

CR 88-8

CERTIFICATE

**RECEIVED**

STATE OF WISCONSIN )  
 ) SS  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES)

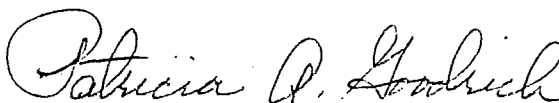
MAY 3 1989  
3:30 PM  
Revisor of Statutes  
Bureau

I, Patricia A. Goodrich, Secretary of the Department of Health and Social Services and custodian of the official records of the Department, do hereby certify that the annexed rules relating to training of juvenile court intake workers were duly approved and adopted by this Department on May 3, 1989.

I further certify that this copy has been compared by me with the original on file in the Department and that this copy is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the State Office Building, 1 W. Wilson Street, in the city of Madison, this 3rd day of May, 1989.

SEAL:



Patricia A. Goodrich, Secretary  
Department of Health and Social Services

7-1-89

2-24-84

ORDER OF THE  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
ADOPTING RULES

RECEIVED

MAY 3 1989

Revisor of Statutes  
Bureau

To create HSS 49, relating to training of juvenile court intake workers.

Analysis Prepared by the Department of Health and Social Services

Juvenile court intake workers screen youths who are taken into custody by law enforcement officers or otherwise referred to court intake and who are not released under s. 48.20, Stats., to determine if the youths should remain in physical custody and, if so, where they should be held. The intake worker reviews referral information, interviews the youth if possible and, when appropriate, other available concerned parties, provides crisis counseling to the youth as necessary, recommends to the court whether a petition should be filed, refers the young person to another agency if necessary or desirable, and later makes interim recommendations to the court concerning a youth awaiting final disposition under subch. VI of ch. 48, Stats.

These are rules for approving proposals to provide court intake training of persons who have recently been employed as juvenile court intake workers, and for monitoring compliance with the requirement in s. 48.06(1)(am) and (2)(b), Stats., that every juvenile court intake worker successfully complete 30 hours of intake training approved by the Department within 6 months after beginning work. Although the statutory requirement for training applies to all intake workers hired after May 15, 1980, these rules apply only to workers hired or assigned duties on or after the effective date of this chapter.

The rules repeat the statutory requirement that all new juvenile court intake workers must receive department-approved intake training; provide for monitoring compliance with that requirement through notification of the Department when a person begins work as an intake worker and reports by the Department to the chief juvenile court judge and other parties when the worker has not successfully completed the required training; state what must be included in a training proposal; permit an appeal when a proposal is turned down; provide for administration of a test developed by the Department at the conclusion of the instruction; and require that participants in training be permitted to evaluate the training experience.

The Department's authority to adopt these rules is found in s. 48.06(1)(am) and (2)(b), Stats. The rules interpret s. 48.06(1)(am) and (2)(b) and (c), Stats.

SECTION 1. HSS 49 is created to read:

## CHAPTER HSS 49

## JUVENILE COURT INTAKE WORKER TRAINING

- HSS 49.01 Authority and Purpose
- HSS 49.02 Applicability
- HSS 49.03 Definitions
- HSS 49.04 Intake Training
- HSS 49.05 Monitoring of Compliance with the Training Requirement
- HSS 49.06 Review and Approval of Training Proposals
- HSS 49.07 Examination
- HSS 49.08 Participant Evaluation of Training

HSS 49.01 AUTHORITY AND PURPOSE. This chapter is promulgated under the authority of s. 48.06(1)(am) and (2)(b), Stats., for the purpose of ensuring that all juvenile court intake workers receive basic training appropriate to their functions and responsibilities.

HSS 49.02 APPLICABILITY. This chapter applies to the department, to juvenile court intake workers who are employed after the effective date of this chapter and to agencies in which juvenile court intake is administratively located.

HSS 49.03 DEFINITIONS. In this chapter:

(1) "Basic intake training" means 30 hours of department-approved training required under s. 48.06(1)(am) and (2)(b), Stats., which includes one hour for a test at the conclusion of the instruction and may include up to 4 hours of child abuse and neglect training approved by the department.

(2) "Department" means the Wisconsin department of health and social services.

(3) "Employing agency" means a court, county department of social services, county department of human services or county sheriff's department which employs one or more juvenile court intake workers.

