

Juvenile Law Resource Center

Using the Oregon Safety Model (OSM) to Advocate for Parents

OSM Sources

- DHS web site
 - http://www.dhs.state.or.us/caf.safety_model/index.html#pm
- OAR's
 - http://www.dhs.state.or.us/policy/childwelfare/cross_index.htm

Protective Action

- OAR 413-015-0435(1): "If the CPS worker determines the child is unsafe, the CPS worker must immediately initiate a protective action. This usually occurs during the initial contact, but must occur at any time during the CPS assessment if it is determined that the child is unsafe. The **purpose** of the protective action is to **assure that children are safe while CPS intervention continues and a fuller understanding of the family is obtained**. A protective action may or may not involve taking the child into protective custody. A protective action occurs the same day that it is determined the child is unsafe and provides a child with responsible adult supervision and care. Typically a protective action will include a straightforward immediately achievable arrangement such as: arranging and confirming that the parent or caregiver who is the alleged perpetrator will leave and remain away from the home; arranging for a parent or caregiver who is not the alleged perpetrator to leave home with the child; using people and resources available to the family to immediately protect the child; or placing the child in a relative placement, foster care, or appropriate temporary shelter facility."
- OAR 413-015-0435(5): "The CPS worker must provide a detailed description of the protective action taken to manage the safety threat . . . within five business days following the identification of the safety threat and must include: . . . (f) An explanation of why the protective action is the most suitable, **least intrusive action that will protect the child**;"

Ongoing Safety Plan

- OAR 413-015-0450(1): "At the completion of the CPS assessment when the CPS worker determines, through an analysis of the safety-related information, that a child is unsafe, the CPS worker must develop and document an ongoing safety plan. The **purpose** of the ongoing safety plan is to **control safety threats** as they are uniquely occurring within a particular family."

- OAR 413-015-0450(2)(a): “When developing an ongoing safety plan, the CPS worker must:
 - (A) Use a Child Safety Meeting; . . .
 - (C) Explain how the ongoing safety plan is ***the least intrusive means*** that can effectively manage identified safety threats occurring within the family;”

Child Safety Meeting

- DHS Child Welfare Procedures Manual, Chapter II, 14: “A Child Safety meeting must be used when developing an ongoing safety plan. The purpose of the Child Safety meeting is to:
 - Re-evaluate the protective action, if one is in place, to determine if it is appropriate and sufficient as an ongoing safety plan;
 - Re-confirm all commitments with participants if a protective action is to become an ongoing safety plan; and
 - Discuss how the ongoing safety plan is the ***least intrusive means*** that can effectively manage how safety threats are occurring within the family. All in-home options must be considered before developing an out-of-home safety plan.”

Ongoing Case Practice- Definitions

- OAR 413-040-0005(6): “ ‘***Conditions for return***’ mean a written statement of the specific behaviors, conditions, or circumstances that must exist within a child's home before a child can safely return and remain in the home with an in-home ongoing safety plan.”
- OAR 413-040-0005(8): “ ‘***Expected outcome***’ means an observable, sustained change in a parent or legal guardian's behavior, condition, or circumstance that, when accomplished, will increase a parent or legal guardian's protective capacity and reduce or eliminate an identified safety threat, and which, when accomplished, will no longer require Child Welfare intervention to manage a child's safety. It is a desired end result and takes effort to achieve.”
- OAR 413-040-0005(12): “ ‘***Ongoing safety plan***’ means a documented set of actions or interventions that manage a child's safety after the Department has identified one or more safety threats to which the child is vulnerable and determined the parent or caregiver is unable or unwilling to protect the child. An ongoing safety plan can be in-home or out-of-home and is adjusted when necessary to provide the least intrusive interventions.”

Conditions For Return

- DHS Child Welfare Procedures Manual, Chapter III, 5, F.: “Conditions for Return should not be confused with the Expected Outcomes, which are the desired end result, based on a sustained change in the parents’ behavior, which will signal that Child Welfare’s intervention is no longer needed. ***Parents do not necessarily have to change in order for children to be returned to the parents’ home.*** Instead, to achieve reunification, a well-defined set of interventions to manage the identified safety threats must be in place and must

be sufficient to manage the child's safety in the parents' home. This distinction maintains the ***focus on reunification as a safety decision, instead of allowing the parents' involvement and progress with services and treatment activities to become the measure for reunification.***"