

1201 – Child Placement Services

V. OUT OF HOME PLACEMENT SERVICES

Through MRS, System of Care principles and family centered practice, parents are supported in their efforts to care for their children in ways that assure the safety and well-being of the child. There are times however, when children cannot remain in their homes. Therefore every child in the custody and/or placement responsibility of a local child welfare agency shall receive services from the agency that are designed to achieve the most appropriate permanent plan for the child and that meet the child's individual needs. Child and family teams involve families in the process of service planning and delivery while focusing on the family's strengths. It is our job to instill hope because even families who feel hopeless can grow and change. In addition, the local child welfare agency shall provide services to children and families that facilitate placement out of the home, when removal and placement is necessary. Services are required regardless of the type of placement facility or the source of payment for a child's care.

A. Partnerships in Parenting

Children's Protective Services are involuntary services. The state has the responsibility to act in place of the parent and to intervene when the welfare of the children is threatened because of abuse, neglect and dependency. When intervening, the state has limited, but powerful options. Through the use of child and family teams a decision can be made that would allow for the agency to support and maintain the parent relationship and leave the child in the custody and care of the parents. A joint decision can also determine that the agency should assume custody while leaving the child in the home. A Child and Family team can determine that the child is at risk of repeated abuse or neglect if left in the parent's care and place the child out of the home.

Whenever it is safe to do so, the job of public child welfare agencies is also to preserve, or help strengthen, families at risk of disruption. The single most powerful relationship upon which to build is the attachment between the child and the parents. Attachment is the single most powerful motivator for parents in crisis. System of Care encourages us to find the strengths in each individual and build upon them. Some parents have been overcome by physical or emotional problems, have not developed skills important for parenting, or have learned harmful and dangerous ways to parent. For these parents, attachment to the child may be the motivation to acquire new parenting skills. Family Centered practice shows us that a crisis is an opportunity for change.

Helping parents see that the purpose of services provided to them is to develop and protect their attachment to their children, will allow them to see services as supportive. When parents believe the agency is committed to preserving their family, they will be more willing to enter into agreements to change negative parenting behaviors.

Partnership means that families help in developing alternative plans, so that permanency can be achieved as soon as possible should the primary plan no longer meet the needs of the child and the family. Partnership also means that child welfare workers should establish an alliance with parents to protect their children, rather than an alliance with children only to protect them from their parents.

Forming partnerships is rarely easy. Parents have few reasons to trust those who have intruded into their lives. Parents may distrust child welfare workers because of preconceived notions about child welfare workers. Parents may distrust foster parents because they think the foster parents want to keep their child. Usually, parents have no relationship with adoptive parents. Adoptive parents who do not understand the importance of the child's ties to his or her birth family may feel threatened by foster parents, child welfare workers and birth parents alike. Forming partnerships between these individuals is a critically important part in keeping the child's needs first.¹

B. Preparing the Family, the Child and the Foster Care Provider for Placement

Placement of a child in foster care requires assessment of the child and family's needs and careful planning. The placement process focuses on the whole family rather than only on the child in placement. The child, the family and the foster care providers shall be appropriately prepared for the placement prior to the physical move of the child, except in emergency removals. The child welfare worker shall prepare the child and the parents for the placement by explaining, at a minimum: the reason for the removal; appropriate details about the placement; what to expect from the placement provider and child welfare worker; how to access the child welfare worker or agency in an emergency; when the next contact with one another, including siblings, will occur; and the legal process.

In the event of an emergency removal, the agency remains responsible for explaining the basis of the decision and the reasons that they were unable to prepare the child, family, and foster parents or other placement providers. Child welfare workers shall discuss the placement with the family, the child, the foster parents as soon as possible following the removal and shall assist the family, child, and foster family with the transition.

¹ Adapted and summarized from "Partnerships in Parenting, A Framework for Services to Children and Their Families," Thomas Morton, 1991.

When the decision is made to remove children from their homes, the local child welfare agency shall inform the child and family of the decision to initiate a petition in juvenile court and shall inform the parents or caretakers of the right to appeal the court's decision.

1. Preparing the Family for Placement

Regardless of the reason for removal, placement of a child is traumatic for the parents of the child. Parents need time to prepare for the separation and the feelings of loss. The parents' feelings of guilt, anger, and sadness may be expressed in a variety of ways and child welfare workers should respond to parents' emotions with sensitivity.

