




Division of Safety and Permanence

DSP Numbered Memo Series 2023-12

Supersedes DSP Memo 2012-08

June 9, 2023

To: DCF/DMCPS Administrator
DCF Area Administrators
Child Placing Agency Directors
Child Welfare Agency Directors
County Departments of Community Programs Directors
County Departments of Human Services Directors
County Departments of Social Services Directors
Private Child Placing Agencies
Residential Care Center Providers
Shelter Care Providers
Tribal Chairpersons

From: Wendy Henderson
Administrator 

Re: **Notifying Tribes of Child Protective Services (CPS) and Child Welfare Services Reports**

PURPOSE

In this memo, local child welfare agency means a county child welfare agency, or the Department of Children and Families (DCF) Division of Milwaukee Child Protective Services (DMCPS). The purpose of this memo is to notify local child welfare agencies of updates to policy as it relates to requirements for local child welfare agencies to notify the tribal agent of the appropriate tribe or band of Child Protective Services (CPS) and Child Welfare Services Reports received by the local child welfare agency. It will describe the purpose of the changes and provide an overview of updates to DCF Standards and eWiSACWIS related to this policy change. Current practice expectations related to services reports remains the same.

BACKGROUND

Currently, the DCF policy as addressed in the *CPS Access and Initial Assessment (IA) Standards* and DSP Numbered Memo 2012-08 requires local child welfare agencies to notify the appropriate tribe or band of all CPS Reports received (screened-in and screened-out) pertaining to a child or unborn child whom the agency knows to be an Indian child.

In an effort to ensure tribes are made aware of all reports regarding their children and to promote early collaboration between local child welfare agencies and tribal child welfare agencies, local child welfare agencies will also be required to notify the appropriate tribe or





band of all Child Welfare Services Reports received (screened-in and screened-out) pertaining to a child or unborn child whom the agency knows or has reason to know is an Indian child. Tribal child welfare agencies may be in a position to offer services to families when local child welfare agencies screen-out CPS or Child Welfare Services Reports. When local child welfare agencies screen-in CPS or Child Welfare Services Reports, collaboration between the local child welfare agency and the tribal child welfare agency enhances a coordinated response to ensure children are safe, protected and remain connected to their family, culture, and community. This collaboration also improves practices designed to improve case outcomes. This is in line with DCF's vision that all Wisconsin children and youth are safe and loved members of thriving families and communities.

Under s. 48.981(3)(bm), if a county department that receives a report under s. 48.981 pertaining to a child who the county department knows or has reason to know is an Indian child, the county department is required to provide notice to the appropriate tribal agent. Under s. 48.981(7)(a)2., Stats., a local child welfare agency is able to disclose information to a tribal social services department to support tribal staff in clearly identifying a child who has been named in a report to the local child welfare agency under s. 48.981, facilitate a county-tribal collaborative response whenever possible, and facilitate the delivery of prevention and supportive services by the tribe.

POLICY AND PROCEDURE REQUIREMENTS

In addition to the policy requirement to notify the appropriate tribe or band of CPS reports (screened-in or screened-out), local child welfare agencies will be required to notify the appropriate tribe or band of Child Welfare Services Reports (screened-in or screened-out) pertaining to a child or unborn child whom the agency knows or has reason to know is an Indian child. This updated policy is reflected in the June 2023 update to *CPS Access and IA Standards*. This memo and corresponding updates to these standards replaces Numbered Memo 2012-08, which originally detailed the requirement for local child welfare agencies to notify the appropriate tribe or band of all CPS Reports and adds to that policy the requirement regarding Child Welfare Services Report notification.

eWiSACWIS DOCUMENTATION

The update to standards will be effective with the June eWiSACWIS release that will occur on June 10, 2023. eWiSACWIS will generate an email anytime one or more children in the household identified in the CPS Report or Child Welfare Services Report has a tribal status of Eligible for Membership, Member, or Pending with a federally recognized tribe headquartered in Wisconsin, as documented in Person Management. For federally recognized tribes located outside of Wisconsin, the automation will not occur and local child welfare agencies are still required to manually notify the appropriate tribe or band.

The automated e-mail that eWiSACWIS will generate that is sent to the appropriate tribe or band will also be sent to the following individuals at the local child welfare agency, as applicable: the access professional and their supervisor, the child welfare professional with primary case assignment to the family's case and their supervisor. Since there are often several child welfare



professionals assigned to a case, the child welfare professional with primary case assignment and/or the supervisor should ensure that the email is also shared with other local child welfare agency staff assigned to the case who may be responsible for coordinating and collaborating with tribes.

Since all federally recognized tribes in Wisconsin are able to access eWiSACWIS, the previous requirement in standards for CPS Reports to be sent to Menominee Nation has been removed. However, local child welfare agencies may still provide copies of reports to the Indian child's tribe or band as this is best practice and may be helpful for collaboration and partnership. Additionally, if a local child welfare agency finds out after the screening decision has been made that the report involves an Indian child, the local child welfare agency must manually notify the appropriate tribe or band.

As a reminder, local child welfare agency staff are responsible for ensuring that eWiSACWIS documentation is accurate and complete. Accurate and complete documentation about tribal status in Person Management is important to ensure the effective functioning of the automated tribal notifications.

ACTION SUMMARY

This policy applies to all local child welfare agencies in Wisconsin who receive and make screening decisions on CPS Reports and Child Welfare Services Reports and is effective as of June 10, 2023.

The email notification generated by eWiSACWIS does not remove the need for the child welfare agency to meet other requirements pertaining to cases involving Indian children contained in policy, the Indian Child Welfare Act and the Wisconsin Indian Child Welfare Act. The email notification is intended to be an additional tool to promote collaboration between local child welfare agencies and tribal child welfare agencies.

CENTRAL OFFICE CONTACT: Program and Policy Analyst
 Child Welfare Program and Policy Section
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MEMO WEB SITE: <https://dcf.wisconsin.gov/cwportal/policy>

Attachments: [CPS Access and Initial Assessment Standards](#)
 [eWiSACWIS Release Highlights – June 10, 2023](#)

