
CPS - MIC INVESTIGATIONS

The Children's Protective Service Maltreatment in Care Unit (CPS-MIC) was developed by the Michigan Department of Health and Human Services (MDHHS) to investigate:

- Alleged abuse and/or neglect (CA/N) of a foster child placed in licensed foster homes and/or unlicensed/licensed relative homes or independent living.
- All complaints of abuse/or neglect of a child in a child caring institution (CCI) including youth homes, shelter homes, residential care facilities, halfway houses, camps, court operated facilities and detention facilities.
- Allegations of CA/N of a child in a child caring facility (CCF), including registered family child care homes, licensed group child care homes and licensed child care centers.

CPS-MIC Intake

When the intake process does not provide sufficient information to complete a screening decision, Centralized Intake (CI) will complete a preliminary investigation. This preliminary investigation must include attempted contact with the assigned foster care worker and if appropriate, the foster home certification worker or Division of Child Welfare Licensing (DCWL)/ Bureau of Community and Health Systems (BCHS) licensing consultant.

If the complaint is the third CPS complaint on a foster family or care provider **and** the complaint includes a child age three or younger, CI must conduct a preliminary investigation.

If the preliminary investigation indicates that the complaint may have basis in fact, a field investigation must be completed, if the complaint meets assignment criteria.

The Intake Decision Table for Investigation of Child Abuse and Neglect in Child Care Organizations/Relative Care specifies the responsibilities of CPS and the CPS-MIC for investigation of CA/N complaints received by MDHHS.

INTAKE DECISION TABLE FOR CPS AND CPS-MIC INVESTIGATIONS

Facility/Placement Type	Responsible Unit - Department	
	CPS	CPS-MIC
Child caring institution (detention centers; youth homes; shelter homes; residential care facilities, both long- and short-term; halfway homes; court operated facilities).		
Allegations against an employee of a CCI for CA/N of a child residing in a Child Caring Institution (CCI).		X
Allegations against a parent for CA/N (for example, during a weekend visit) while the alleged child victim is placed in the CCI.		X
Allegations against an employee of a CCI for CA/N made after the child has been returned to a parent's care.		X
Allegations against a licensed/registered provider or an employee of a child care organization of abuse/neglect of their own children.	X	
Child foster care-family, unlicensed and relative foster care providers, court operated facilities, and group homes (MDHHS, court, private agency, mental health, etc.).	CPS	CPS-MIC
Allegations against a licensed or unlicensed foster parent for CA/N while the alleged child victim resides in the foster home.		X
Allegations against a licensed or unlicensed foster parent for CA/N when both biological children and foster children reside in the home.		X
Allegations against a parent for CA/N (for example, during a weekend visit) while the alleged child victim is placed in foster care.		X
Allegations against a licensed or unlicensed foster parent for CA/N after the alleged child victim has been returned to a parent's care.		X
Allegations against a licensed or unlicensed foster parent for CA/N of biological children when foster children do not reside in the home.	X	

Allegations against a parent for CA/N of an alleged child victim prior to going into out-of-home care (but currently in out-of-home placement).	X	
Parents caring for children under court jurisdiction (in-home CPS and under MDHHS supervision following return home from foster care).	CPS	CPS-MIC
Allegations against parents for CA/N of children currently in their care.	X	
Allegations against parents for CA/N of a child in the parent's care (not under the court's jurisdiction).	X	
Child Care Facilities- CCF (complaints involving children, regardless of court jurisdiction, while in a licensed foster home).	CPS	CPS-MIC
Licensed registered facilities (registered family child care homes, licensed group child care homes, and licensed child care centers).		X
Allegations against a biological parent who is licensed to operate a child care facility of CA/N only against their own children.	X	
Unlicensed facilities (should be referred to The Department of Licensing and Regulatory Affairs and/or law enforcement).	n/a	n/a
Camps- licensed facility		X
Allegations against a bio parent who is licensed to operate a camp facility of CA/N only against their own children.	X	
Unlicensed facilities (refer to the Department of Licensing and Regulatory Affairs and/or law enforcement).	n/a	n/a

**Multiple Families
in Same
Household**

When CI receives allegations meeting assignment criteria on multiple families residing in the same household, and one of the families meets criteria for assignment to CPS-MIC, CI will assign all of the complaints within that household to CPS-MIC.