The child welfare worker shall inform parents of the reasons the agency is seeking removal of their child and shall tell them frankly what must be done to reunite the family and protect the child's health and safety. Risk factors identified during the risk assessment process should be clearly discussed with the parents and extended family. It should be stated clearly to the parents from the beginning that, although reunification is the desired outcome (in cases where reunification is the primary permanency plan), alternative permanency plans will be considered. The parents need to know that the goal is to achieve permanency for their child within one year and that it is in their control to determine whether their child's permanent home will be with them or in another permanent placement.

The child welfare worker shall inform parents that they have a right and a responsibility to be involved in planning for their child's future and in decision making of an important or lasting nature.

The child welfare worker shall explain that the DSS-5240 Out-of-Home Family Services Agreement (<http://info.dhhs.state.nc.us/olm/forms/dss/dss-5240.pdf>) will be developed jointly with them. The family should also be informed of the Child and Family Team process to develop the Out of Home Family Services Agreement. The child welfare worker should assure the parents that they will be treated as partners and full participants in the planning for their child, whenever possible. Parents also have the right to know honestly what the agency will do if they do not follow through with the activities and objectives of the Out of Home Family Services Agreement.

All parents of the child have the same rights and should be involved in case planning for their child. Therefore, it is the duty of the child welfare worker to make diligent efforts at the time of placement (if not accomplished before) to locate parents, including legal and biological fathers.

Even after legal custody has been removed, parents continue to have the right to information about their child's living situation and condition as long as reunification is the plan. The parents should be told appropriate details about the placement. When appropriate, the parents should have the opportunity to meet the foster care provider or to see pictures of the home and family where their child will be living.

The child welfare worker should enlist the parents' help in giving reassurance to the child prior to his/her leaving home. If the parent is able to reassure the child in a nurturing way prior to the foster care placement, the child welfare worker has learned that the parent has the capacity to put his/her own feelings aside long enough to help the child. The child welfare worker can use this strength to help the parent make further changes. Sometimes parents are too angry, too immature, or too impaired to provide such help at the time of the initial move, but may be able to help later.

The aftermath of the child's removal from the parent can cause an intense reaction. Parents may suffer intense feelings of anger and/or depression after the loss of their children. Even when the parent has not been an effective parent, he/she has some bond to the child. **The child welfare worker should initiate contact within the first day of placement, and it can be helpful for the parent to have some way of contacting the child welfare worker immediately after the child's removal so that he or she can know how the child is doing.** This contact, even if by telephone, can help the parent understand that the child welfare worker is interested in him or her as well as the child. This can be a major step toward connecting with the parent to form a working relationship. At the time of placement, the child welfare worker should also arrange a time for the next contact jointly with the parent. An emergency plan shall also be developed for the parent(s), in case immediate help is needed from the child welfare worker.

Parents will often be angry and frustrated at the agency that took their children. They may direct their anger at the child welfare worker. This may be uncomfortable for the child welfare worker, but it can also be an indication that the parents are motivated to improve. The system asks a great deal of parents. The fact that their child has been removed from their care indicates to them that they have been judged as inadequate

parents. It is natural that they feel angry at a system that causes them such personal loss of esteem.

In addition, the local child welfare agency asks that they commit themselves to an extensive, time-consuming Out of Home Family Services Agreement in which child welfare workers will be monitoring them to see if they are following through. This would be a difficult situation for anyone, especially parents who themselves may have lacked consistent loving parents, and have such overwhelming needs of their own that they do not have the emotional energy to care for demanding children. As an added stress, they know that if they cannot change their behavior, they risk the permanent loss of their children.

Services shall be offered to parents that are appropriate to the needs of the individual and which are designed to best address the condition necessitating removal of their child. Services should at all times be supportive of the parents and parents should be made aware of the behavioral changes expected as a result of the service.

When it becomes apparent that reunification will not be the plan, it is usually accompanied by major disruptive crisis in the family system. The family may know that reunification is highly unlikely but may ask the child welfare worker if they can get their child back. It is not kind to offer false hope about reunification. The parents can be told that the Court has ultimate responsibility for this determination. As the child welfare worker establishes a working relationship with the family, agency recommendations can be discussed more fully. The child welfare worker can assure the parent that they will be able to contribute to the decision about what happens to the child, and may discuss voluntary relinquishment for adoption as a concurrent plan.

