



SPECIAL TRANSMITTAL

SUBJECT: S.F. v. Pennsylvania Department of Human Services – Pre-Deprivation Hearing for Individuals with Valid Pennsylvania Teaching Certificate

TO: Office of Children, Youth and Families (OCYF) Regional Offices;
County Children and Youth Agencies (CCYAs);
Pennsylvania Children and Youth Administrators Association; and
Bureau of Hearings and Appeals (BHA)

FROM: Laval Miller-Wilson
Deputy Secretary
Office of Children, Youth and Families

A handwritten signature in black ink, appearing to read "Laval Miller-Wilson", is written over the printed name and title.

DATE: July 7, 2024

PURPOSE

The purpose of this special transmittal is to communicate a Commonwealth Court decision from S.F. v. Pennsylvania Department of Human Services involving alleged perpetrators who hold a valid Pennsylvania (PA) teaching certificate, and to provide guidance to investigative agencies regarding the established pre-deprivation process.

BACKGROUND

S.F., a former teacher certified by the Pennsylvania Department of Education (PDE) was alleged to have abused a special needs student on September 14, 2018. S.F. was indicated and placed on the “ChildLine Registry” on November 30, 2018. On December 26, 2018, an educator misconduct complaint based on their indicated status was filed with PDE. S.F. filed an appeal with the Bureau of Hearings and Appeals (BHA), which was scheduled for a hearing on July 21, 2019. S.F. was criminally charged with endangering the welfare of children and on June 26, 2020, entered into Accelerated Rehabilitative Disposition (ARD), a condition of which was surrendering her teaching certificate. Due to the pending criminal proceedings, the hearing before BHA was stayed. This individual filed the action in Commonwealth Court on October 15, 2020.

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They sought a declaration that section 6368 of the CPSL, 23 Pa. C.S. § 6368, is constitutionally deficient (as applied to Petitioner and other teachers) as it provides no pre-deprivation due process to such individuals listed as perpetrators in an indicated report of child abuse. S.F. sought a declaration that section 6303 of the CPSL, 23 Pa. C.S. § 6303, is unconstitutional as applied to Petitioner and other teachers because it provides no due process to individuals listed as perpetrators of a founded report of child abuse when the basis of the founded designation is “acceptance into an ARD program involving the same factual circumstances underlying a report of child abuse.” On July 11, 2023, Commonwealth Court determined that section 6368 of the Child Protective Services Law (CPSL), “when implemented with the Educator Discipline Act, contained within the School Code, does not provide for our Constitution’s guarantee of due process.” The decision was issued directing a process be implemented for ensuring that a pre-deprivation hearing be held before BHA for “teachers” prior to being placed on the Pennsylvania child abuse registry.

As used within this transmittal, the term "teacher" was further defined in the court decision to include “those individuals who hold one of the enumerated teaching certificates listed in Section 1201 of the Public School Code of 1949 (School Code), Act of March 10, 1949. Individuals who do not possess a valid Pennsylvania teaching certificate but have a teaching certificate from another state or country are not eligible for the pre-deprivation hearing. This process is applicable to any individual holding a valid Pennsylvania teaching certificate regardless of whether the individual was employed as a teacher during the investigation timeframe noted below or was ever employed as a teacher.

DISCUSSION

OCYF partnered with BHA to develop a pre-deprivation process to align with the Commonwealth Court decision for ensuring due process.

Individuals meeting pre-deprivation eligibility criteria below and being recommended for an indicated status in a Child Protective Services (CPS) report are entitled to a hearing to determine if prima facie evidence exists prior to being placed on the Pennsylvania child abuse registry as indicated. Prima facie evidence is defined as evidence adequate to establish a fact or raise a presumption of fact unless refuted.

Similarly, individuals meeting pre-deprivation eligibility criteria below and being recommended for a founded status as a result of voluntarily agreeing to and being accepted into ARD are entitled to a hearing before being placed on the PA child abuse registry as founded. The purpose of this administrative hearing is to determine if the founded status was based on the same factual circumstances as the CPS report. This guidance does not apply to a founded status for any other basis as ARD is considered a pretrial disposition.

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Determining Eligibility for Pre-Deprivation Hearing

Prior to placing an alleged perpetrator on the registry, the investigative agency (CCYA or the OCYF Regional Office) shall determine eligibility for a pre-deprivation hearing for alleged perpetrators meeting any of the following Child Protective Services (CPS) circumstances:

- CPS investigation is open or pending criminal court (PCC), alleged perpetrator is recommended for an **indicated** determination, and they were verified to have held a valid PA teaching certificate at any time between the Referral Received Date and the Outcome Received Date of the indicated determination, regardless of employment status or position.
- CPS investigation is open or pending criminal court (PCC), alleged perpetrator is recommended for a **founded determination due to ARD**, and they were verified to have held a valid teaching certificate at any time between the Referral Received Date and the Outcome Received Date of the founded (due to ARD) determination, regardless of employment status or position.
- CPS investigation was previously closed with alleged perpetrator listed as indicated, alleged perpetrator is **now recommended for a change of status to a founded determination due to ARD**, and they held a valid teaching certificate at any time between the date of court action when accepted into ARD and the change of status received date, regardless of employment status or position.