**County
Assignment**

CPS-MIC investigations are assigned to the county where the CA/N occurred regardless of the victims' current residence.

Note: CI may assign complaints received after-hours to the county where the child victim is located to ensure contact is made.

Foster Child

Refer to [FOM 722-13A, Centralized Intake Responsibilities](#), for guidance regarding complaints of abuse or neglect on a foster child.

**ADMINISTRATIVE
RULE VIOLATIONS****Division of Child
Welfare Licensing
(DCWL)**

The Division of Child Welfare Licensing (DCWL) is responsible for investigating administrative rule violations occurring in the following regulated child care organizations:

- Child caring institutions (CCI).
- Court operated facilities (COF).
- Child placing agencies (CPA).

**Bureau of
Community and
Health Systems
(BCHS)**

The Department of Licensing and Regulatory Affairs, Bureau of Community and Health Systems (BCHS) is responsible for

investigating administrative rule violations occurring in the following regulated child care organizations:

- Child (day) care centers.
- Family and group child (day) care homes.
- Camps.

When CI receives complaints solely related to administrative rules involving any of the above, they must transfer these complaints and refer them to the appropriate agency (DCWL or BCHS) within 24 hours of receipt of the complaint. Preliminary Investigations may not be required by CI in order to transfer these complaints.

Note: DCWL and/or BCHS staff are required to file a new complaint of CA/N with (CI) whenever there is a suspicion of CA/N by a person responsible for the child's care.

Notification to CPS-MIC and DCWL/BCHS

When the CPS-MIC complaint involves a child victim placed in foster care, and the complaint is not assigned for investigation or is transferred to licensing, Centralized Intake (CI) will e-mail a notification of the complaint and decision to the director of the county where the child is a ward. If the CPS-MIC complaint is assigned, the CPS-MIC investigator will make that e-mail notification to the director of the county where the child is a ward. [See FOM 722-13A, Centralized Intake Responsibilities.](#)

Any complaint not assigned for investigation involving a child care institution or child placing agency, including a licensed foster home, will be referred to (DCWL) no later than 24-hours after the complaint is received. Contact the DCWL complaint line at (844) 313-3447. Complaints can be faxed to (517) 373-8570 or emailed to MDHHS-DCWLcomplaints@michigan.gov.

Any complaint not assigned for investigation involving a child care facility/home, camp or adult foster care will be referred to (BCHS) as soon as possible, but no later than 24 hours after the complaint is received. Contact the BCHS complaint line at (866) 856-0126. Complaints can be faxed to (517) 284-9739 or submitted online at http://www.michigan.gov/lara/0,4601,7-154-63294_27723_27777_72411---,00.html. CPS-MIC will be responsible for notifying DCWL/BCHS within 24 hours of assignment.

When CA/N is alleged to have occurred in an unlicensed/unregistered child care facility, CI will refer to BCCHS and also send a Law Enforcement Notification (LEN) to the law enforcement agency and prosecuting attorney's office in the jurisdiction where the alleged CA/N occurred.

CI will refer to BCCHS and send a law enforcement notification (LEN) to both the law enforcement agency and prosecuting attorney's office covering the jurisdiction where the alleged CA/N occurred; if the CA/N has occurred in unlicensed child care programs not required to be licensed, such as:

- Programs with parents and children residing together on-site.
- Indian tribal programs.
- Enrolled providers.
 - Day care aide (through the Child Development and Care program).
 - Unlicensed Providers (through the Child Development and Care program).

CI will follow the established protocols for contacting CPS-MIC supervisors for all assignments and rejections.

Prosecuting Attorney/Law Enforcement Responsibility

Prosecuting attorney/law enforcement agencies are responsible for the investigation of CA/N by certain individuals and in unregulated institutional settings such as:

- Schools (both public and private), including boarding schools.
- Incidental out-of-home or in-home childcare (baby-sitting).
- Mental health facilities not subject to PA 116.
- Clergy.
- Unregulated (unlicensed or unregistered) childcare group and family homes.

- Persons not responsible for the child's health or welfare.

CPS intake must transfer these complaints and refer to the prosecuting attorney/law enforcement agency within 24 hours of receipt of the complaint.

Additional CPS-MIC Policy

See [PSM 713-08, Special Investigative Situations \(Maltreatment-in-Care\)](#), [PSM 713-09, Completion of Field Investigation](#) and [PSM 716-9, New Complaint When Child is in Foster Care](#), when a CPS-MIC complaint is assigned for investigation.

