



**New Jersey Department of Children and Families Policy Manual**

Manual:	IAIU	Institutional Abuse Investigation Unit	Effective Date:
Volume:	I	Institutional Abuse Investigation Unit	
Chapter:	A	Institutional Abuse Investigation Unit	4-1-2013
Subchapters:	I	Institutional Abuse Investigation Unit	
Issuance:	700	<b>Remedial Action, Corrective Action and Monitoring</b>	

**Overview** **7-31-2008**

This policy addresses Remedial Action, suspending use of resource family homes, Corrective Action, and IAIU Systems Partners Collaboration.

**Remedial Action** **12-27-2011**

At the onset of an investigation, an IAIU Investigator must assure the safety of the child victim and other children at the facility. The IAIU investigator must assess all remedial actions taken by the Administrator and, if necessary, request that additional remedial action be taken to further assure child safety while the investigation proceeds.

When making the recommendations for changes/remedial actions, the Investigator exercises the principles of investigation, remediation, and prevention.

In some instances, the facility Administrator will request documentation of IAIU recommendations in order to proceed with remedial action. The Interim Status Report may serve this purpose.

**Interim Status Report** **12-27-2011**

If, at day 45 of the investigation, it can be determined that the report will not be completed within 60 days, the Investigator, with the Supervisor’s approval, sends an Interim Status Report to the Facility Administrator, to advise that the investigation is still in progress and, when completed, a final report will be sent.

IAIU sends Interim Status Reports to confirm:

- Remedial actions taken by the facility, and
- Other concerns, which need to be immediately addressed.

If the investigation involves a DCF licensed or regulated facility, IAIU sends a copy of the Interim Status Report to the Office of Licensing and to each appropriate CP&P Local Office. Retain a copy of the Interim Status Report in the IAIU investigation file.

**Suspending a Resource Family Home, Pending Completion of IAIU Investigation  
7-31-2008**

Upon receipt of a CPS-IAIU report concerning a resource family home, the State Central Registry Screener has the authority to suspend the home to additional placements as a remedial action, pending the outcome of the IAIU investigation.

See CP&P policy at [CP&P-II-A-1-100](#) and [CP&P-IV-B-6-700](#).

**Lifting Suspension on Resource Family Home 10-27-2008**

The CP&P Resource Family Support Worker (RFSW) assigned to the resource family home is responsible for lifting the suspension of the resource family home to new placements, if this action is supported by both IAIU findings and recommendations and the DCF Office of Licensing. The Contract Administration Unit in the Area Office (that oversees the contract) is responsible for lifting the suspension of a Contracted Foster Home under this policy.

**Suspending Referrals to a Facility 7-31-2008**

SCR does not suspend referrals to facilities at screening. The Institutional Abuse Investigation Unit may recommend the "suspension of referrals" to a facility (residential treatment center, group home, etc.), however, when protective action needs to be taken on behalf of the children at a facility due to:

- A pattern of abuse/neglect that puts the population at risk;
- The facility's policies - or lack thereof - which may put children at risk; or
- The repeated actions of particular staff.

IAIU assures that all appropriate facility supervisory authorities are fully aware of the concerns identified, and of IAIU's recommendations for remedial, and, ultimately, corrective action regarding the facility. IAIU includes the Division of Child Behavior Health Services in the notification. Document who at the Children's System of Care was notified of the concerns, and the timeframe for notification.

**Input from IAIU, OOL, and Contracting to Impose or Lift a Suspension  
10-27-2008**

Representatives from IAIU, OOL, and Contracting consult, to thoroughly discuss:

- The need for, and ramifications of, a suspension of referrals to a facility;
- The specific factors considered when drawing the conclusion to suspend referrals or lift the suspension;
- What remedial or corrective action is required to permit use of the facility while protecting children and assuring their safety;
- Which unit will take the lead in monitoring the corrective action plan.

Input from all three entities is essential prior to making a decision to impose or lift a suspension.

### **Recommendations/Corrective Action**

**4-1-2013**

When a CPS-IAIU report is Substantiated or Established, or concerns are identified, IAIU provides a list of concerns to the facility Administrator in its finding determination letter (in a section called "Recommendations for Corrective Action"). For a regulated entity, IAIU requests that a plan for, or of, corrective action be developed by the facility Administrator, and submitted to the IAIU Corrective Action/CQI Coordinator. The Administrator's plan can address staffing/personnel issues, facility policy and procedures, or both. (Non-regulated entities include, but are not limited to: public or private day schools, detention/youth correctional facilities, and contracted bus companies.)