The following teaching certificate statuses are considered valid:

- Converted
- Lapsed
- Pending Voluntarily Deletion
- Valid
- Valid for (#) years of service

The following teaching certificate statuses are not considered “valid” and are therefore ineligible for the pre-deprivation hearing process:

- Expired
- Invalid
- Non-Certified Educator Designation
- Null/Void
- Voluntary Deletion

When completing the Child Protective Services (CPS) investigation prior to submitting an outcome with a recommendation of an indicated determination or a founded determination with a basis of ARD, the following steps shall be taken:

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1. The investigative agency will be required to ask all alleged perpetrators they intend to indicate or found (ARD) if they hold a valid PA teaching certificate.
 - a) Unidentifiable alleged perpetrators are not able to be assessed for teaching certificate status.
 - b) Individuals under 18 are not able to hold valid PA teaching certificates.
2. If the alleged perpetrator(s) states that they do hold a valid certificate meeting the eligibility timeframe requirements above the investigative agency will request a copy of the certificate from the applicable individual(s).
 - a) Emergency teaching certificates are unable to be produced by the alleged perpetrator as they are issued directly to the specific school.
 - b) OCYF strongly recommends the investigative agency keeping a copy of the valid PA teaching certificate in the agency's internal file for recordkeeping purposes.
3. The investigative agency shall verify the teaching certificate was valid during the corresponding timeframes outlined above by using the Teacher Information Management System (TIMS) website: www.teachercertification.pa.gov.
4. If the alleged perpetrator is unable to be located on the teaching certificate website, whether they produce a copy of the certificate or not, the investigative agency shall contact PDE for verification (ra-edcertquestions@pa.gov).
 - a) To remain compliant with confidentiality requirements in the CPSL, the investigative agency **shall not disclose the purpose of the request.**
 - b) Include the following language: Please confirm if the following individual [insert name and certificate # if known] had a valid PA Teaching certificate between the DD/MM/YYYY and the DD/MM/YYYY.
 - To determine the date range to use within the verification request, use the corresponding teaching certificate eligibility timeframes above.
 - To maintain confidentiality, **do not disclose what the dates represent.**
5. If the alleged perpetrator is deceased, unable to be located for questioning, or is uncooperative with the investigation, to determine the existence of a teaching certificate, the investigative agency shall search the TIMS website above.
6. If the investigative agency is ultimately unable to verify the existence of a valid teaching certificate after following all of the steps above, the investigative agency shall include a statement in the overall Investigation Outcome Explanation narrative. This statement shall explain the best effort steps taken by the agency and the reason in which the agency was unable to verify the teaching certificate status. The inclusion of this statement will prevent the outcome being rejected by ChildLine for the missing information.

Submitting Outcome or Change of Status for Alleged Perpetrators Recommended for an Indicated Status or a Founded Status as a Result of ARD

The investigative agency will continue to adhere to the timeframe allotted for CPS investigations already established in the CPSL. This requirement remains unchanged.

Specific information relating to the substantiation of indicated allegations is needed to determine if prima facie evidence exists. In the absence of prima facie evidence, the individual cannot be placed on the registry. For alleged perpetrators who are being recommended for an indicated status, the investigative agency shall include a statement at the beginning of the overall Investigation Outcome Explanation narrative reflecting that the investigative agency confirmed whether or not each alleged perpetrator held a valid PA teaching certificate during the eligibility timeframes. This statement is not required for unidentifiable perpetrators or those who were under 18 at the time of the CPS investigation up until the indicated outcome is received by ChildLine. Additionally, each indicated allegation shall contain sufficient details that support the prima facie evidence serving as the basis within the Allegation Outcome Explanation narrative.

For founded allegations due to acceptance into ARD, supporting information is needed to show that the founded status was based on the same factual circumstances as the CPS report. The investigative agency shall include the necessary founded language in the overall Investigation Outcome Explanation narrative within the final founded outcome or the founded change of status in addition to whether or not each perpetrator held a valid teaching certificate during the eligibility timeframes above. This statement is not required for unidentifiable perpetrators or those who were under 18 at the time of the CPS investigation up until the founded outcome or change of status request is received by ChildLine. Similar to indicated determinations, each founded allegation due to ARD shall contain the necessary supporting language within each Allegation Outcome Explanation narrative, similar to the hearing preparation for the current Founded hearings in front of BHA.

In the instance where there are multiple alleged perpetrators in one report, the Investigation Outcome Explanation narrative must reference whether each alleged perpetrator has a valid PA teaching certificate or not within the Investigation Outcome Explanation in a manner that does not contain proper first and/or last names of the perpetrators. Initials and the relationship to the victim are acceptable. Dates of the teaching certificate should be included in the narrative. OCYF ChildLine will reject outcomes and change of status requests that do not include information relating to the existence of a valid teaching certificate.

OCYF ChildLine staff will perform the standard quality assurance review to ensure the investigation outcome is correct. If the outcome or change of status is rejected for corrections, the investigative agency shall make all necessary revisions to the investigation outcome and resubmit electronically to OCYF ChildLine within six (6) calendar days from receiving the rejected investigation outcome. All ChildLine reviews and investigative agency corrections shall be completed within eight (8) calendar days

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of the Outcome Received Date or the date in which the change of status request was received.

Scheduling the Pre-Deprivation Hearing

After the necessary revisions are made, OCYF ChildLine staff will create the pre-deprivation collections folder in DocuShare for the report and notify the investigative agency via case communication that the outcome or change of status request is ready to be finalized pending the results of the pre-deprivation hearing.

The investigative agency shall upload the following documents into the respective pre-deprivation collection in DocuShare no later than three (3) business days from the date in which OCYF ChildLine sent the case communication.

- Pre-Deprivation CPS Investigation Summary (Attachment A)
- Copy of the valid teaching certificate, if able to obtain
- Proof of the valid teaching certificate that shows the status during the timeframe specified in this special transmittal (TIMS search result or PDE confirmation).

**Instructions for investigative agency to obtain access to, receive notifications from, and upload to their respective DocuShare collections can be found in Attachment B in the appendix.*

OCYF ChildLine Appeals Unit shall notify the alleged perpetrator via the *Alleged Perpetrator Notice for Pre-Deprivation Hearing and Pre-Deprivation CPS Investigation Summary* within six (6) calendar days advising that a pre-deprivation process is being requested. Information will be redacted as per statutory requirements.

OCYF ChildLine Appeals Unit will upload the entire pre-deprivation packet in DocuShare which will be accessible to the investigative agency.