CONFLICTS OF INTEREST

A CPS complaint, which involves staff from local MDHHS and CPA's, must be transferred to another office, if there is a conflict of interest. If MDHHS staff has professional responsibility in more than one local/district office, the assigned CPS complaint must be referred to a local/district office in which the staff does not have professional responsibility.

Disputes between counties must be referred to the Business Service Centers (BSC) for resolution.

Any case records in hard copy must remain in the local/district office which conducted the investigation. Confidentiality must be maintained. See [PSM 712-8, CPS Intake Completion](#), Confidential Complaint section. If there is a judicial finding of abuse or neglect in the Family Division of Circuit Court, the court findings and the findings of the investigation must be reported to the director of the local office, and to the Business Service Center in which the subject of the report is employed.

DEATH OF A CHILD

A CPS investigation involving child death will occur when allegations meet the definition of suspected child abuse or neglect. A sudden and/or unexpected death of an infant or child is sufficient to investigate.

Document that the complaint is regarding a child death in the intake module (see [PSM 713-01, CPS Investigation - General Instructions and Checklist](#) and [PSM 713-08, Special Investigative Situations](#)). Select that the child is deceased and enter the date and place of

death. The death of a child must be reported as outlined in the [Services Requirements Manual, SRM 172](#).

See [PSM 715-3, Family Court: Petitions, Hearings, and Court Orders](#), Death of a Child Under the Court's Jurisdiction section, if the child who died is under the court's jurisdiction.

DOMESTIC VIOLENCE

Definitions

Domestic violence (DV) is a pattern of assaultive and coercive behaviors, including physical, sexual, and psychological attacks as well as economic coercion that adults or adolescents use against their intimate partners.

Intimate partner includes: spouse or former spouse; current or former living-together partner; individuals who have ever been involved in a dating relationship; have a child in common; or any nonparent adult defined as a person responsible for the health and welfare of the child.

Overview

The primary focus of CPS is the protection of children. In situations where DV is a factor, the preferred approach is to assist the adult victim of DV in the planning for his/her safety and the safety of the child.

Responding to complaints where DV is a factor should include coordination with law enforcement, DV programs, the criminal justice system, the Friend of the Court, Family Division of Circuit Court and intervention programs for batterers. DV often does not end when the relationship between the perpetrator and the victim of DV ends.

Assigning Complaints for CPS Investigation

A CPS complaint in which the only allegation is DV is not a sufficient basis for assigning the complaint for field investigation. To be assigned for investigation, the complaint must also include information indicating the DV has resulted in actual abuse, neglect or threatened harm to the child.

Centralized Intake must conduct a minimum of a preliminary investigation on complaints alleging DV. The preliminary investigation must include attempted contact with law enforcement to determine whether a child has been injured, is at risk of injury, or has been threatened with harm as a result of past or current DV in the home. Issues that may assist in determining whether there is threatened harm in cases involving DV are:

- A weapon was used or threatened to be used in the DV incident.
- An animal has been tortured, deliberately injured or killed by the perpetrator.
- A parent or other adult is found in the home in violation of a child protection court order or personal protection order.
- There are reported behavioral changes in the child (for example, a child's teacher describes that the child used to be an involved and highly functioning student and now is withdrawn, doing poorly in coursework, or acting out with violence).
- Reported increase in frequency or severity of DV.
- Threats of violence against the child.

See the DV sections in [PSM 713-08, Special Investigative Situations](#), and [PSM 714-1, Post Investigative Services](#).

DRIVING UNDER THE INFLUENCE

When Centralized Intake (CI) receives a complaint in which the reporting person alleges a child is at immediate risk because the child is riding in a vehicle with an intoxicated driver, CI must direct the reporting person to contact law enforcement with a description of the vehicle, its last known location, and any other known information, such as the license plate number and identity of the driver.

A complaint from the prosecuting attorney or law enforcement that there is suspicion of child abuse or neglect based on an arrest, prosecution, or conviction of a parent, legal guardian, or any other person responsible for the child's health or welfare for operating a motor vehicle while under the influence with a child in the vehicle, must be assigned for a field investigation.

