

- The individual/agency responsible for screening/assessment;
- The worker within the agency responsible for giving notifications;
- Crisis intervention procedures.

A sample plan ([Attachment 1](#)) may be used as a guide for developing the county plan.

Each county must designate an individual(s) within DSS or get the assistance of an outside agency to conduct screenings and/or assessments.

The individual conducting the assessment must be trained in family violence. Although there is no licensing procedure for family violence professionals, counties should carefully select the individuals/agencies who will be responsible for conducting in-depth assessments. In making the selection, consult with 1 or more of the following: The Council for Women, the NC Coalition against Domestic Violence, or the local domestic violence program in the county or area recognized by the NC Council for Women.

IV. TRAINING

Every effort must be made to train new employees within 90 days of employment. All employees must complete Family Violence Option training before speaking with participants about the option. A standardized training packet is available for use by counties from the Division of Social Services. Individuals/agencies with whom the county contracts for family violence services must also be trained on the Option and Work First.

V. INFORMATION CONCERNING FAMILY VIOLENCE

Give each adult seeking assistance, including payees in child only cases and teen heads of household, information concerning family violence and the services available to deal with the issue. At a minimum, provide written materials to the adult. This can include the Family Violence Option brochure ([Attachment 2](#), DSS-6967) or written materials obtained from local domestic violence programs or other agencies. If there is evidence of family violence, workers are strongly urged to provide verbal information as well.

VI. REQUIRED NOTIFICATION OF WORK FIRST PARTICIPANTS

Using the Notification of the Family Violence Option ([Attachment 3](#), DSS-6966), notify the participant of the definition of family violence and the right to request a waiver for some or all of the requirements on their Mutual Responsibility Agreement if family violence is preventing them from fulfilling those requirements. Workers should also advise the participant that services designed to address the violence are available. Complete the Notification, sign it, and have the participant sign it. If the participant refuses to sign the notification, note on the

The purpose of the in-depth assessment is to evaluate the participant's situation and determine the extent to which the violence is an impediment to self-sufficiency. The assessment ([Attachment 5](#), DSS-6965) must be administered in a private and confidential setting. No partners may be in attendance at the assessment. The participant's ability to work or participate in required Work First activities, the extent and volatility of the situation, the barriers to self-sufficiency and the needed services will be determined. The county department of social services is responsible for providing the DSS-6965 to the individual/agency that is chosen to conduct the assessments.

Based on the assessment, a safety plan will begin to evolve. It will be developed jointly by the family violence service provider and the participant.

NOTE: If a participant does not self-disclose or screen positive but there is evidence of family violence, make a referral to a family violence service provider. The participant is not required to follow through with the referral. However, continue to work with the participant and if self-disclosure or a request for services occurs in the future, refer for assessment at that time.

IX. ASSESSMENT REPORT

The individual conducting the assessment will report to the case manager the overall results. An assessment report should be completed and returned to the case manager within 5 days of conducting the assessment. The assessment report should include, at a minimum, the following:

- Overall ability of the participant to fulfill Work First requirements
- Recommended activities to remove barrier(s)
- Recommended time frame to address the violence
- Whether the participant is requesting a waiver and if so, the assessor's recommendations.

File the assessment report in the case record. It is a county option to have the actual assessment form returned to the worker. If returned to the worker, file the assessment form in the case record. Refer to Section XVIII. for confidentiality.

X. TWO-PARENT HOUSEHOLDS

When working with two-parent families, notify both participants. However, never conduct a screening or assessment with an individual's spouse/partner present. Ensure that one partner is not informed that the other partner is being screened/assessed for family violence as this may precipitate violence. To ensure privacy, the worker may have to arrange for another meeting with the victim. If this is not possible, the worker will need to devise other activities for the partner to be involved in while the assessment is taking place.

XI. WAIVER REQUEST

If a participant is unable to participate in work activities or comply with other Work First requirements at the time of the assessment, the participant **may** request a waiver.

Use the assessment report from the family violence professional in conjunction with other information concerning the case, to determine if a waiver should be granted. Take into consideration potential danger to the participant if activities are pursued, the amount of counseling/treatment needed to deal with the violence, the overall desires of the participant, and whether the requirement would unfairly penalize the participant in any way. Note in the case record any request for waivers due to family violence and their disposition.

A. Nature of Waiver

A waiver may be granted to a participant for any or all of the Work First requirements. Some examples are:

- The participant is deemed to be able to work only 15 hours per week due to the need for family violence counseling. 20 of the 35-hour average weekly requirement would be waived.
- A teen parent's home is violent. For her safety the requirement for living at home may be waived. Follow the normal procedures for assigning a protective payee for the case. See Section 107. School attendance requirements may also be waived for the minor parent.
- The participant has left the home and is currently residing in a shelter. S/he is determined to need at least 2 months to recover from the abuse s/he endured. The work requirement may be waived and the 24-month clock stopped temporarily until s/he is able to begin meeting Work First requirements. County residence requirements may also be waived if necessary.
- Any other Work First requirements, including the Family Cap and Child Support Enforcement may be waived if necessary for the safety and well being of the family.

The 60-month clock cannot be stopped. However, family violence may be a reason for a hardship exemption at the end of 60 months.

Although certain requirements may be waived, the Work First participant will need to engage in activities to address the family violence issues. The participant will work with a person trained in family violence to develop a safety plan that will address the violence and the barriers to self-sufficiency it has caused.