OCYF ChildLine Appeals Unit shall notify BHA of the need to schedule the pre-deprivation hearing by providing the pre-deprivation packet titled "Pre-Deprivation Hearing Needed". The pre-deprivation packet consists of the following documents:

- *Pre-Deprivation Cover Letter to BHA (Completed by OCYF Appeals Unit)*
- *Pre-Deprivation CPS Investigation Summary (Attachment A)*
- *Alleged Perpetrator Notice for Pre-Deprivation Hearing (Completed by OCYF Appeals Unit)*
- Copy of the valid PA teaching certificate, if able to obtain
- Proof of the valid teaching certificate that shows the status during the timeframe specified in this special transmittal (TIMS search result or PDE confirmation)

After BHA receives the pre-deprivation packet from OCYF ChildLine Appeals Unit, BHA will schedule the hearing within fifteen (15) calendar days of receiving notice for the need for the pre-deprivation hearing. To afford both the investigative agency representative and the alleged perpetrator time to prepare for the hearing, BHA will

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schedule the pre-deprivation hearing on a date that is no less than fifteen (15) calendar days from receipt of the request for the pre-deprivation hearing.

Pre-deprivation hearings will be scheduled on specific days of the week. These days will be determined by BHA. Although scheduling conflicts may occur, the investigative agency should make every effort to prioritize the proposed days and times of the pre-deprivation hearings to ensure both timely due process for the individual(s) who possess the valid PA teaching certificate and compliance with the Commonwealth Court decision.

After the date of the pre-deprivation hearing is confirmed, BHA will notify the investigative agency, OCYF ChildLine Appeals Unit, Department of Human Services (DHS) Legal and alleged perpetrator of the date of the pre-deprivation hearing. The scheduling notice will contain important information on how the parties can prepare for the pre-deprivation hearing including the right for legal representation at the hearing.

Pre-Deprivation Hearing for Indicated Recommendation

This pre-deprivation hearing for an indicated recommendation is an abbreviated virtual hearing (using the virtual software approved by the Commonwealth) that gives the opportunity for the investigative agency representative to present their case and for the alleged perpetrator to have an opportunity to respond to the prima facie evidence presented. The hearing will be recorded and transcribed. The investigative agency representative may include a member of the investigative team, county solicitor, or another CCYA staff who is familiar with the facts of the case. OCYF strongly recommends that the investigative agency arrange for a “back-up” staff person in the event that the designated representative cannot participate in the pre-deprivation hearing.

During the pre-deprivation hearing, the investigative agency representative shall read the abuse allegation(s), dates of alleged abuse and state the evidence that supports that the abuse occurred. The investigative agency shall be prepared to address each allegation that is being recommended to be indicated for the alleged perpetrator.

The alleged perpetrator is entitled to have legal representation at the pre-deprivation hearing. The alleged perpetrator or their legal counsel will be given the opportunity to present information that disputes the investigative agency information and any relevant documents that may refute the factual allegations made by the investigative agency representative. The alleged perpetrator’s legal counsel may speak on behalf of the alleged perpetrator during the pre-deprivation hearing.

BHA will have the opportunity to ask questions to either party, as necessary.

The pre-deprivation hearing does not include the presentation of evidence that is not related to the factual allegations presented by the investigative agency witness, and it

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does not include a determination of whether substantial evidence exists to indicate because that determination is reserved for the full merits hearing. The investigative agency has the burden to present prima facie evidence.

If the alleged perpetrator does not attend the pre-deprivation hearing, the investigative agency is still required to attend and present the evidence for BHA's review and determination.

Pre-Deprivation Hearing for Founded Recommendation due to ARD

The pre-deprivation administrative hearing for individuals recommended for a founded status as a result of acceptance to ARD will follow the existing founded hearing process. The investigative agency will be required to demonstrate that the voluntary entrance and acceptance of the perpetrator into ARD was based on the same factual circumstances as the CPS allegations included in the founded recommendation. The hearing will be held in person and will be recorded by the official court reporter. The investigative agency representative may include witnesses, member of the investigative team, county solicitor, or another CCYA staff who is familiar with the facts of the case. As with the indicated pre-deprivation hearings, OCYF strongly recommends that the investigative agency arrange for a "back-up" staff person in the event that the designated representative cannot participate in the pre-deprivation hearing.

During the pre-deprivation founded hearing, the investigative agency representative shall present its case, similar to the current founded hearing process.

The alleged perpetrator is entitled to have legal representation at the pre-deprivation hearing, and can defend the founded status with or without legal representation, similar to the founded hearings currently being heard in front of BHA.

BHA will have the opportunity to ask questions to either party, as necessary.

If the alleged perpetrator does not attend the pre-deprivation hearing, the investigative agency is still required to attend and present the evidence for BHA's review and determination.

Pre-Deprivation Hearing Documents

During the pre-deprivation hearing, BHA will ask the parties if they have any documents they would like to submit to support their case. The investigative agency and the alleged perpetrator may submit documentation after the pre-deprivation hearing date, if warranted. Any documents must be submitted to BHA within eight (8) calendar days after the hearing. If one party submits documentation, the other party will have an additional eight (8) calendar days to respond and submit documentation in response.

Pre-Deprivation Hearing Decision

Within eight (8) calendar days of the pre-deprivation hearing record closing which includes receipt of any documentation submitted by the alleged perpetrator and investigative agency, BHA will determine if prima facie evidence exists to support intended indicated allegations. Similarly, BHA will determine if the acceptance to ARD was based on the same factual circumstances as intended founded allegations.

Prima Facie Evidence Exists for Recommended Indicated Allegation(s):

If BHA determines prima facie evidence exists for an indicated allegation, BHA will issue a written order to the investigative agency, OCYF ChildLine Appeals Unit and perpetrator notifying that the perpetrator will be placed on the registry and they may utilize the appeal methods within the CPSL specified timeframes.

OCYF ChildLine Appeals Unit will upload the order into DocuShare upon receipt. After uploading, OCYF ChildLine shall finalize the outcome and issue written notice of the indicated status to the perpetrator and applicable appeal rights in accordance with the CPSL.