A minimum of a preliminary investigation must be conducted by CI when a source other than the prosecuting attorney or law enforcement makes a complaint that a parent, legal guardian, or any other person responsible for a child's health or welfare has been arrested, ticketed, or prosecuted for driving under the influence with a child in the car. The preliminary investigation must include one or more of the following:

- Central registry and LEIN check. (The central registry clearance only needs to be done on persons listed on the complaint who are parents, persons responsible, or who are ages 18 or older.)
- If the child is school age, contact the school to determine if there is reason to suspect child abuse/neglect.
- Contact law enforcement to determine if an arrest was made or if a citation was issued.
- Any other collateral contacts necessary, given the circumstances, to determine if an investigation is warranted.

The decision to assign for field investigation must be based on the same criteria as any other complaint of child abuse/neglect.

HEAD LICE

An allegation of neglect based **solely** on a child having head lice is **not** appropriate for CPS investigation. This condition could arise in any number of ways and is not, in and of itself, an indicator of neglect.

INTER-COUNTY COMPLAINTS

CI may receive a complaint that involves a child whose residence is in another county (such as when a child is brought to a hospital located in a county other than the child's residence, or the child is visiting the non-custodial parent). The responsibility for initiating the investigation for these types of complaints depends on the nature of the allegations and the priority response. The county responsible for handling the complaint is as follows:

- The county where the child is found is responsible for the complaint if the priority response for the complaint is Immediate Response (12/24).

- The county of residence is responsible for handling the complaint if the priority response for the complaint is 24 Hour Response and 72 Hour Face-to-Face (24/72), or not appropriate for investigation.

See [PSM 712-4, Intake-Minimal Priority Response Criteria](#), to determine the priority response.

Exception: If the child attends school in an adjacent county, the county of residence should handle the complaint.

The process of handling and assigning complaints depends on the nature of the allegations, the location of all involved individuals, the priority response and the information available to all parties. CI may assign a complaint to a county where the victim does not reside, based upon unique circumstances. If the local office has concerns regarding the assignment, the local office director or his/her designee should contact CI; see [PSM 711-6, Responsibility to Receive and Investigate Complaints](#).

CPS-MIC

Complaints involving children in court-ordered out-of-home placements will be investigated by the CPS-MIC units. When a CPS-MIC complaint involves multiple counties, assign the complaint to the county in which the child-caring institution or foster family home where the alleged abuse or neglect occurred.

INTER-COUNTY DISPUTES AND COORDINATION

Disputes between CI and the assigned county must be immediately referred for resolution to the Business Service Center.

Priority Response is 12/24

If the priority response for the complaint is 12/24, the assigned investigator must immediately speak to a supervisor or designee (a voicemail message is not sufficient) in the county of residence to notify them of the complaint, coordinate the investigation and agree upon each county's responsibilities.

Responsibilities of the county where the child is found (unless otherwise agreed):

- Commence the investigation to ensure the immediate safety of the child.
- Interview all individuals (for example, all victims, caretakers, witnesses, alleged perpetrators, etc.) who may have direct knowledge of the current allegations and are currently in the county where the child is found.
- Document all investigative activities and findings completed by the county where the child is found in MiSACWIS within 5 business days.
- Maintain contact with the county of residence to coordinate investigative activities.
- Transfer the complaint in MiSACWIS to the county of residence when:
 - A petition is filed in the Family Division of Circuit Court in the county where the child is found, the court authorizes the petition, the court transfers case responsibility to the county of the child's residence **and** the court in the county of residence accepts transfer of the case.

Note: If a petition is filed and the court in the county where the child is found authorizes the petition, the complaint must be registered in the county where the child is found, pending transfer.
 - No petition is needed.
 - A petition is filed in the Family Division of Circuit Court in the county where the child is found and the court does not authorize the petition.

Responsibilities of the county of residence (unless otherwise agreed):

- Make efforts to ensure the safety of any other children located in the county of residence.
- Pending case transfer or resolution of court jurisdiction, cooperate with the county (where the child is found) to provide any assistance necessary to ensure the safety of the child (including further interviews, petitioning, etc.).

- Interview all individuals (for example, all victims, caretakers, witnesses, alleged perpetrators) who may have direct knowledge of the current allegations and are currently in the county of residence. Accept transfer of case responsibility when the Family Division of Circuit Court in the county of residence accepts the transfer of a petition, if a petition was filed by the county where the child is found.
- In cases in which the Family Division of Circuit Court is not involved, the county of residence must accept case responsibility when the transfer is initiated by the county where the child is found.
- Accept transfer of the case in MiSACWIS. County of Residence Agrees to Handle the Complaint.

