

December 21, 2023

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY LETTER NO. 23-101**

This letter is to inform county child welfare services agencies and Tribes of updates to the Structured Decision Making Hotline, Safety and Risk Assessment tools. These updates conform with existing laws, policies, regulations, and guidance to promote increased child safety throughout California as well as increase alignment with the Indian Child Welfare Act ([25 United States Code section 1901 et seq.](#)) and statutory changes made to the Welfare and Institutions Code sections by [Assembly Bill 3176](#) (Chapter 833, Statutes of 2018) which includes active efforts requirements for collaborative assessment for the Indian child's Tribe early, often and as practicably possible, which continues throughout the life of a case.



KIM JOHNSON  
DIRECTOR

CALIFORNIA HEALTH & HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
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GAVIN NEWSOM  
GOVERNOR

December 21, 2023

ALL COUNTY LETTER NO. 23-101

TO: ALL COUNTY CHILD WELFARE DIRECTORS  
ALL CHILD WELFARE SERVICES PROGRAM MANAGERS  
ALL INDEPENDENT LIVING PROGRAM COORDINATORS  
ALL TITLE IV-E AGREEMENT TRIBES

SUBJECT: STRUCTURED DECISION MAKING: ENHANCEMENTS TO THE  
HOTLINE, SAFETY, AND RISK ASSESSMENT TOOLS

REFERENCE: [ASSEMBLY BILL \(AB\) 3176 \(CHAPTER 833, STATUTES OF 2018\)](#), [AB 2085 \(CHAPTER 770, STATUTES OF 2022\)](#);  
[WELFARE AND INSTITUTIONS CODE SECTION 16504\(c\)](#);  
[PENAL CODE \(PC\) SECTION 11165.13](#); [PC SECTION 11165.2](#);  
[CHILD WELFARE SERVICES MANUAL OF POLICIES AND PROCEDURES DIVISION 31 REGULATIONS](#);  
[UNITED STATE CODE SECTION 1901 ET SEQ.](#);  
[COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2016](#);  
[ALL COUNTY LETTER \(ACL\) NO. 17-92](#),  
[ACL NO. 18-140](#), [ACL NO. 20-122](#), [ACL NO. 23-46](#),  
[ACL NO. 23-64](#)

The purpose of this All County Letter (ACL) is to inform county child welfare services (CWS) agencies and Tribes of updates to the Structured Decision Making (SDM®) Hotline and Safety and Risk Assessment tools. These updates conform with existing laws, policies, regulations, and guidance to promote increased child safety throughout California as well as increase alignment with the Indian Child Welfare Act (ICWA) ([25 United States Code section 1901 et seq.](#)) and statutory changes made by [Assembly Bill \(AB\) 3176 \(Chapter 833, Statutes of 2018\)](#) which includes active efforts requirements for collaborative assessment for the Indian child's Tribe early, often, and as practicably possible, which continues throughout the life of a case.

**BACKGROUND**

Evident Change has partnered with the California Department of Social Services (CDSS) since 1998 to assist CWS workers to help assess the risk and safety of vulnerable children. The SDM® suite of assessment tools assist CWS agencies and Tribes, as applicable, to ensure the ongoing safety and well-being of children and provides a framework for consistent decision making across the child welfare continuum. The implementation of a *Standardized Safety Assessment System* was addressed in the CDSS' first Child and Family Services Review in 2003 and continues to be a requirement. As of July 2016, all 58 counties in California utilize SDM® for screening and assessment. The SDM® suite of tools include the following:

- Hotline Tool: Screens referrals for in-person response and recommends how quickly a response must be made.
- Safety Assessment: Determines if it is safe for a child to remain home or what actions need to be taken to ensure safety.
- Risk Assessment: Supports decisions about post-investigation intervention based upon the characteristics of the household, associated with the likelihood of future protection system involvement.
- Reunification Reassessment: Determines if children can safely return home after time spent in relative care or foster care.
- In-Home Family Risk Reassessment: Determines if risk has been reduced sufficiently for a family maintenance case to be closed or if services should continue.