Prima Facie Evidence Does Not Exist for Recommended Indicated Allegation(s):

If BHA determines the investigative agency does not have prima facie evidence for the recommended indicated allegations, BHA will issue a written order to the investigative agency, OCYF ChildLine Appeals Unit and the alleged perpetrator notifying that the alleged perpetrator will not be placed on the registry. This order will include appeal rights for the investigative agency where they may request a full merits hearing within fifteen (15) calendar days.

OCYF ChildLine Appeals Unit will upload the order into DocuShare upon receipt. If the investigative agency appeals and requests a full merits hearing, the outcome will be finalized, and notification issued to the alleged perpetrator after all appeal rights are exhausted and any applicable allegation outcome determination changes are made.

Same Factual Circumstances Determined for Recommended Founded Allegation(s):

If BHA determines the alleged perpetrator was accepted into ARD for circumstances that are the same as the CPS allegation(s), BHA will issue a written order to the investigative agency, OCYF ChildLine Appeals Unit and the alleged perpetrator notifying that the alleged perpetrator will be placed or changed on the registry as founded. The written order will include appeal rights for the alleged perpetrator to request reconsideration by the DHS Secretary within fifteen (15) calendar days and/or appeal to Commonwealth Court within thirty (30) calendar days.

OCYF ChildLine Appeals Unit will upload the order into DocuShare upon receipt. The outcome or change of status request will be finalized, and notification will be issued to the alleged perpetrator referring to the BHA order for further appeal rights.

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Same Factual Circumstances Not Determined for Recommended Founded Allegation(s):

If BHA determines the alleged perpetrator was accepted into ARD for circumstances that were not the same as the CPS allegation(s), BHA will issue a written order to the investigative agency, OCYF ChildLine Appeals Unit and the alleged perpetrator notifying that the alleged perpetrator will not be placed or changed on the registry as founded. This order will include appeal rights for the investigative agency to request reconsideration by the DHS Secretary within fifteen (15) calendar days and/or appeal to Commonwealth Court within thirty (30) calendar days.

OCYF ChildLine Appeals Unit will upload the order into DocuShare upon receipt. The outcome or change of status will be finalized by OCYF ChildLine, and notification issued to the alleged perpetrator after all appeal rights have been exhausted and any applicable allegation outcome decision changes are made.

Investigative Agency Does Not Request Full Merits Hearing

(Indicated Recommendation Only)

If the investigative agency does not file an appeal to request a full merits hearing within fifteen (15) calendar days after BHA determines prima facie evidence for an indicated recommendation did not exist, OCYF ChildLine will reject this outcome indicating that the investigative agency will need to modify the outcome as they did not appeal.

The investigative agency shall modify the applicable allegations and overall outcome. The overall outcome may not change, depending on the number of alleged perpetrators or additional allegations not included in the pre-deprivation hearing for the same individual. The investigative agency shall add a statement in the allegations outcome explanation narrative noting "As a result of the pre-deprivation hearing, BHA ruled that prima facie evidence did not exist and therefore this allegation is being changed to unfounded." This revised outcome must be submitted to OCYF ChildLine within three (3) business days of the rejection of the outcome.

Investigative Agency Requesting Full Merits Hearing

(Indicated Recommendation Only)

If the investigative agency intends to request a full merits hearing after BHA determines prima facie evidence for an indicated recommendation did not exist, they shall notify the OCYF Appeals Unit of the request for a full merits hearing no later than fifteen (15) calendar days from the date of the Pre-Deprivation Order using the *Full merits Hearing Request Form* (Attachment C). Instructions for requesting a full merits hearing are in the *Full merits Hearing Request Form*.

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The OCYF Appeals Unit will forward the request for a full merits hearing to BHA for scheduling.

BHA will schedule the full merits hearing and notify the alleged perpetrator, the investigative agency and the OCYF Appeals Unit of the hearing date via the Hearing Scheduling Order.

Unlike the pre-deprivation hearing, the full merits hearing can be stayed.

Full Merits Hearing Decision– Substantial Evidence Does Exist

(Indicated Recommendation Only)

BHA will facilitate the full merits hearing. If BHA rules in favor of the indicated report (in favor of the investigative agency) as a result of the full merits hearing, BHA will issue an order notifying the parties that the perpetrator's name will be placed on the registry and the alleged perpetrator will be given appeal rights to request reconsideration by the DHS Secretary and/or may appeal to Commonwealth Court, in accordance with the CPSL.

Full Merits Hearing – Substantial Evidence Does Not Exist

(Indicated Recommendation Only)

If BHA determines the investigative agency did not present substantial evidence during the full merits hearing for the indicated recommendation, BHA will issue an order notifying the parties that the report is to be unfounded. BHA will send the order to the investigative agency, OCYF Appeals Unit and the alleged perpetrator. The order will contain language notifying that the investigative agency has the right to request reconsideration by the DHS Secretary or appeal to Commonwealth Court.

In addition to following the instructions in the order, the investigative agency shall also notify OCYF Appeals Unit whether they intend or do not intend to seek reconsideration by the DHS Secretary or appealing to Commonwealth Court. Notification to OCYF Appeals Unit should be emailed to the following resource account: RA-childabuseappeals@pa.gov.

Alleged Perpetrator or Investigative Agency Requests Reconsideration or Appeals to Commonwealth Court After Full Merits or Founded Pre-Deprivation Hearing

(Includes Indicated and Founded (ARD) Recommendations)

If the investigative agency requests reconsideration or appeals to Commonwealth Court, the outcome will not be finalized until the DHS Secretary or Commonwealth Court issues a decision.

If the alleged perpetrator requests reconsideration or appeals to Commonwealth Court, and the indicated determination of founded due to ARD determination is dismissed, the outcome will be changed upon receipt of the BHA Secretary or Commonwealth Court issued decision. If the DHS Secretary or Commonwealth Court decision is to uphold the recommended determination, no further action is needed.

Alleged Perpetrator or Investigative Agency Does Not Seek Reconsideration or Appeal to Commonwealth Court After Full Merits or Founded Pre-Deprivation Hearing

(Includes Indicated and Founded (ARD) Recommendations)

If the alleged perpetrator or investigative agency does not seek reconsideration by the DHS Secretary or appeal to Commonwealth Court, the OCYF Appeals Unit will forward the order to the OCYF ChildLine team.