The county of residence can agree to handle the complaint. If the county of residence will be handling the complaint, transfer the complaint in MiSACWIS to the county of residence. The county of residence may request that the county where the child is found take certain actions on the case in order to ensure child safety. These requests must be honored.

Note: When determining whether to request that the county where the child is found to take certain actions on the case, consider the impact the request will have on the continuity of services for the family; see Cases Involving Multiple Counties section in this item.

Priority Response is 24/72

If the priority response for the complaint is 24/72, immediately speak to a supervisor or designee (a voicemail message is not sufficient) in the county of residence to notify them of the complaint. Transfer the complaint in MiSACWIS to the County of Residence.

The county of residence may request that the county where the child is found take certain actions on the case in order to ensure child safety. These requests must be honored.

Note: When determining whether to request that the county where the child is found take certain actions on the case, consider the impact the request will have on the continuity of services for the family; see Cases Involving Multiple Counties section in this item.

All contacts between the workers/supervisors of different counties must be documented in social work contacts by the worker/supervisor initiating the contact.

Summary of Responsibilities of Counties				
Priority Response	Interview Child Found Out-of-County of Residence	Interview Other Children	Interview Parents, Alleged Perpetrators, Etc.	Petition
12/24	County where the child is found.	County of residence.	County where the child is found and county of residence.	County where the child is found.
<ul style="list-style-type: none"> • 24/72 • 12/24 complaints in which the county of residence decides to handle. 	County of residence.	County of residence.	County of residence.	County of residence.

INTERSTATE COMPLAINTS

In the event CI receives a complaint from an out-of-state department involving a Michigan child, the county where the complaint is assigned must proceed with standard procedures for evaluating and investigating complaints of child abuse and neglect (CA/N). Michigan CPS staff may communicate initially by telephone with the referring out-of-state department to obtain necessary information. Michigan CPS staff will then write to the department in the other state confirming the specific responsibilities of each.

CPS complaints to or from another state are not governed by the Interstate Compact on the Placement of Children. Contact may be made directly with the other state department. For contact information for other states, go to

http://www.aphsa.org/content/APHSA/en/resources/LINKS/STATE_CONTACTS.html.

**KNOWN
PERPETRATOR
MOVING IN OR
RESIDING WITH A
NEW FAMILY**

CPS must investigate complaints in which there is no new allegation of abuse/neglect, but the complaint alleges **only** that a person convicted of a crime against children in criminal court and/or found to be abusive/neglectful by the Family Division of Circuit Court has moved into or is providing care in a home in which children reside. CPS must determine whether threatened harm to a child exists or whether actual harm has occurred; see [PSM 711-05, Department Responsibilities and Operational Definitions](#) and [PSM 713-08, Special Investigative Situations](#). Probation/parole officers and law enforcement must be contacted to determine their need to know of, or be involved in, the investigation, regardless of the status of the probation/parole (such as open, closed and completed).

**MEDICAL NEGLECT
OF DISABLED
INFANTS AND
MEDICAL NEGLECT
BASED ON
RELIGIOUS BELIEFS**

See [PSM 716-8, Medical Neglect of Disabled Infants & Medical Neglect Based on Religious Beliefs](#), for more information when a complaint is received regarding medical neglect of a disabled infant or medical neglect based on religious beliefs.

MILITARY BASE

Military Base Law, Federal Army Regulation 608-18, prohibits investigation of CPS complaints on military bases, unless a special written agreement exists.

NEWBORNS

If an infant is born to parents who currently have child(ren) in out-of-home care, or who are/were permanent wards as a result of a child abuse/neglect court action, CPS must conduct a full field investigation.

Birth Match

Birth Match is an automated system that notifies CI when a new child is born to a parent who has previously had parental rights terminated in a child protective proceeding, caused the death of a child due to abuse and/or neglect or has been manually added to the match list. See [PSM 713-09, Completion of Investigation](#), Birth Match section for information on when and how to add a perpetrator to the match list.

When a birth match occurs, MiSACWIS automatically generates a complaint as an unassigned complaint and the CI Director receives an email alert that the complaint has been generated. When CI receives the birth match complaint, they must verify that the match is accurate.