The SDM® assessment tools are continuously updated and improved through continuous user feedback, changes in statutes, the CWS Manual of Policies and Procedures Division 31 regulations, and periodic research and evaluation. Through several statewide workgroups throughout 2020 and 2021 and the SDM® Core Team meetings in 2022 and 2023, Evident Change and the CDSS collaborated with key stakeholders, including tribal representatives from over 30 Tribes and tribal organizations, training partners, juvenile probation, and county child welfare administrators and staff, to develop and review the most recent revisions to the SDM® tools. Revisions to the SDM® tools and policies and procedures will continue to be a topic of discussion in future workgroups with both Tribes and counties. Please refer to the Attachment for details on the enhancements made to the SDM® tools, broken down by each assessment.

Additionally, when it is known or there is reason to know the child is an Indian child, county CWS workers must actively engage the child's Tribe, not only to be in accordance with the ICWA and California Indian child welfare laws, but also to support collaborative assessment and shared decision making whenever possible. To be able to engage in this process, California Tribes must have access to the tools and supports that county CWS workers use to guide their decision making, including the SDM® system. The CDSS has consulted with several Tribes and tribal representatives on the development of an AB 3176 letter series to further provide guidance on all California

Indian child welfare provisions, covering the following key topics which further defines and describes partnership and collaboration with Tribes:

- Inquiry/Further Inquiry/Reason to Believe/Reason to Know/Notice ([ACL No. 23-46](#))
- Emergency Removals/Emergency Placement/Placement Preferences
- ([ACL No. 23-64](#))
- Active Efforts
- Voluntary/Involuntary Proceedings
- Qualified Expert Witness
- Jurisdiction

The SDM® tool updates further align and integrate these policies into practice to meet the following objectives:

- Development of prompts for collaboration, consultation, and joint decision making between county CWS agencies and Tribes, including:
  - Collaborative completion of SDM® Assessments.
  - Completing and sharing SDM® Assessments. (See [ACL No. 18-140](#) for clarification on sharing CWS records with Tribes.)
  - Overall collaborative assessment and shared decision making.
- Increasing ICWA inquiry for all referrals for the earliest possible identification of Indian children **and** the child's Tribe, which is critical so active efforts are successfully made before removal, as required by state and federal law ([ACL No. 23-46](#)).
- Strengthen data entry to better inform reviews of joint decision making for Indian children and families.
- Support improved state, Tribe, and county partnership and training.

## **ONGOING TRAINING AND TECHNICAL ASSISTANCE**

Training and case reviews are integral to ensure proper use of the suite of SDM® tools. Not only should CWS workers understand the proper use of the tools, but CWS supervisors and managers should be familiar with the tools to provide guidance and support to CWS workers. The SDM® Policy and Procedures manual was updated to reflect the updates made to the SDM® suite of assessment tools and give assessment overviews, definitions, sample assessments, and procedures. Handouts and materials that detail highlights of the changes are also available on the [Evident Change California SDM® Training website](#).

Evident Change provides technical assistance to Tribes and county CWS agencies to enable workers to be better engaged with children and families, which supports fair and timely investigations, and clear decision-making recommendations. Training and technical assistance of the SDM® suite of tools supports CWS workers to consistently

assess and respond to alleged child maltreatment reports received through the hotline as well as assess for safety and risk throughout the life of a case. To inquire about technical assistance or training opportunities, please contact Evident Change's Help Desk at [support@evidentchange.org](mailto:support@evidentchange.org).

If you have any questions or need additional guidance regarding the information in this letter, contact the Family Centered Safety and Support Bureau at [childprotection@dss.ca.gov](mailto:childprotection@dss.ca.gov).

Sincerely,

***Original Document Signed By***

ANGIE SCHWARTZ  
Deputy Director  
Children and Family Services Division

cc: All Federally Recognized Tribes  
All County Chief Probation Officers

Attachment

## **UPDATES TO THE STRUCTURED DECISION MAKING SUITE OF ASSESSMENT TOOLS**

### **GENERAL**

#### **Household Definition:**

The definition of “Household” clarifies examples in which non-residents may qualify as household members. It does not functionally change who is considered to be a member of a household, but it seeks to add clarity and examples to support accurate assessment of a child’s current household.