(4) "Juvenile court" or "court" means the court assigned to exercise jurisdiction under ch. 48, Stats.

(5) "Juvenile court intake worker" or "intake worker" means an employe of a court, a county department of social services or human services or the sheriff's department who performs court intake functions as specified in s. 48.067, Stats.

(6) "Successfully completed" means was present for 30 hours of basic intake training and gave correct answers to 70% or more of the test questions.

HSS 49.04 INTAKE TRAINING. (1) REQUIREMENT. Except as provided in sub. (2), every juvenile court intake worker hired on or after the effective date of this chapter [revisor to insert date] shall successfully complete 30 hours of department-approved basic intake training within the first 6 months after beginning work as a juvenile court intake worker.

(2) EXEMPTION. A person hired on or after the effective date of this chapter [revisor to insert date] to perform juvenile court intake responsibilities shall be exempt from the training requirement under sub. (1) if:

(a) The person successfully completed basic intake training while employed by another agency as a juvenile court intake worker; or

(b) The person was employed as a juvenile court intake worker in Wisconsin prior to May 15, 1980.

Note: The exemption under sub.(2) applies only to the requirements of this chapter. All intake workers hired after May 15, 1980 remain subject to the training requirement under s.48.06(1)(am) and (2)(b), Stats.

HSS 49.05 MONITORING OF COMPLIANCE WITH THE TRAINING REQUIREMENT.

(1) NOTIFICATION OF APPOINTMENT OR ASSIGNMENT. Within 20 working days after the appointment of a juvenile court intake worker or the assignment of juvenile intake responsibilities to an employe, the employing agency shall notify the department, in writing, of the appointment or assignment. The notification shall include:

(a) The name of the new employe or newly assigned employe;

(b) The starting date of the new employe or newly assigned employe.

Note: The notice that an employing agency is required to send to the Department should be sent to the Bureau for Children, Youth and Families, Division of Community Services, P.O. Box 7851, Madison, WI 53707.

(2) NOTIFICATION OF NON-COMPLIANCE. If the required basic intake training of a juvenile court intake worker was not successfully completed within the first 6 months after the person began work, which the department shall determine on the basis of the notification under sub. (1) and the test results under s.HSS 49.07(2)(e)(3) and (4), the department shall send a letter reporting this to:

(a) The chief juvenile court judge;

(b) The director of the county social services or human services department, if the intake worker is an employe of that department;

- (c) The district attorney or corporation counsel;
- (d) The sheriff of the county or the head of the agency which administers the county's juvenile detention facility; and
- (e) The intake worker's supervisor or the chief juvenile court intake worker.

HSS 49.06 REVIEW AND APPROVAL OF TRAINING PROPOSALS. (1) SUBMISSION OF TRAINING PROPOSAL. Any individual, agency or organization intending to provide basic intake training to juvenile court intake workers shall submit a proposal to the department for all 30 hours of training, including the one hour test, at least 60 days before the training is to begin. The proposal shall include:

(a) A description of the organization and content of the training and a statement describing the educational objectives of the training. The content of the training shall consist of training in statutes specified by the department;

Note: The statutes to be included in basic intake training are found in appendix A of this chapter.

- (b) A list of trainers, including documentation of their knowledge of the subject and ability to teach it;
- (c) An agreement to administer the test required under s. HSS 49.07;
- (d) A description of procedures to be used to verify attendance at the training sessions;
- (e) Identification of any tuition or other fees to be charged to participants;
- (f) The maximum number of participants that can be accommodated;
- (g) The specific location or locations in which the training will take place; and
- (h) A list of the dates on which the training will be given.

Note: Submit training proposals for review and approval of the Department to the Bureau for Children, Youth and Families, Division of Community Services, P.O. Box 7851, Madison, WI 53707.

(2) EVALUATION AND APPROVAL OF A TRAINING PROPOSAL. (a) 1. The department shall evaluate the training proposal for completeness, timeliness and adequacy under sub.(1) and for inclusion of the statutes related to juvenile court intake worker training as specified by the department.

2. The department shall notify the applicant in writing of approval or denial within 20 working days after receipt of the proposal. If the proposal is not approved, the department shall include in the notice the reasons for not approving the proposal. If the proposal is approved, the department shall include in the notice the name and mailing address of the department employe designated to receive completed tests from persons who administer the test.