Inaccurate Match

If the match is inaccurate (the parent listed in the complaint does not have history with MDHHS), the complaint must be deleted from MiSACWIS. Contact CPS Program Office at Child-Welfare-Policy@michigan.gov to discuss case specifics and to determine if the complaint should be deleted.

Accurate Match

If the match is accurate and there is not an already pending investigation or open case, the complaint must be assigned for investigation. The allegations should be listed as threatened harm of the type of abuse or neglect that led to the parent's name being placed on the birth match list.

If there is a pending investigation or open case, the complaint must be rejected as already investigated. See [PSM 712-7, Rejected Complaints](#). The information included in the birth match, including related history (CPS, FC and/or criminal), must be used to evaluate child safety in the pending investigation or open case.

See [PSM 713-08, Special Investigative Situations](#), for information on investigating these complaints and on threatened harm due to a parent's history of child abuse/neglect, removal of a child, and/or termination of parental rights.

Intent to Adopt

If CPS becomes aware of a **new** child born to parents who currently have a child(ren) in out-of-home care, or is/was a permanent ward

as a result of a child abuse/neglect court action and the parents' intent is to have the **new** child adopted, CPS must conduct a full field investigation. This investigation must include verification of the child's well-being, proof that the adoption process has commenced and verification of the child's placement.

PREGNANCY OF A CHILD LESS THAN 12 YEARS OF AGE

If a complaint alleges the pregnancy of a child less than 12 years of age and it is unknown if the alleged perpetrator is a person responsible for the child's health or welfare, a preliminary investigation must be completed to determine if the alleged perpetrator is a person responsible. If the alleged perpetrator is a person responsible, the complaint must be assigned for investigation. See [PSM 711-6, Responsibility to Receive and Investigate Complaints](#) for clarification on forwarding referrals to other agencies, including law enforcement, when the perpetrator is not a person responsible.

PROPER CUSTODY OR GUARDIANSHIP

Children residing with a relative or an unrelated caregiver who does not have a legal guardianship are not in an abusive/neglectful situation based solely on the living arrangement; see [PSM 713-08, Special Investigative Situations](#).

RUNAWAYS

Routine complaints on runaways are not appropriate for protective services. Running away may indicate questionable parental care, but is not always child abuse or neglect.

Complaints should be evaluated to determine whether there are allegations of abuse/neglect, including human trafficking.

HUMAN TRAFFICKING

The [MDHHS Human Trafficking of Children Protocol](#) was developed to guide caseworkers in assisting children who are victims of human trafficking. The protocol focuses on the needs of victims, with the overriding intention of protecting the interests of children and maintaining their safety in the community. The protocol prescribes:

- A coordinated investigative team approach while minimizing trauma to the victim.
- Protection and the delivery of specialized services to the child victim and appropriate family members.
- Cross-professional training to promote a better understanding of the unique nature and challenges of cases involving child sex trafficking and labor trafficking.
- Alternatives for handling the case after the child has been identified as the victim of human trafficking.

Referral to Law Enforcement

Within 24 hours, CI or CPS must refer a case to a local law enforcement agency if a sex trafficking victim or labor trafficking victim is found.

A local law enforcement agency must make a verbal and written report to CPS Centralized Intake (855-444-3911) whenever a child sex trafficking victim or labor trafficking victim is found.

Policy Contact

Questions about this policy item may be directed to the MDHHS Human Trafficking Analyst:

MDHHS Education and Youth Services Unit
235 S. Grand Ave., Suite 514
Lansing, MI 48933
Office: (517) 335-8909
Fax: (517) 335-7789
Email: [Child Welfare Policy Mailbox](#)

SAFE DELIVERY ACT

Michigan law (MCL 712.1 et. Seq., 750.135, and 722.628) allows a parent(s) to surrender an unharmed newborn up to 72 hours old to an emergency service provider (ESP). An ESP is a uniformed, or otherwise identified, inside-the-premises, on-duty employee, or contractor of a fire department, hospital or police station or a paramedic or an emergency medical technician when responding to a 911 call. If the newborn is unharmed, the ESP should contact MDHHS.

In situations where CPS is contacted by an ESP and there is no evidence of child abuse/neglect, local offices and/or CI should direct the ESP to contact a public or private child-placing agency in that area directly responsible for placing a child in these situations.