IAIU recognizes that facility administration/practices can be responsible for institutional abuse. A facility may have policies or practices that place children at risk of exposure to harm, have inadequate procedures/policies, or have no policies/procedures to assure the well-being of children in a specific type of situation.

When a pattern of abuse/neglect emerges at a facility, the IAIU Investigator and Supervisor, after addressing the current allegation, make recommendations to address the systemic problems which have caused incidents to be repeated.

The IAIU Corrective Action/Continuous Quality Improvement (CA/CQI) Unit is responsible for receiving and reviewing the Administrator's plan of correction, to assure it addresses concerns identified during the IAIU investigation. The Unit monitors progress toward achieving the plan.

### **Special Note Regarding Non-Regulated Entities**    **4-1-2013**

Regardless of the investigation finding, IAIU cannot require corrective action by a non-regulated entity. IAIU can, however, request follow up. The non-regulated entity may take action, on a voluntary basis.

IAIU findings are investigatory only and are not adjudicated. The non-regulated entity has the responsibility to make an independent judgment as to what actions, if any, to take, based upon the results of the IAIU investigation.

Any allegation concerning a DCF Office of Education day school or facility is reported to the Public Defender Conflict Investigation Unit, rather than IAIU.

### **Corrective Action Process (Facilities) 4-1-2013**

If an investigation results in a Substantiated or Established finding, or concerns have been identified in a Not Established investigation, the IAIU Regional Office may:

- Request that the Chief Administrator of the facility formulate a plan of corrective action.
- Request that a written status report be provided to the IAIU Corrective Action/CQI Unit within 30 calendar days, describing progress in preparing the plan.
- Request that additional status reports be provided, as necessary, until the plan is written and formalized.
- Request that relevant documentation be attached to the plan or report (e.g., personnel information, training outline, reassignment, policy review or changes).

The CA/CQI Unit reviews and monitors all corrective action plans to assure follow up.

If mutually agreed upon, additional monitoring of an out-of-home care setting may be provided by the Office of Licensing. IAIU forwards OOL copies of IAIU recommendations regarding each facility/home they license, regulate, or supervise.

If the Chief Administrator fails to act - i.e., does not formulate or implement an acceptable remedial or corrective plan - the IAIU Corrective Action/CQI Unit may:

- Recommend to the supervising authority (i.e., the entity which licenses, oversees, approves, or authorizes the operation of the institution) that appropriate sanctions or actions be enforced or taken against the institution's current administration.
- Notify the Attorney General, if a private facility has no supervising authority.

### **Corrective Action Process (Resource Family Homes) 2-25-2013**

Upon completion of an Institutional Abuse Investigation Unit (IAIU) investigation regarding an allegation of child abuse or neglect in a Resource Family Home, the IAIU Investigator shall do the following:

- Make notifications regarding the disposition of the investigation, as specified in [IAIU-I-A-1-300](#), Notification and Screening Linkages; and
- Complete the appropriate IAIU investigation finding determination letter, pending on the investigation finding. These "forms" are administrative memos, sent at the completion of the investigation, used to document IAIU findings, additional observations, remedial actions, and request for corrective action.

Within 30 calendar days of receipt of the IAIU investigation finding determination letter, the Resource Home Unit, responsible for supervising the Resource Home, submits the Resource Family Corrective Action Plan, CP&P Form [5-77](#), along with all necessary attachments, to the IAIU Corrective Action/Continuous Quality Improvement (IAIU CA/CQI) Unit.

- The Resource Family Corrective Action Plan, CP&P Form [5-77](#), identifies and documents the corrective measures which have been developed, in collaboration with the Resource Parent, to address and remediate any issues or concerns, such as completing specified training, compliance with any court orders pertaining to the Corrective Action Plan (CAP), etc.

Within five (5) working days of receipt of the Resource Family Corrective Action Plan, CP&P Form [5-77](#), the IAIU CA/CQI Unit notifies the Local Office of its decision to "Approve," "Disapprove/Deny," or maintains the Corrective Action Plan submitted as "Pending."