The OCYF ChildLine team will reject the outcome or deny the change of status.

The investigative agency will make any necessary updates to allegations recommended for an indicated status or a founded status due to ARD within three (3) business days and electronically resubmit to OCYF ChildLine. The necessary updates will include one of the following:

1. Allegation(s) Recommended as Indicated Prior to BHA Decision.
 - a. Make allegation(s) in question unfounded.
 - b. Select unfounded reason of "other."
 - c. Include unfounded reason explanation, "BHA rules that the full merits hearing decision is final and the allegation is unable to be substantiated."
2. Allegation(s) Recommended as Founded due to ARD Prior to BHA Decision and Same Allegation(s) Not Previously Indicated.
 - a. Make allegation(s) in question unfounded.
 - b. Select unfounded reason of "other."
 - c. Include following unfounded reason explanation, "BHA rules that the founded hearing decision is final, and the allegation is unable to be substantiated."

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Updates to the overall outcome may be warranted depending on the status of the allegations to align with the outcome hierarchy. Investigative agencies must not make any other updates to the outcome without specific permission from OCYF ChildLine.

In the event that the allegation(s) were recommended as founded due to ARD prior to BHA decision AND the same allegation(s) were previously indicated, ChildLine will deny the change of status and the previous allegation determination will remain. A statement will be populated in the denial reason explaining that the change of status was denied due to the result of the final pre-deprivation decision. No further action will be needed from the investigative agency.

OCYF ChildLine will finalize the outcome and issue appropriate notifications.

OCYF recommends that investigative agencies update their policies and procedures to include this process for individuals with a valid teaching certificate.

Any questions relating to the guidance provided in this transmittal shall be directed to the appropriate regional office. County children & youth agencies shall not contact OCYF ChildLine for questions relating to this process.

PRE-DEPRIVATION CPS INVESTIGATION SUMMARY

INVESTIGATING AGENCY

Agency Name:

Agency Address:

REFERRAL INFORMATION

CWIS Referral ID:

Referral Received Date:

Start Date of Incident: Estimated

End Date of Incident: Estimated

SUBJECT CHILD

Child Name:

Child Date of Birth: Estimated

ALLEGED PERPETRATOR (AP)

AP Name:

AP Phone Number:

AP Address:

AP CPSL Relationship at the time of abuse/neglect:

Did the investigating agency verify the AP held a valid teaching certificate during the investigation?

PRE-DEPRIVATION CPS INVESTIGATION SUMMARY

ALLEGATION(S) AND SUMMARY OF EVIDENCE

Category of Abuse/Neglect:

Perpetrator by:

Allegation Outcome:

What is the Basis for Substantiation? *Check all that apply.*

Medical Evidence

CPS Investigation

Perpetrator Admission

Accelerated Rehabilitative Disposition (ARD) *Only applicable if outcome is Founded.*

Allegation Outcome Explanation:

Attachment B

DocuShare Instructions for County Staff Involved in the Pre-Deprivation Process

As noted in the Special Transmittal *Pre-Deprivation Hearing for Individuals with Valid Pennsylvania Teaching Certificate* on page 6 (in the section titled “Scheduling the Pre-Deprivation Hearing”), Investigative Agencies (this includes County CYA’s and Regions) will be expected to upload specific content to DocuShare for the purposes of the Pre-Deprivation Packet creation, once ChildLine has reflected that they are satisfied with the outcome, and added a new sub-folder in DocuShare which the investigative agency will need to upload the content to. These materials which investigative agencies are to upload will include the Pre-Deprivation CPS Investigation Summary (special transmittal attachment A) and any documentation showing proof the alleged perpetrator held a valid teaching certificate within the timeframe described in the special transmittal.

It is important to note, counties will need to onboard their users for this DocuShare collection prior to being able to access the link to the DocuShare collections that will be provided in this document, as new security groups are being created for counties for this purpose. This document will describe both the steps for counties to follow to onboard their users who will need to upload the content to the DocuShare collections in question, as well as to provide instructions to investigative agencies related to the requirement for their DocuShare users to set up notifications in DocuShare to alert them when ChildLine has added a collection for them to upload to, and instructions on how to complete the actual uploads. If counties or regions encounter issues with completing any of the processes noted below, they should please reach out to the OCYF Account Requests Resource Account (RA-pwocyfacctrequest@pa.gov) to report the issue.

Section Content

1. How to onboard investigative agency users to the new DocuShare Groups (found on pages 2-3)
2. How to set up notifications in the investigative agency Pre-Deprivation DocuShare collection (found on pages 4-6)
3. Instructions for investigative agencies uploading the Pre-Deprivation content to DocuShare (found on pages 7-10)

Attachment B: Investigative Agency DocuShare Instructions for Pre-Deprivation Process

Onboarding Investigative Agency Users to the Pre-Deprivation Content DocuShare Groups

*Regional staff may skip directly to step 3, as regions will have access to appropriate DocuShare content automatically following the issuance of the special transmittal and will not need to send an email request.

1. Each county shall designate one point person (in order to expedite the process and avoid confusion caused by multiple email threads) to send an email to the OCYF Account Requests RA Account (RA-pwocfacctrequest@pa.gov) by no later than 06/21/2024 to indicate the information noted below. For the convenience of the counties, a template has also been provided which counties may complete and copy/paste into the email.
 - a. The names of all staff in their county who will need to be added to the DocuShare Group so they may upload the Pre-Deprivation packet information to DocuShare on behalf of the county in question. The point person making the request should also please cc these individuals on the email so those individuals may take the follow up steps reflected below once access is granted, and so the RA staff can confirm the email associated with the b- accounts for users are correct, as this is important to the notifications in DocuShare.
 - b. The business partner user name (b- name) of each staff person needing to be added to the group. If any users do not yet have a b- account, that should be made clear so staff managing the RA account can take steps to have those credentials created as part of the onboarding process.
 - c. The name of the county Docushare Group the users need to be added to.

