

Legal Responsibility for Child Protective Services

Statutory References

Social Security Act
Texas Family Code
Human Resources Code

Major Provisions

- Definitions of abuse and neglect of children;
- Mandatory reporting of suspected abuse or neglect of children;
- Prepare and disseminate statistics by county relating to CPS in an annual report made available to the legislature and general public;
- Responsibility for receiving reports of suspected abuse or neglect of children;
- Responsibility for thorough investigation of a report of child abuse or neglect allegedly committed by a person responsible for a child's care, custody or welfare;
- Responsibility to assign priorities and prescribe investigative procedures for investigations based on the severity and immediacy of the alleged harm to the child;
- Take action to protect abused and neglected children from further harm;
- Establish review teams to evaluate department casework and decision-making related to investigations of child abuse or neglect.
- Employ a CPS investigations coordinator (Child Safety Specialist) to conduct staff reviews and evaluations of cases determined to involve high risk, monitor cases with multiple referrals, and approve decisions and assessments related to investigations which involve a high risk to the health or safety of a child.
- Work with children and their families, providing services to prevent further abuse, help alleviate the effects of the abuse suffered, prevent removal of the child from the home, and provide reunification services when appropriate for the return of the child to the home;
- When necessary, secure appropriate court orders and take possession of a child if there is an immediate danger to the physical health or safety of the child or the child has been a victim of neglect or sexual abuse and that continuation in the home would be contrary to the child's welfare;
- Make reasonable efforts to secure the return of the child;
- Develop a service plan in conference with the child's parents to determine return of the child to the child's parents, termination of parental rights and placement of the child for adoption, or because of the child's special needs or exceptional circumstances continue the child's care out of the child's home;
- Provide substitute care for children until the problems have been sufficiently resolved;
- Provide permanent placement for children who cannot safely return to their home.
- Establish a database of all verified foster homes willing to accept foster care placement of a child in care;
- Recruit potential adoptive parents for children whose parents have had their parental rights terminated.

Concepts Guiding Risk Determination

| Child Vulnerability | Home Environment | Caregiver Capability | Quality of Care |
|----------------------------|-------------------------|-----------------------------|------------------------|
| Child Fragility | Stressors | Knowledge | Quality of connection |
| Child Behavior | Dangerous Exposure | Skills | Emotional care |
| | | Capacity | Physical care |

| Social Environment | Response to CPS | Maltreatment Pattern |
|---------------------------|------------------------|-----------------------------|
| Social climate | Attitude | Chronicity |
| Social violence | Deception | Current severity |
| | | Trends |

Fiscal Year 2004 Expenditures and Staffing

CPS Staff Costs \$233,044,138

4,840 Direct Delivery (supervisors, workers, clerical)
5,137 Total Staff

Purchased Services \$51,765,069

- Counseling/Evaluation/Testing
- Homemaker Services
- Parent/Community Groups
- Post Adoption Services Program
- Day Care Services
- ... and many more

Foster Care Payments \$329,776,100

Adoption Subsidy Payments \$98,549,154

Federally Funded Special Projects, Staff Costs and Purchased Services \$4,870,735

38 Total Staff