If the Corrective Action Plan is "Pending," the Resource Family Corrective Action Plan, CP&P Form [5-77](#), and any additional supporting documents relevant to the pending status, are resubmitted to the IAIU Corrective Action/CQI Unit. Reasons for a CAP to remain in "Pending" status include, but are not limited to:

- Awaiting additional documentation;
- Awaiting completion of Resource Parent training;
- Awaiting completion of monitoring;
- Awaiting evaluation results.

If the Corrective Action Plan is "Disapproved," an amended plan, with supporting documents, must be submitted by the Local Office Resource Home Unit to the IAIU CA/CQI Unit. Reasons for a CAP being "Disapproved or Denied" include, but are not limited to:

- Plan was not progressive as it relates to prior actions;

- Plan does not satisfactorily address concerns;
- Plan lacks supporting documentation (Resource Parent Signatures, Training Completion Certificate, etc.)

The IAIU CA/CQI Unit monitors all Corrective Action Plans to assure satisfactory resolution of all issues and concerns identified in the IAIU investigation finding determination letter.

No suspension may be lifted or status letter sent to the Resource Family without prior review and approval of the Resource Family Corrective Action by the IAIU CA/CQI Unit.

The IAIU CA/CQI Unit will bring any issues or concerns regarding the timely formulation and implementation of the Corrective Action Plan to the attention of the chain of command responsible for the Resource Home, beginning at the Local Office level and proceeding up the chain, as needed.

### **Corrective Action File**

**7-31-2008**

The completed corrective action packet is kept on file in the Corrective Action/Continuous Quality Improvement Unit in IAIU's Central Office. A copy of a completed Corrective Action packet will be placed in the IAIU Central Office investigation file as well as the Regional Office investigation file.

### **IAIU System Partners Collaboration / Overview**

**3-9-2009**

In an effort to solidify communication among internal system partners, assure the safety of children in out-of-home settings, and improve the quality of IAIU investigations, the Institutional Abuse Investigation Unit's Corrective Action/Continuous Quality Improvement Unit initiates and maintains regular communication with its system partners - the DCF Office of Licensing (OOL), the DCF Children's System of Care (CSOC), CP&P Resource Family Support Units (RFSU), the Division of Developmental Disabilities (DDD) Special Response Unit (SRU), the State Central Registry (SCR), etc. The Supervisor of the IAIU CA/CQI Unit convenes monthly meetings to enhance internal communication and cooperation.

### **DCF Office of Licensing (OOL)**

**7-31-2008**

IAIU and the Office of Licensing engage in various communication processes in an effort to assure child safety. At the outset of an investigation, an IAIU Investigator contacts the assigned OOL Inspector to obtain collateral information regarding the facility or other licensed out-of-home care setting.

Depending on the dynamics of the investigation, an IAIU Investigator may request that an OOL Investigator participate in a joint field response. At the conclusion of the investigation, OOL is notified of IAIU's investigation finding determination.

See [IAIU-I-A-1-1800](#), Office of Licensing/IAIU Agreement.

**DCF Children's System of Care**

**4-1-2013**

IAIU and the Children's System of Care (CSOC) maintain communication through IAIU's notification of findings to the CSOC at the completion of all Substantiated and Established investigations.

**Division of Development Disabilities Special Response Unit (SRU)**

**7-31-2008**

IAIU and the Special Response Unit (SRU) have established an internal system to assure that communication is established at the onset of a joint investigation, with all factual information shared. Although findings may differ based upon differing statutory and regulatory definitions of abuse and neglect, it is imperative that factual information be consistent in both investigations. It is understood that each unit is working under its respective Department's mandate to complete investigations within 60 (sixty) calendar days.

**DCF State Central Registry (SCR)**

**3-9-2009**

The State Central Registry (SCR) provides round-the-clock accessibility for the public to report suspected child abuse or neglect to the State of New Jersey, including allegations of institutional abuse/neglect. The SCR hotline operates pursuant to N.J.S.A. 9:6-8.12. SCR Screeners assign CPS-IAIU reports directly to IAIU Regional Offices for investigation. (SCR assigns CPS-IAIU reports to SPRU for reports received after hours.)

IAIU and SCR each have named liaisons to each other's operation, to facilitate communication, decision-making, ease of assignment, and dispute resolution.