Template: **Counties must complete all columns except for the last for each user they need to add to the group, EXCEPT the last column, which is already pre-populated.** The first row contains an example noting how the template is to be completed.

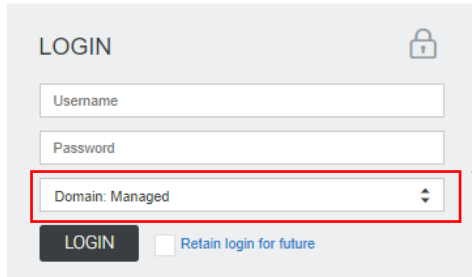
Full Name of User	Does This User Have an Existing B- Account?	B- User name if user has an existing account (if not, leave blank)	County	DocuShare Group User is to be Added as DS User To (<u>County Does NOT need to complete this column</u>)
<i>Ex: John Doe</i>	<i>Ex: Yes</i>	<i>Ex: b-johndoe</i>	<i>Ex: Adams</i>	OCYF Pre Deprivation <u>INSERT COUNTY NAME FROM PREVIOUS COLUMN</u> County Users
				OCYF Pre Deprivation <u>INSERT COUNTY NAME FROM PREVIOUS COLUMN</u> County Users
				OCYF Pre Deprivation <u>INSERT COUNTY NAME FROM PREVIOUS COLUMN</u> County Users
				OCYF Pre Deprivation <u>INSERT COUNTY NAME FROM PREVIOUS COLUMN</u> County Users
				OCYF Pre Deprivation <u>INSERT COUNTY NAME FROM PREVIOUS COLUMN</u> County Users
				OCYF Pre Deprivation <u>INSERT COUNTY NAME FROM PREVIOUS COLUMN</u> County Users

2. OCYF staff monitoring the RA Account will respond to the email once all requested staff have been successfully added to the DocuShare Group. In the response, they will require the users

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who have been added to the County DocuShare Group to take steps 3 and 4 to confirm their access and complete the request.

- Staff who will be uploading Pre-Deprivation content to DocuShare for their respective county or region must navigate to the parent folder in DocuShare by logging in using this URL <https://www.dpwds.state.pa.us/docushare/dsweb/View/Collection-376442> . Please note, county users must ensure the user type on the login screen is set to 'Managed'.



The screenshot shows a login form with the following elements:

- Title: LOGIN
- Fields: Username, Password, Domain (set to Managed)
- Buttons: LOGIN, Retain login for future (checkbox)
- Annotations: A red box highlights the Domain field, and a green arrow points to it from the text above.

Once the user has successfully navigated to this page, they must also verify that the subfolder for their specific county or region is visible to them, and that they can access the folder (click on the folder name to navigate to the county or region-specific folder).

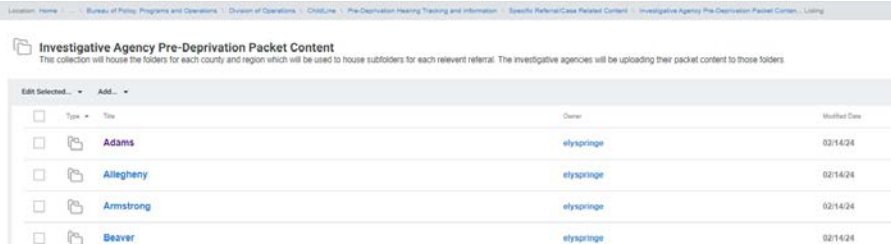
- Once in the folder for their specific county or region, each user who will be uploading the content must set up email notifications (steps found starting on the next page). Confirmation must be sent to the RA Account when these notifications have been successfully set up for all county or regional users who will have access to upload to the collection for their county or region so that the RA staff can then create the subfolder needed to complete the test successful receipt of the email (see step #9 on page 6 of this document, in the section related to creation of the notifications).

******IMPORTANT NOTE: The instructions above apply for the initial onboarding effort. Following the initial onboarding effort, counties are expected to keep their DocuShare users up to date and on and off board users as needed. Requests related to modifications of the county users in this DocuShare Group must be sent to the OCYF Account Request RA account, as is the standard process with all OCYF DocuShare Groups.***

How to Set Up Notifications in the Pre-Deprivation County or Region DocuShare Folders

County and Regional Users who will be accessing the Pre-Deprivation content in DocuShare must follow the steps below to set up email notifications so they receive emails when new subfolders are added to the collection by ChildLine for their respective counties or regions, which will in turn signal the need for the county or region to upload the content.

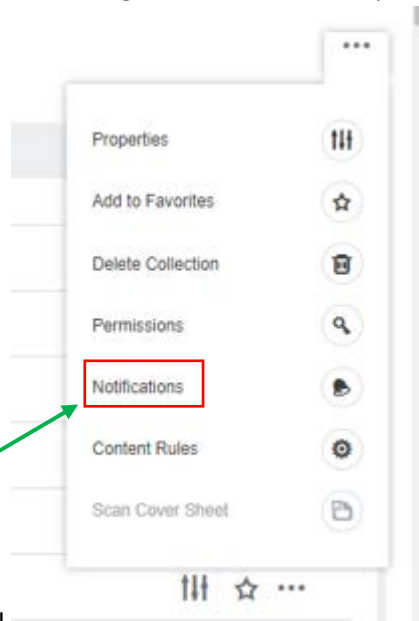
1. Navigate to the DocuShare collection using this hyperlink <https://www.dpwds.state.pa.us/docushare/dsweb/View/Collection-376442> . Log in when prompted, if needed. Once you are logged in, you should see the screen below.



2. User should click on the folder in this collection for their specific county or region. The user will be able to tell they have successfully navigated to their county or regional folder if they can see the name of their county or region on the screen in the page title (see screen shot below with example for Adams County).