2. Preparing the Child for Placement

Recognizing that the act of separating a child from his/her parents and home is a traumatic event, preparing the child for this event is crucial. The child welfare worker preparing the child shall keep in mind the concept of viewing this separation through the eyes of the child. Ideally, the child should have a period of preparation for placement in order to have time and opportunity to understand the new situation. Prior to placement, a child should have an opportunity to establish a trusting relationship with the child welfare worker who will have the responsibility of working with him/her during the placement period. Except in an emergency, that child welfare worker should be present during the physical move. The child welfare worker should be skilled in handling placements with the utmost sensitivity. The child will feel extreme grief, loss, fear, and uncertainty. The child needs the support and the continuity of a caring child welfare worker. The child welfare worker should use counseling skills to help the child leave home and transition to foster care

placement.

A child should have a period of preparation for placement in order to have time and opportunity to understand the new situation. The child shall know at all times what is happening to him/her, what is going to happen to him/her, and why. When appropriate, taking a child for pre-placement visits to the foster care home or facility will help prepare the child for placement. If the child cannot visit the placement before the move, pictures of the home and of the foster care provider will help ease the child's fear.

The child welfare worker should allow time, even in emergency removals, for the child to gather personal items and clothing to take in order to maintain some sense of continuity and familiarity. It is helpful for agencies to supply suitcases for children who are moving to a foster care placement and to allow the child time, when appropriate, to pack the suitcase with personal belongings to reassure the child that his/her "stuff" and, thus, his/her sense of identity is important.

The child welfare worker shall also encourage parents to help in preparing the child for the move. Children need the reassurance of their parents. The parent(s) should be asked to help in the transition by making suggestions about bedtimes, routines, favorite foods, or other such things that can help the child feel more comfortable. Efforts by the parent(s) to share this information should be reinforced by the child welfare worker telling the child that their mother or father made the suggestions to help him/her. However, parents may be too angry, too immature, or too impaired to help the child.

The child should be told when he/she will see his/her parents and siblings. If possible, child welfare workers should discuss visitation before the child leaves the home. The child welfare worker should also ensure that the child has a picture(s) of family members to take with him/her to the foster home.

Early in the work with the family the child welfare worker should begin building the child's life book by taking and procuring photographs of the child, birth family and foster placement. Children will continue to need physical documentation of their histories throughout placement.

3. Preparing the Foster Care Provider for Placement

In order to care properly for a child being placed in their home, foster parents, relatives or other foster care providers need to be told as much information as possible regarding the reason for the child's placement and the needs of the child.

Medical information about the child shall be shared with the placement providers at the time of placement and updated as new information is learned. The DSS-5243 Child Health Status Component (<http://info.dhhs.state.nc.us/olm/forms/dss/dss-5243.pdf>) shall be completed and provided to the placement providers within seven days of placement and the child shall be referred for at a physical examination within the first week of an initial placement. Medical information is critical, since the placement provider frequently takes the child to medical appointments. The placement provider needs to know of any special medical problems that the child may have in order to care for the child appropriately. Placement providers shall take the Child Health Status Component and any other medical information about the child to medical appointments.

It is recognized that foster parents, relatives, and residential care providers have a need to know the HIV status of children in their care. Infections or viruses that are less serious in a non-infected child can be fatal to an HIV-infected child, and placement providers must be aware of symptoms that require immediate medical attention. However, prior to disclosure of a child's HIV status, local child welfare agencies must consider and protect the child's right to confidentiality. While concern for confidentiality exists throughout the service delivery system, information regarding persons infected with HIV requires special consideration. This is due to the potential social and psychological damage that can be caused by inappropriate sharing of such information.

N.C. G.S. § 130A-143 provides that HIV status and information is strictly confidential and shall not be released or made public except under certain circumstances. One such circumstance provides that release of all or part of the medical record can be made with the written consent of the person or persons identified or their guardian. In this context, guardian applies to a local child welfare agencies having authority to release HIV status and information on a child in its custody on a need to know basis to foster parents, relatives, and residential care providers.

Information on the child's HIV status should be shared only with persons who have a need to know, and persons informed should be told that re-disclosure of the information is prohibited without consent of the child, the parent or guardian. Best practice must involve the parents in these decisions to the extent possible and appropriate.