(b) The basic intake training for employes of a county may not be conducted by an individual who is an employe of that county.

Note: The prohibition under par. (b) applies only to basic intake training. County agencies are encouraged to use inservice training for advanced intake training and for training on related local policies and procedures.

(3) APPEAL OF AN ADVERSE DECISION. (a) An applicant whose training proposal is denied approval may appeal that decision to the administrator of the department's division of community services. An appeal shall be submitted in writing to the administrator within 10 working days after receipt of the notice of denial and shall include information which responds to reasons given by the department for its decision not to approve the proposed training.

(b) The administrator shall either affirm or overturn the decision to deny approval of the proposal within 10 working days after receiving the appeal. The administrator's decision shall be final.

Note: An appeal of an adverse decision on a training proposal should be addressed to the Administrator, Division of Community Services, P.O. Box 7851, Madison, WI 53707.

(4) DURATION OF APPROVAL. The decision to approve a proposal includes approval of all training dates included in the proposal. The effective period for the approval is 12 months from the date of notification of approval. The approved training shall be conducted during that period unless any change is made in the approved proposal. If a change is made in the approved proposal, the department shall be notified and the period of approval shall extend to 12 months from the date that the department notifies the applicant that the amended proposal is approved.

HSS 49.07 EXAMINATION. (1) TEST QUESTIONS. The department shall develop a pool of questions related to the content of the basic intake training, including questions designed to measure knowledge of relevant statutes. The department shall select questions from the pool of questions in creating a test that court intake workers shall take at the conclusion of the instruction.

(2) ADMINISTRATION OF THE TEST. An employe of the department or, at the request of the department, the person providing the training, shall

administer the test at the end of the instruction part of the training, as follows:

(a) The test may not be distributed to participants until the time for testing at the end of the training;

(b) One hour shall be allowed to complete the test and that hour shall be included as part of the 30 hours of required training;

(c) Statutes and other resources may be used by training participants to complete the test, but participants shall individually complete the test;

(d) Within 2 working days after participants have completed the training, the person administering the test shall submit the tests to the department employe designated in the notice of approval of the training proposal; and

(e) The individual who administered the test shall provide the department with the following:

1. A signed statement indicating that the test was administered as specified in this subsection;

2. A list of training participants and the county or counties in which they are employed.

(3) EVALUATION AND SCORING OF TESTS. Staff of the department designated by the administrator of the department's division of community services shall evaluate the responses to the test questions and shall determine the percentage of questions that each training participant has answered correctly. The department shall notify each training participant and his or her supervisor of that percentage within 20 working days after the training is completed. A training participant who has answered 70% or more of the questions correctly has passed the test; a training participant who has answered fewer than 70% of the questions correctly has failed the test.

(4) OPPORTUNITY TO SUCCESSFULLY COMPLETE THE EXAMINATION. If a training participant fails the test, he or she shall be given an opportunity to respond again to only the specific questions for which erroneous responses were given on the original test. The questions that participant failed to answer correctly shall be included with the notice of the participant's score on the original test. The participant shall have 5 working days to complete answers to the questions and to return the answers to the department. If the answers are correct, the department shall notify the participant that he or she has passed the test.

HSS 49.08 PARTICIPANT EVALUATION OF TRAINING. (1) EVALUATION.  
Participants in the training shall be given an opportunity to evaluate the

training experience, including the trainer's knowledge and ability, the curriculum, the content, the examination and the format of the training. The department shall supply the trainer with evaluation forms to be completed by the participants. The trainer shall return all the completed evaluation forms to the department after administration of the test.

(2) EVALUATION RESULTS. The department shall notify the trainer of the results of the participant evaluations. The trainer shall meet with department representatives at the request of the department if participant evaluations indicate dissatisfaction with the training experience.

(3) EFFECT OF EVALUATION RESULTS. If the department finds that the evaluation results indicate that the training was inadequate or inappropriate, the department may withhold approval of future training by the affected trainer.