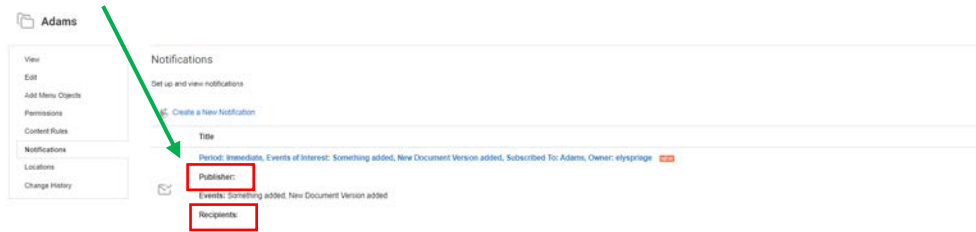
3. Click the icon showing three dots on the far right of the screen to open the menu.



4. Click on “Notifications” in the menu

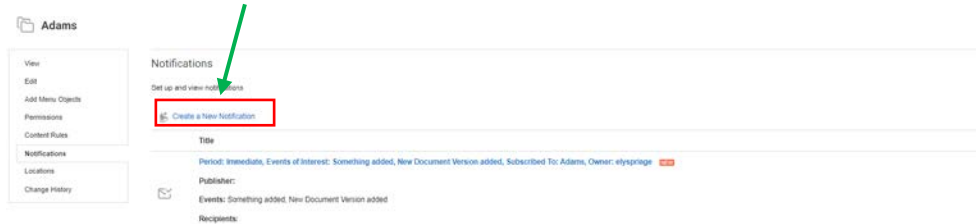
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5. The screen below will appear. Before moving to step 6, ensure next to “Publisher” it shows the name of the county or region the user is setting up the notifications for, and next to “Recipients” it will show the name of the user setting up the notifications.

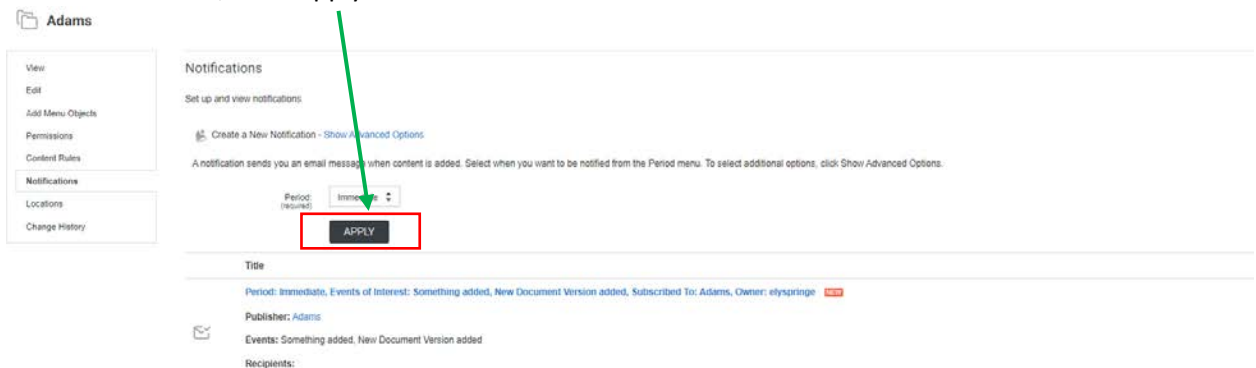


*If beside “Publisher” it reads “Investigative Agency Pre-Deprivation Packet Content” instead of the name of the county or region, go back to step 3 to ensure the notification is set up in the correct collection.

6. Click on ‘Create a New Notification’



7. In the next screen, click ‘Apply’.



8. A new screen will appear, showing successful addition of the notification.



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- Confirmation should be sent to the RA Account when all county or regional DocuShare users have successfully set their notifications up (see step 4 on page 3). The staff managing the RA account will then create a "Test" folder within the collection for your specific county or region. Once that is complete, you should receive an email similar to that shown in the screen shot below.

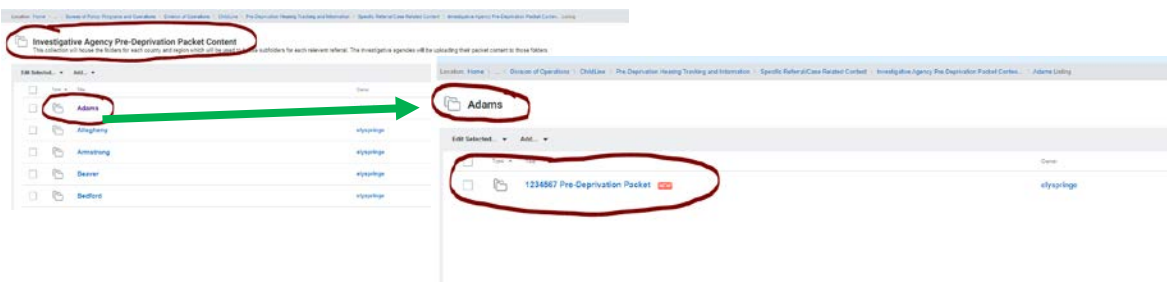


DocuShare Uploads – Scenario Example

- Once ChildLine has determined no additional changes are needed to the outcome and have reflected this in the case communications, ChildLine will create a folder for the Investigative Agency to upload the Pre-Deprivation packet materials to in DocuShare.
- Each County and Region has a dedicated folder within DocuShare, found within the parent folder accessed via this link <https://www.dpwds.state.pa.us/docushare/dsweb/View/Collection-376442>
- ChildLine will create the collection for the materials for the Pre-Deprivation packet materials to be placed in as a new subfolder within the folder for the relevant Investigative Agency once they are ready for the county or region to provide the content to them via DocuShare.
- Licensed County or Regional DocuShare users with access to their collection will receive an email notification telling them a new object has been added to the collection once the folder is created by ChildLine. Once the user(s) receive the email notification indicating the folder has been created, they can then take steps to upload the content to the folder in question.
- The steps below will show an example of the folder structure and upload locations, as well as the process for counties and regions to add the necessary content outlined in the special transmittal to DocuShare.