If the child is school-aged, the necessary information regarding the child's educational needs shall be shared with the placement provider in order to enroll the child in school and to collaborate with school personnel in ensuring that the child's educational needs are met.

a. Reasonable and Prudent Parent Standard

The term 'reasonable and prudent parent standard' means the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a placement providers shall use when determining whether to allow a child in foster care under the responsibility of the child welfare agency to participate in extracurricular, enrichment, cultural, and social activities. In this context, "placement provider" means a foster parent or relative with whom a child in foster care has been placed or a designated official for a child care institution in which a child in foster care has been placed.

Before a child in foster care is placed with prospective placement providers, including relatives, the prospective placement providers are adequately prepared with the appropriate knowledge and skills to provide for the needs of the child. As necessary, such preparation is continued after placement of the child, and includes knowledge and skills relating to the reasonable and prudent parent standard for the participation of the child in age or developmentally-appropriate activities, including knowledge and skills relating to the developmental stages of the cognitive, emotional, physical, and behavioral capacities of a child, and applying the standard to decisions such as whether to allow the child to engage in social, extracurricular, enrichment, cultural and social activities, including sports, field trips and overnight activities lasting one or more days and involving the signing of permission slips and arranging transportation for the child to and from extracurricular enrichment and social activities.

The placement provider shall be told specific information about the child's behavior. It is important for the placement provider to know what may be expected from the child behaviorally in order to respond appropriately to those behaviors. Agency policy and practice shall ensure that placement providers are verbally informed of and provided with written policy addressing the following issues regarding discipline:

- Corporal punishment is prohibited; and
- Child discipline must be appropriate to the child's chronological age, intelligence, emotional make-up, and experience;
- No cruel, severe, or unusual punishment shall be allowed;
- Deprivation of a meal for punishment, isolation for more than one hour, verbal abuse, humiliation, or threats about the child or family will not be tolerated.

The child welfare worker should also inform the foster parent of the concurrent permanency planning process for the child and of possible alternative plans for achieving permanence for the child. The foster parent should be informed of their role in planning for the child in partnership with the agency and the birth family, including participation in the Permanency Planning Action Team meetings. The child welfare worker can also discuss with the foster family whether they want to consider becoming a child's permanent family if reunification is not possible.

C. The First Two Weeks of Placement

The first two weeks of placement are critical in the child's transition to foster care placement and to the family's engagement in the change process. The child welfare worker should obtain as much information about the child and family as possible so that appropriate resources may be chosen and so that the child welfare worker can help the substitute family to meet the child's needs. Assessment and planning are the activities that lay the foundation for the future work with the family and are important tasks in the initial placement process. Assessment and planning should involve collaborative efforts by all of the parties involved with the family.

1. Collaboration

Child and Family Teams are valuable tools for assessing the strengths and needs of families and children in the early phase of placements. By involving the child's family, relatives and other kin, foster parents, community supports and all of the agencies involved with the child and family in an early assessment process, everyone involved has the opportunity to understand clearly the reasons for placement and the issues that need to be resolved in order for reunification to occur or, if reunification is not the plan, the child's need for permanency. Everyone involved contributes to the plan for permanency for the child and can clarify what each person is expected to do to contribute to that plan. Although the assessment process is ongoing throughout the placement, a Child and Family Team meeting within the first two weeks of the placement provides an opportunity to focus on the permanency plan quickly, thereby facilitating timely achievement of that plan. A Child and Family Team meeting within the first two weeks can motivate parents to make changes early and often leads to shorter lengths of stay.

2. Ongoing Risk Assessment

Risk assessment is an ongoing process that continues during placement of the child out of the home. As the work with the family proceeds, the factors that have been identified in the initial Safety Assessment, Family Risk Assessment, Family Assessment of Strengths and Needs and Case Decision Summary, and updated with new information from the Family Reunification Assessments, will help to shape the scope of work with the child's parents. In preparing the parents for the removal of the child, explicit discussion of these reasons will already have been done. However, in preparation for the completion of the Out of Home Family Services Agreement, the child welfare worker and the parents can begin the mutual process of reviewing the risk factors and identifying strengths and the needs that must be addressed in order for the child to be returned, if reunification is the plan. This, in turn, will facilitate and solidify the Out of Home Family Services Agreement planning process with the parents.

MRS and System of Care shows us that the work of reunification must be a mutual partnership between the agency, the parents, and any other significant person or agency.