## APPENDIX A

WISCONSIN STATUTES TO BE INCLUDED IN  
 BASIC INTAKE TRAINING FOR JUVENILE  
 COURT INTAKE WORKERS  
 (HSS 49.06(1)(a) and (2)(a)1)

For an overview, ss.48.01 on title and legislative purpose of the Children's Code, 48.02 on definitions, 48.067 on powers and duties of intake workers, 48.10 on power of the judge to act as intake worker and 48.981 on abused or neglected children.

In regard to jurisdiction, ss.48.12 on jurisdiction over children alleged to be delinquent, 48.125 on jurisdiction over children alleged to have violated civil laws or ordinances, 48.13 on jurisdiction over children alleged to be in need of protection or services, 48.135 on referral of children to proceedings under ch. 51 or 55, Stats., 48.14 on jurisdiction over other matters relating to children, 48.17 on jurisdiction over traffic and boating, civil law and ordinance violations, 48.18 on waiver of jurisdiction for criminal proceedings in the case of a child 16 or older, 48.185 on venue and 48.45 on contributing to the adverse conditions of children; ch. 118 on school operations (especially ss.118.125(2)(c), 118.15, 118.153 and 118.16); and an overview of chs. 939 to 947, the Criminal Code.

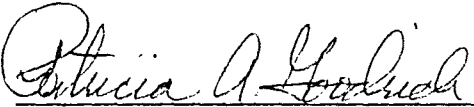
In regard to custody intake, ss.48.067 on powers and duties of intake workers, 48.08 on duties of a persons furnishing services to courts, 48.19 on taking a child into custody, 48.20 on release or delivery from custody, 48.205 on criteria for holding a child in physical custody, 48.207 on places where a child may be held in nonsecure custody, 48.208 on criteria for holding a child in a secure detention facility, 48.209 on criteria for holding a child in a county jail, 48.21 on hearing for a child in custody, 48.227 on homes for runaways, and 48.981 on abused or neglected children.

In regard to court intake, ss.48.23 on right to counsel, 48.24 on receipt of jurisdictional information and conduct of an intake inquiry, 48.243 on basic rights and the duty of the intake worker, 48.245 on informal disposition, 48.25 on authorization to file the petition, 48.295 on physical, psychological, mental or developmental examinations, 48.299 on procedures at hearings, 48.30 on plea hearing, 48.305 on a hearing when a child is involuntarily removed, 48.31 on the fact-finding hearing, 48.315 on delays, continuances and extensions, 48.32 on consent decrees, 48.331 on court reports and the effect of the delinquent act on the victim, 48.34 on disposition of child adjudged delinquent, 48.343 on disposition of a child adjudged to have violated a civil law or an ordinance, 48.345 on disposition of a child adjudged in need of protection or services, 48.346 on notice to victims of a child's acts, 48.355 on dispositional orders, 48.366 on extended court jurisdiction, 48.38 on permanency planning, 48.396 on records, 48.78 on confidentiality of records and 48.981 on abused or neglected children; ss.125.02 on definitions in regard to alcoholic beverages and 125.07 on underage and intoxicated persons, their presence on licensed premises, possession of alcoholic beverages, and penalties; and s.895.035 on parental liability for acts of a minor child.

The rules contained in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Wisconsin Department of Health  
and Social Services

Dated: May 3, 1989

By:   
\_\_\_\_\_  
Patricia A. Goodrich  
Secretary

SEAL:



State of Wisconsin \

DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
1 West Wilson Street, Madison, Wisconsin 53702

Tommy G. Thompson  
Governor

Patricia A. Goodrich  
Secretary

RECEIVED

MAY 3 1989

Revisor of Statutes  
Bureau

Mailing Address:  
Post Office Box 7850  
Madison, WI 53707

May 3, 1989

Mr. Orlan Prestegard  
Revisor of Statutes  
7th Floor - 30 on the Square  
Madison, Wisconsin 53702

Dear Mr. Prestegard:

As provided in s. 227.20, Stats., there is hereby submitted a certified copy of HSS 49, administrative rules relating to the training of juvenile court intake workers.

These rules are also being submitted to the Secretary of State as required by s. 227.20, Stats.

These rules apply to the Department, county agencies that employ juvenile court intake workers, training programs for juvenile court intake workers and juvenile court intake workers themselves. They will not impact on small businesses as defined in s. 227.114(1)(a), Stats.

Sincerely,

Patricia A. Goodrich  
SECRETARY

Enclosure