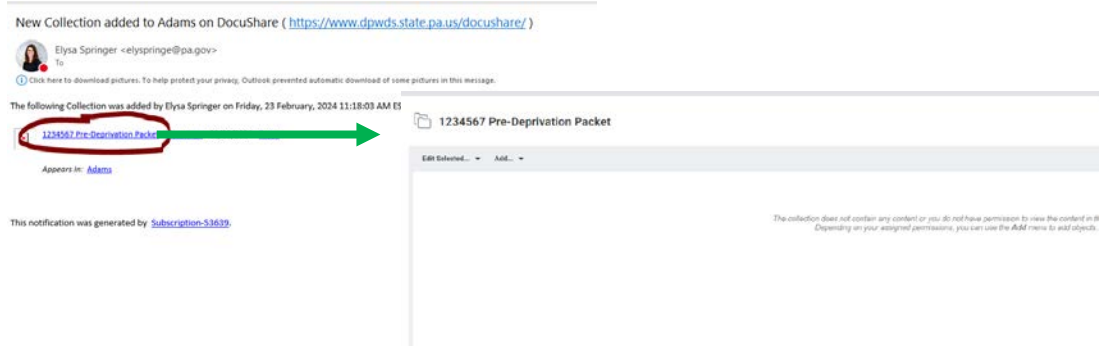
In the example below, CPS Referral 1234567, investigated by Adams County CYs, is eligible for the Pre-Deprivation Process. The screen shots below show the steps in DocuShare once ChildLine has determined the outcome is of acceptable quality and the county can now upload the Pre-Deprivation packet materials.

1. ChildLine will create the folder in DocuShare for the Investigative Agency to upload the content to. This folder will be created within the parent folder for the Investigative Agency.

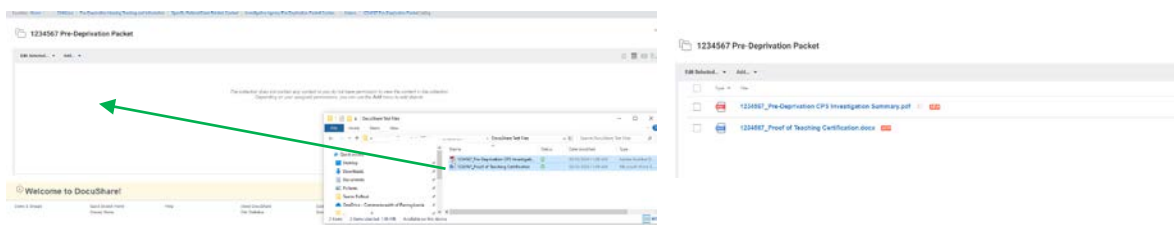


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2. The county or regional user(s) who have appropriately set up notifications within their county specific folder (covered on later slide in detail) will receive an email notifying them that a new collection was added to their county folder. This serves as notice the county (or region) can upload their content. The email notification will have a link that can be clicked on to take the user directly to the new folder.

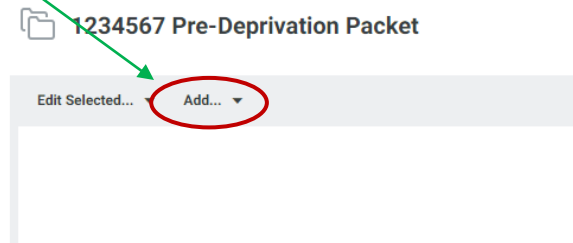


3. The county or regional user(s) who have access to the folder will upload the necessary content to the new DocuShare folder specific to the referral. This can be done in one of two ways. Either the user can drag/drop the locally saved documents into DocuShare, or the user can use the 'Add' function in DocuShare to add the documents to the folder shown in the previous step. It is recommended to use the drag/drop, as the user can add multiple documents at one time, versus having to add each individually.
 - a. Drag/Drop Option: Select the file(s) you wish to add to DocuShare. Drag/drop the selected files into the blank space in the folder the arrow points to in the screen shot on the left. The screen will change to show two boxes, the one on the left will say "Drop files here to instantly upload them as Documents". Release the mouse button once you have positioned over that box on the left. Your files will be uploaded and will be visible in the collection as shown in the second screen shot on the right.

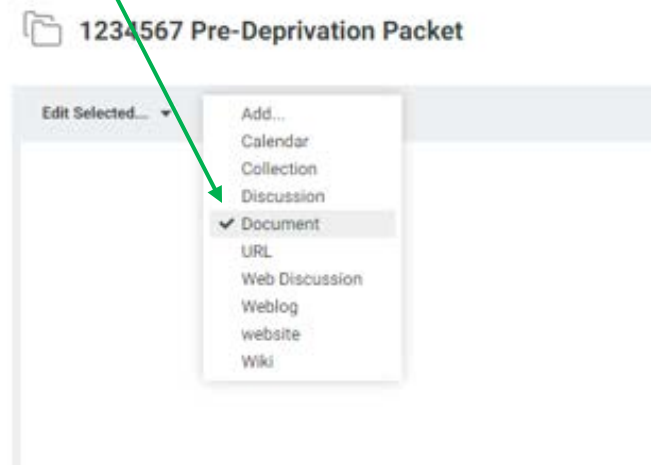


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- b. Manual 'Add' Document Option: Once you navigate to the collection in Step 2, click the 'Add' dropdown below the folder name in DocuShare.



- i. Select 'Document' from the 'Add' drop down menu.



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- ii. In the 'Add Document' screen, use the 'Choose File' button to browse for & select the file from the location where you have saved it.

Add Document By: Uploading a document now
 Uploading a document later

Filename: 1234567_Pr...fication.docx

Title:

Summary:

Description:

B I U S A

|

body

Keywords:

Expiration Date: mm/dd/yyyy mm

Max Versions: (required)

Author:

Initial Permissions: Same as container
 Same as container except write restricted to owner
 Restricted to owner

Document Routing: Do not route the document
 Route the document and publish it later
 Publish and then route the document

- iii. Once you have chosen the file to upload (you may only choose one at a time), click the apply button at the bottom of the screen.