCYF.

Your **responsibilities** are to:

- Cooperate with the assessment by letting the investigator know what you see as your family's strengths and help to identify resources that may be sources of strength and support to your family.
- Tell the investigator what you see as your family's challenges and how you would like to solve them.
- Work in partnership with the investigator on the plans and tasks to strengthen your family.
- Tell the investigator about any major changes in your life within seven days, such as changes to your address, telephone numbers, people living with your family, marital status, or other changes affecting your family or safety plan.
- Provide necessary information to participate in appropriate services.
- Treat DCYF staff respectfully and avoid harassment and violence toward any parties involved with your case.

What are my civil rights?

Under the law, DCYF may not discriminate based on factors such as disability, race, color, sex or gender identity, sexual orientation, age, national origin, religious or political beliefs, ancestry, familial or marital status, genetic information, association, or previous assertion of a claim or right. Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act requires reasonable modifications to policies, programs, services, and activities to avoid disability-based discrimination, and DCYF is committed to making reasonable modifications.

DCYF also provides effective communication and language access to ensure that everyone has equal access to their programs and services, including those with limited English proficiency or communication-related disabilities. Interpretation, translation services, and auxiliary aids are available at no cost to help with effective communication.

What are DCYF's responsibilities?

DCYF staff are responsible to:

- Maintain the confidentiality of your information.
- Not use state resources to investigate friends, neighbors, or relatives.
- Provide services only within the boundaries of their roles.
- Avoid conflicts of interest and be transparent about any questionable activities.
- Inform families of their risks, rights, opportunities, and obligations related to services.
- Clearly define who the clients are and what professional obligations apply when working with multiple people.
- Provide children and parents with information about eligible services.
- Stay up to date on child welfare best practices.
- Inform families of their right to appeal if you're not satisfied with agency decisions.
- De-escalate tense situations and support families who experience harassment or violence.

My child is a member of an Indian tribe or is the child of a member of an Indian tribe. What do I need to know?

If your child is a member of an Indian tribe or eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe, you should inform DCYF as soon as possible. DCYF will contact the tribe to collaborate on the investigation in compliance with The Indian Child Welfare Act (ICWA), a federal law that protects the best interests of Indian children and promotes the stability and security of Indian tribes and families. ICWA provides guidance to states regarding the handling of child abuse and neglect and adoption cases involving Native children and sets minimum standards for these cases. ICWA protects children from improper removal from their parents' custody.

What kinds of services does DCYF provide?

During the assessment, CPS can make referrals for parents/caregivers who struggle with addiction. A referral can also be made for a peer recovery specialist for support if a parent/caregiver is struggling with a substance use disorder.

DCYF offers case management and connections to various services directly or through other organizations. Your caseworker will explain the specific services available in your community. The types of services often received by families include family support services, child behavioral health services, mental health services, domestic violence services, substance abuse treatment, foster care, residential treatment, adoption, and kinship legal guardianship.



I don't agree with DCYF's actions. How can I make a complaint or appeal a decision?

If you are seeking or receiving services, you have the right to make complaints and appeal decisions related to various aspects, including visitation, placement, or removal of children from foster homes, case planning, discrimination, licensing issues, certification issues, and indicated child abuse or neglect findings. The Department has a process for receiving complaints and an appeal process.

You can start by voicing your complaint to your assigned DCYF staff member, their supervisor, or their administrator. Try to resolve your complaint through discussions with the staff who made the decision or their supervisor. If you cannot resolve your complaint at this level or want to file an appeal directly, you must file the complaint or appeal **within 30 days** of receiving DCYF's decision. To file a complaint or appeal, contact the Executive Office of Health and Human Services (EOHHS) Appeals Office by phone at (401) 462-2132 or by writing to: EOHHS Appeals Office, Virks Building, 3 West Rd., Cranston, RI 02920. Copies of DCYF's Complaints and Hearings policy and procedures may be obtained from DCYF staff or the EOHHS Appeals Office. To request an appeal, you must complete an Appeals form and file it with EOHHS. This form can be submitted online, by phone, in person, or by mail.



My notification letter says I am “indicated” for child abuse/neglect. Can this be appealed?

Yes, if your case is indicated, this means that, based on a preponderance of evidence, the allegation of child abuse or neglect did occur. If the investigation is indicated, the information will remain in the DCYF record unless the findings are successfully appealed.

You have the right to appeal the findings. You will receive information on how to appeal along with your Notification Letter about the investigative findings. You can submit a written notice to the EOHHS Appeals Office within 30 days of receiving DCYF’s decision.

Does this investigation stay on record?

If the investigation is unfounded, this means that, based on a preponderance of evidence, the allegation of child abuse or neglect did NOT occur. The information will be kept in DCYF records for three years and then removed. The records will not be shared with anyone and will not be held against the person the investigation was about. If the investigation is indicated, the information will remain in the DCYF record unless the findings are successfully appealed.

How do I file a civil rights complaint?

You have the right to file a civil rights complaint if you believe DCYF has discriminated against you or someone you know. You can make civil rights complaints with any of the following:

- DCYF’s ADA/Civil Rights Coordinator
- the Rhode Island Equal Opportunity Office
- the RI Commission for Human Rights
- DCYF’s Administrative Hearing Office
- the federal funding agency
- State or Federal Court

RESOURCES

Family Care Community Partnerships (FCCPs)

Family Service of Rhode Island

55 Hope Street
Providence, RI 02906
Intake: (401) 519-2280

Cities/Towns Served

Cranston
Providence

Communities for People

210 West Ave.
Pawtucket, RI 02860
(833) 322-7123

Cities/Towns Served

Central Falls,
East Providence, Pawtucket

Child & Family

31 John Clarke Rd
Middletown, RI 02842
(401) 849-2300*
*Also 24/7 Emergency
Services number.

Cities/Towns Served

Barrington, Bristol,
Jamestown, Little Compton,
Middletown, Newport,
Portsmouth, Tiverton, Warren

Tri County Community Action

1935 Kingstown Road
Wakefield, RI 02978
(401) 789-3016
FCCP Intake: (866) 840-6532
24/7 Emergency Services
401) 258-8678

Cities/Towns Served

Charlestown, Coventry,
East Greenwich, Exeter, Hopkinton,
Narragansett, New Shoreham,
North Kingston, Richmond, Warwick,
West Kingston, West Warwick,
Westerly

Community Care Alliance

800 Clinton Street, 2nd Floor
Woonsocket, RI 02895
(401) 235-7252
24/7 Emergency Services:
(401) 235-7120

Cities/Towns Served

Burrillville, Cumberland, Foster,
Glocester, Johnston, Lincoln,
North Providence,
North Smithfield, Scituate,
Smithfield, Woonsocket

Legal Resources

RI Legal Services

56 Dyer St.

Providence, RI 02903

(401) 274-2652, (800) 662-5034

Monday through Friday, 8:30 – 4:30

RI Public Defender

160 Pine St.

Providence, RI 02903

(401) 222-3492

E-mail: ncarrara@rils.org

Glossary of Legal Terms

- Allegation: A claim or statement of child abuse and/or neglect.
- Preponderance: The largest or greater amount.
- Indicated: The investigation finds that, based on a preponderance of evidence, the allegation of child abuse or neglect DID occur.
- Unfounded: The investigation finds that, based on a preponderance of evidence, the allegation of child abuse or neglect DID NOT occur.
- Findings: A conclusion reached at the end of an investigation.
- Expunge: To remove completely.

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