A waiver may not be appropriate if the participant is able to meet the Work First requirements without endangering the individual or the children. Therefore, do not automatically grant waivers. Rather, evaluate each request on a case-by-case basis.

EXAMPLE: A participant is being battered by his/her partner, but does not prevent employment. In this case, a waiver of the work requirements would probably not be appropriate, but the worker should refer the participant to counseling or other Work First services to address the violence.

B. Waiver Request Procedures

Upon receipt of the assessment report, determine with the participant if the participant is able to meet any or all of the Work First requirements. If necessary, consult with the assessor to determine what activities the participant can pursue, the measures that are needed for the participant to work on the family violence issues, and the estimated length of time needed for these activities. Based on the information received, determine if a waiver of any requirements should be granted, the length of the waiver and the activities in which the participant will participate during the waiver period.

C. Time Frame for Waiver Decisions

Decisions on waiver requests must be made within 10 working days of receipt of the assessment report.

D. Length of Waiver

Waivers may be granted indefinitely. However, the waiver must be reassessed at least once every 6 months. The actual length of the waiver will be determined by the amount of time needed to deal with the issues preventing compliance with Work First requirements. At the end of the waiver period the waiver must be reassessed to determine if the waiver is still needed. If appropriate, the waiver may be extended for up to 6 months, at which time it must again be reassessed.

E. Disposition of Waiver Request

If the worker's decision is contrary to the assessor's recommendation, the worker should consult with the assessor. However, the final decision rests with the worker. Once a final decision has been made on the waiver, inform the participant. Note in the case record the decision concerning the waiver.

XIII. MUTUAL RESPONSIBILITY AGREEMENT

An assessment is not necessary to formulate an MRA that addresses the issue of family violence. If family violence is an issue in a family, but the participant does not wish to have the assessment, guide the participant toward activities that will address the issue. If an assessment is conducted, formulate an MRA which includes those items deemed necessary for the participant to overcome the barriers precipitated by abuse. The details of the Family Violence assessment report are not required on the MRA; however, reference to follow-through with a safety plan is appropriate. Follow-up with the participant to ensure compliance.

For two-parent households, each partner must be willing to participate in the activities deemed necessary to address the violence.

XIV. CORROBORATION OF FAMILY VIOLENCE

In order to grant a waiver, there must be some type of corroboration of the presence of family violence. One or more of the following verifications are acceptable (in order of preference). Document in the record the corroboration used.

- Verification by the individual/agency conducting the assessment
- Corroboration by Child Support
- Any legal documents which document the abuse (protection orders, police reports, etc.)
- Statements by other people knowledgeable of the participant's circumstances
- Signed statement by the participant

XV. SUPPORTIVE SERVICES

All Work First participants, including those who have waivers, are eligible for supportive services to enable them to meet the requirements of their MRA. Participation in family violence counseling is an allowable work activity for federal and state hours. Refer to Work First Policy Section 118 for a full explanation. Childcare can be provided for family violence related counseling or activities.

XVI. CHANGE IN COUNTY RESIDENCE

There will be occasions when a participant will have to reside in a shelter or other safe place that is located in a county other than their county of residence. If the participant's intent is to return to the original county after the crisis has been handled, the case will remain in the original county of residence.

If a participant's intent is not to return to the original county of residence, follow the guidelines in Section 204 for change in county of residence. If a waiver

exists for the participant, a new assessment must be completed to ensure that a waiver remains necessary.

XVII. VOLUNTARY NATURE OF SCREENING, ASSESSMENT, AND WAIVER

Screening, assessment, and acceptance of a waiver are not mandatory. A client who does not wish to have any requirements waived can not be required to do so, even if the worker believes it would be in the participant's best interest. The worker should attempt to involve the participant in activities to address the family violence, if the participant agrees.

XVIII. CONFIDENTIALITY

Because of the volatile nature of family violence, it is imperative that confidentiality be strictly maintained. At no time should the case be discussed with anyone other than those who need to know, such as those actively working with the participant. Information must never be shared with the batterer, even if it is a two-parent case. Never screen, assess, or notify couples at the same time. It is also important that one partner is never told the other partner is being assessed for or receiving services for family violence. Before referring a participant to a screening/assessment by an outside agency, a release of information must be signed by the participant ([Attachment 6](#), DSS-6969). If the participant is involved with other outside agencies (such as Welfare-to-Work) a release must be signed indicating what information can be shared with that agency. Domestic Violence Agencies will require participants to sign the agency's confidentiality release form prior to any information being released to the county DSS.

XIX. CONSEQUENCES FOR NONPARTICIPATION

If an individual fails to follow through on the activities agreed upon, the worker must consult with the agency/individual working with the client to determine the reasons for noncompliance. It should be clearly determined that the participant had ample opportunity to comply and that there were no intervening barriers. If it is determined that the participant could have complied, the waiver ends. The participant then becomes mandatory for all work requirements.

If a participant without a waiver does not follow-through with an activity the worker should first determine good cause by consulting with both the participant and the Family Violence provider. If good cause exists the worker will need to consider if a waiver is applicable. If good cause does not exist, refer to Section 120.

XX. REFERRAL TO CHILD PROTECTIVE SERVICES

By law, workers are required to report any suspected child abuse to Child Protective Services. Workers giving notification should make sure participants understand that if they reveal child abuse or neglect or if there is a suspicion that