The Safe Delivery website has a listing of private adoption agencies that will provide placement for an abandoned newborn. If the newborn meets the criteria of the law (no evidence of child abuse/neglect, less than 72 hours old, and voluntarily surrendered by a parent), CPS must reject the complaint for investigation.

See [NAA 255, Termination of Parental Rights](#), Voluntary Proceedings for Termination of Parental Rights section for American Indian children.

SCHOOL ATTENDANCE AND HOME SCHOOLING

A complaint in which the **only** allegation involves a child failing to attend school and/or alternate educational programming is not sufficient basis for suspecting child neglect, and is inappropriate for investigation by CPS staff. If the complaint is initiated by non-school personnel, the person should be referred to the school district's attendance officer. If the complaint is initiated by school personnel, they are to be informed that this issue falls under the provisions of the Compulsory School Attendance section of the School Code of 1976 (MCL 380.1561-380.1599), not the Child Protection Law.

A complaint of alleged child abuse or neglect that **also** includes an allegation of a child's non-attendance in education programming is appropriate for investigation by CPS. The complaint should also be referred to the school district's attendance officer. The investigation and any subsequent service plan must be coordinated with the school district's attendance officer or other appropriate school staff, as in any other matter in which more than one department/agency has responsibility.

SEXUALLY TRANSMITTED DISEASE

If a complaint alleges that a child less than 12 years of age has been diagnosed with a sexually transmitted disease and it is unknown if the alleged perpetrator is a person responsible for the child's health or welfare, a preliminary investigation must be completed to determine if the alleged perpetrator is a person

responsible. If the alleged perpetrator is a person responsible, the complaint must be assigned for investigation.

SIBLING-ON-SIBLING OR CHILD-ON-CHILD VIOLENCE

CPS must conduct a minimum of a preliminary investigation and evaluate complaints of sibling or child-on-child violence (physical abuse, sexual abuse among siblings or children in the home under the age of 18, etc.) to determine if the parent or other person responsible for the child's health or welfare was neglectful.

If the preliminary investigation determines that the complaint is based **solely** on violence among siblings or children in the home under the age 18 and includes no issue of parental neglect regarding the sibling- on-sibling or child-on-child violence (or other CA/N allegations), reject the complaint and refer it to law enforcement. The referral to law enforcement must be made within 24 hours of CPS receiving the complaint.

See [PSM 713-08, Special Investigative Situations](#), Sibling-on-Sibling Or Child-on-Child Violence section for more information on investigating these complaints. The only way a child may be investigated as an alleged perpetrator of child abuse and/or neglect or be entered on central registry as a perpetrator is if that child is the minor parent of the alleged/identified victim.

SUBSTANCE USE BY CARETAKER

See [PSM 716-7, Substance Use Disorder Cases](#) for information on substance and alcohol exposed infants.

TEENAGERS

Parents and legal guardians are responsible for the health and welfare of their children up until their 18th birthday. CPS is required to protect all children under the age of 18.

Upon receipt of a complaint involving teenagers, evaluate the complaint in the same manner as any other complaint to determine if the allegations meet child abuse and neglect (CA/N) definitions. If the child is under 18, the CA/N definitions are met and the alleged

perpetrator is a person responsible for the health and welfare of the child, the complaint must be assigned for investigation.

VACCINATIONS

The Michigan public health code (MCL 333.9215) provides exceptions to the immunization requirements. CPS does not investigate complaints involving parents who have chosen not to immunize their children.

SPECIAL CASES BEYOND INTAKE

There are many other types of CPS complaints that warrant special handling and consideration. See [PSM 713-08, Special Investigative Situations](#), PSM 716-1 through 716-9, and PSM 715-1 through 715-4, for examples of these types of cases.

LEGAL AUTHORITY

The Preventing Sex Trafficking and Strengthening Families Act, P.L. 113-183

States must develop and implement plans to expeditiously locate any child missing from foster care; determine the primary factors that contribute to the child's running away or being absent from foster care; determine the child's experiences while absent from foster care, including screening whether the child was a victim of sex trafficking. The supervising agency must report within 24 hours of receiving information on missing or abducted children to the law enforcement authorities and the National Center for Missing and Exploited Children.

Trafficking Victims' Protection Act

A sex trafficking victim is defined as an individual subject to the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act or who is a victim of a severe form of trafficking in persons in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induces to perform the act is under 18 years old.

POLICY CONTACT

Questions about this policy item may be directed to the [Child Welfare Policy Mailbox](#).