### **GLOSSARY**

The SDM® Assessment Definitions have been integrated and expanded upon as a glossary to better define important terms used across the suite of SDM® assessments.

### **PRACTICE FOUNDATIONS**

A section providing general instructions has been added to support consistency in the use of SDM® assessments.

### **HOTLINE TOOLS**

#### **ICWA Inquiry and Tribal Collaboration:**

Adds a question for the Hotline screener to inquire whether a child is, or may be, an Indian child. A prompt was added for the screener to consider whether “reason to know” exists to ensure tribal collaboration and information gathering at screening or “reason to believe” exists, requiring further inquiry. The updates increase alignment with the ICWA and statutory requirements enacted by [AB 3176](#) for the collaborative assessment for tribal children to begin as early as possible. The following corresponding definitions and policy guidance are added in the SDM® Hotline Tools Definitions section:

- Clarifies the duty to inquire begins at initial contact.
- Provides definition of “reason to know” and “reason to believe.”
- Provides instruction on how to locate tribal representatives from the [Bureau of Indian Affairs List of ICWA designees](#).
- Ensures that tribal social workers or representatives are included in the information gathering and screening process, whenever possible, including instructions on documenting the details of the contact in the case management system, currently the Child Welfare Services Case Management System (CWS/CMS), and a summary of what was discussed, as well as efforts made if contact was not successful.

## **Screening Criteria:**

The definition of "no child under age 18" was updated to align with [Welfare and Institutions Code section 16504\(c\)](#). While a referral cannot be created for a nonminor dependent 18 or over, when a report is received alleging abuse, neglect, or exploitation of a nonminor dependent, it is the county CWS agency's responsibility to assess and evaluate for an appropriate response to determine if the placement is safe. When a report is received at the county child protection hotline regarding a nonminor dependent, the screener shall provide the case carrying worker with the necessary information to respond and assess for the nonminor dependent's immediate safety.

## **Physical Abuse: Caregiver Action**

1. An example has been added related to dangerous behaviors in the immediate proximity of the child.
2. The updates describe any household violence by one or more adult household members occurring in ways that the child could be injured, instead of focusing exclusively on incidents related to intimate partner violence.

## **Emotional Abuse:**

1. Changed the item stem of "exposure to domestic violence" to "emotional harm related to domestic violence."
2. The updates to item definition and threshold further clarify the intent for the CWS worker to assess impact on child/emotional harm.

## **Neglect:**

1. Definition of neglect has been updated to align with statutory amendments made to [Penal Code \(PC\) section 11165.2](#), implemented through [AB 2085 \(Chapter 770, Statutes of 2022\)](#) specifying that "general neglect" does not include a parent's economic disadvantage.
2. Revisions to the definition for inadequate medical/mental health care help clarify the expected threshold, specifying that the lack of medical care is causing the child's condition to deteriorate.
3. Failure to protect has been updated to specify that concerns related to domestic violence should be assessed under emotional abuse and physical abuse items.
4. Additional clarification is provided regarding when a child has been exploited by a third party to require the screener to assess for knowledge of protective action by the caregiver.

5. Changed the item stem of "infant exposed to drug/alcohol" to "substance-affected newborn (in-home only)."
  - a. This update aligns with policy changes enacted through amendments to the [Comprehensive Addiction and Recovery Act \(CARA\)](#) and the corresponding guidance set forth in [ACL No.'s 17-92](#) and [20-122](#) related to infants affected by substance use and plans of safe care.

### **Sexual Exploitation:**

The definition of a child/youth being exploited or trafficked has been updated to align with the updates under "failure to protect" regarding the extent to which a caregiver has acted protectively or has the ability to protect.

### **Tribal Agreement with Screening Decision:**

- a. While agreement with the decision is not required, it is recommended as a best practice to engage and collaborate with Tribes to reach a consensus whenever possible.
  - b. In the absence of an agreed upon decision, this portion of the tool allows for the disagreement to be documented.
2. The collaborative assessment as well as the Tribe's position should also be documented in CWS/CMS.

### **Overrides:**

"Interview per local protocol" definition for an in-person response has been updated and expanded to include "Tribal Agency Request." Overrides should be utilized when the concern being reported at the county CWS hotline does not meet criteria for an in-person response. If a local protocol exists within the county CWS agency that determines that a Tribe may request a courtesy interview for in-person CWS response, the agency may override the tool's decision to evaluate out.

## **SAFETY ASSESSMENT**

### **Which Cases:**

1. Additional clarification was added to specify that the SDM® Safety Assessment is not appropriate for the following:
  - a. An in-person response is required for an incident involving *only* a third-party perpetrator of sexual exploitation, and there are no allegations regarding the caregiver.



- b. A child fatality is suspected to be a result of abuse or neglect **AND** there are no remaining minor children in the household.
- c. The SDM® policy clarifies that safety assessments must be completed on allegation households. When responding "no" to the question, "Were there allegations in this household?" an automated prompt in WebSDM will link the worker to the SDM® policy stating that a safety assessment must also be completed on the allegation household.

### **ICWA Inquiry and Collaborative Assessment with Tribe(s)**

- 1. The SDM questions are added to prompt the CWS worker to indicate whether there is any information indicating whether a child within the household is, or may be, an Indian child.
- 2. Definitions to support the CWS worker in identifying "reason to know" or "reason to believe" were added.
- 3. To ensure tribal collaboration, an additional prompt was added for the CWS worker to collaborate with the Tribe(s) in the information gathering and safety assessment completion and safety plan development process if it is known or there is reason to know the child is an Indian child.
  - a. Instructions are added for the CWS worker to document the attempts made to contact and collaborate with the Tribe(s) to support shared decision making.

### **Safety Threats:**

Several significant changes were made to this section.

*Safety Threat Number One: Caregiver caused serious physical harm to the child or made a plausible threat to cause serious physical harm in the current investigation, as indicated by.*

- 1. Definition of "serious injury or abuse to the child other than accidental" was expanded to include "or would have required medical treatment had a serious injury occurred."
- 2. Definition of "drug/alcohol-exposed infant" changed to "substance affected infant." This safety threat only applies when factors exist that create imminent danger to the infant.
  - a. Updates to this definition align with [Comprehension Addiction and Recovery Act](#), [ACL No.'s 17-92](#) and [20-122](#), and [Penal Code \(PC\) section 11165.13](#).

*Safety Threat Number Two: Child sexual abuse or sexual exploitation is suspected, and circumstances suggest that the child's safety may be of immediate concern.*

1. Sexual abuse and sexual exploitation are now two separate subitems.

*Safety Threat Number Three: Caregiver does not meet the child's immediate needs, resulting in serious harm or imminent danger of serious harm.*

Statewide data indicates this safety threat continues to be the most prevalent safety threat in removal households for concerns that may largely be associated with lack of resources/poverty.

1. Updates to this item better align with changes to [PC section 11165.2](#), implemented through [AB 2085](#), clarifying general neglect does not include a caregiver's economic disadvantage.
2. Items are broken out into separate categories of "supervision," "food or clothing/hygiene," "medical or dental care," and "mental health," to support improved data collection and closer examination of the way this safety threat is being selected.

*Safety Threat Number Five: Caregiver describes or speaks to the child in predominantly negative terms or acts toward or in the presence of the child in negative ways and these actions result in severe psychological/emotional harm resulting in imminent danger.*

1. Adds "resulting in imminent danger" to the safety threat item.
2. Examples are added to better clarify what factors meet the threshold for severe emotional harm.

*Safety Threat Number Six: Caregiver does not protect the child from serious harm or threatened harm by others. This may include physical abuse, sexual abuse, or neglect.*

1. Adds clarification that this safety threat should not be selected regarding concerns of domestic violence.

**(New)** *Safety Threat Number Nine: Domestic violence exists in the household and poses an imminent danger of serious harm to the child.*

1. Supports correct use and application of concerns related to domestic violence; these were previously embedded within safety threat 1 (physical harm) and safety threat 5 (emotional harm). Subitems are added to track physical harm versus emotional harm.

2. New definitions of physical and emotional abuse align more closely with survivor-centered practice, the Integrated Core Practice Model, and Safety Organized Practice, applying SDM® definitions based on perpetrator behavior.

**(Removed)** *Safety Threat Number Nine. Current circumstance combined with past history.*

A review of data flagged this item as significantly over-selected for American Indian/Alaskan Native households in California. Evident Change testing and review of these definitions indicate similar concerns across jurisdictions with this item in place. This safety threat has been removed from California's assessment.

*Safety Threat Number Ten. Other: Current circumstances meet the threshold of imminent and severe danger but are not described within safety threats 1-9.*

Removal considerations based on past harm and circumstances not already described in safety threats 1-9 should be captured under safety threat 10, which requires an explanation and supervisor approval.

### **Caregiver Complicating Behaviors:**

The definitions in this section were updated to build consistency across all definitions and to clarify the CWS worker should be focusing on present factors.

### **In-Home Protective Interventions:**

1. Language is now inclusive of ensuring CWS workers are utilizing tribal resources in collaboration and engagement with Tribes when implementing safety interventions.
2. Language is added to clarify that safety plans must also be monitored and supported by network members.
3. Language is added that a plan of safe care to address the immediate needs of a substance-affected infant is considered an appropriate safety intervention.

The revisions for interventions 11 and 12 more closely align with California practice related to exigency and seeking warrants.

4. Protective intervention 11 has been changed from “child placed in protective custody because interventions 1-10 do not adequately ensure the child’s safety” to “a warrant or detention order will immediately be sought per local policy.”
  - a. This update is to be used on households that have been assessed to be unsafe and a warrant or detention order will be sought immediately.

5. Protective intervention 12 has been added to indicate a “child placed in protective custody.”

### **Tribal Agreement with Safety Decision**

This new section was added to indicate a tribal agreement with the safety decision, when known. While agreement with the decision between the county CWS agency and Tribe(s) is not required, all efforts made to gain agreement and the Tribe’s position on the final safety decision should be documented in CWS/CMS.

### **RISK ASSESSMENT**

#### **Which Cases:**

Revisions clarify that risk assessments should not be completed for the following:

1. Sexual exploitation referrals involving only third-party perpetrators (no allegations exist regarding the caregiver).
2. Child fatalities when there are no remaining minor children in the household.
3. Referrals regarding allegations in out-of-home care.
4. The requirement to complete a new risk assessment for new referrals on open cases has been removed.
  - a. For newly assigned referrals on open cases, the SDM® Risk Reassessment should be completed.

#### **Recommended Decision:**

This section is now displayed as a matrix showing the intersection of safety and risk.

#### **(New) Planned Action:**

##### *Close without intervention:*

Clarifies that families considered safe and that have low or moderate risk levels should not be considered for formal CWS intervention. The addition specifies that these families may benefit from increased connections to natural support networks and community prevention services.

##### *Refer to services as primary intervention:*

Clarifies that families considered safe and that have high/very high-risk levels may benefit from prevention or community service intervention options to better align with the

[Family First Prevention Services Act](#) and as outlined in the state's Five-Year Prevention Plan<sup>1</sup>.

*Open for child welfare services case:*

Clarifies the possible interventions for families that require a CWS case be opened under either family maintenance services (either voluntary or court-ordered) or out-of-home intervention.

NOTE: WebSDM has updated data fields that will support tracking and evaluation of the planned intervention post-investigation, including referrals to community services.

### **STRUCTURED DECISION MAKING® REUNIFICATION REASSESSMENT**

1. The purpose of this assessment has been expanded to include to “pursue permanency alternative.”
2. The policy and procedures have been updated to clarify the completion requirements of the reunification reassessment to assess a safe return home at a minimum of every six months from the point of removal. This change de-links SDM® policy for completion of the assessment from court and case plan progress.

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<sup>1</sup> [California's Five-Year State Prevention Plan](#)