As the risk assessment process continues, the child welfare worker and parents should discuss family strengths with the same degree of intensity as they do the identification of the needs within the family. No matter what problems a family demonstrates, there are strengths within the family. These strengths are the child welfare worker's ally in helping the family make the needed changes so that the child can be returned.

3. Other Children in the Home

As a part of the risk assessment, child welfare workers should remember the other children that may remain in the parents' home. Frequently, these children have service needs of their own. In many cases, once the "identified child" has been removed, the other children in the home are at greater risk. Thus, the child welfare worker shall continually assess the risk of harm to the remaining children and to incorporate their needs into the Out of Home Family Services Agreement as necessary. Documentation of these ongoing services and risk assessment shall be incorporated into the court report.

According to State law, at each hearing to determine the need for continued non-secure custody, the Court shall:

- inquire as to whether there are other juveniles remaining in the home from which the juvenile was removed and, if there are,
- inquire as to the specific findings of the investigation conducted under N.C.G.S. § 7B-302 (http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_7B/GS_7B-302.html), and
- any actions taken or services provided by the Director for the protection of the other juveniles.

4. Medical Needs and the Child Health Status Components

When a child is placed out of his/her home, information about the child's medical needs, medication, any special conditions, and instructions for care should be given to the placement provider prior to or at the time of placement. The child welfare worker is responsible for bringing any medications, glasses, hearing aids, etc. to the placement with the child. Child welfare workers should document in the record when these items are given to the placement providers. The DSS-5243 Child Health Status Component (<http://info.dhhs.state.nc.us/olm/forms/dss/dss-5243.pdf>) shall be completed within seven days of initial placement and a copy shall be provided to the placement providers. Child welfare workers shall also schedule dental, developmental, psychological, and educational assessments, when needed, within one week from the identification of the need.

Frequently, it is the placement provider who takes the child to medical appointments. Therefore, it is important that the placement provider have the Child Health Status Component to take with them to those appointments, as well as any other medical or social history information that impacts the delivery of health care services. Any printed summary report that is provided to the physician should have non-essential, confidential information (such as the identity of the perpetrator) removed or obliterated. The DSS-5244 Child Physical Examination form (<http://info.dhhs.state.nc.us/olm/forms/dss/dss-5244.pdf>) is recommended for use by physicians to record findings and to assure continuity of care among providers.

A child must have a physical examination scheduled within seven days of the date of placement. Child welfare workers shall also schedule dental, developmental, psychological, and educational assessments, when needed, within one week from the identification of the need.

5. Educational Needs and the Child Education Status Component

The Fostering Connections to Success and Increasing Adoptions Act (P.L. 110-351) addresses a number of concerns about outcomes for children who have entered foster care placement. Educational instability can cause great harm to children in foster care:

- Children who lose contact with their educational community upon entering foster care lose not only their contacts with teachers and friends but also with the continuity of their learning process. Disruptions in relationships as well as in the educational process often lead to lost grade levels and basic knowledge.
- Children who are moved between schools simply as a result of multiple placements continue to suffer in their learning, in their grade placements, and in the comfort of familiar surroundings and people.
- Lost or delayed educational records continue negative impact on a child's academic process due to delays in enrollment.

Because of these issues, states are required to specifically address the educational stability of the child in the family services agreement. In order to meet the purposes of this requirement, the DSS-5245 Child Education Status Component of the Family Services Agreement (<http://info.dhhs.state.nc.us/olm/forms/dss/dss-5245-ia.pdf>) has been amended to address the following requirement in Section 204:

“The child's case plan must include (1) assurances that the child's placement takes into account the appropriateness of the current education setting and the proximity to the school in which the child was enrolled at the time of the placement and each subsequent placement;

(2) an assurance that the state agency has coordinated with appropriate local educational agencies to ensure that the child remains in the school in which the child is enrolled at the time of placement and each subsequent placement; and (3) if remaining in the school is not in the child's best interests, assurances by the state agency and the local educational agencies to provide immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to the school."

Completion of the DSS-5245 Child Education Status Component (<http://info.dhhs.state.nc.us/olm/forms/dss/dss-5245-ia.pdf>) is required within seven days of placement and a copy shall be provided to the placement provider. However, it is more helpful if that information can be given to the placement provider at the time of the placement in order to facilitate enrolling the child in school. The placement provider(s) as well as the parent(s) should be included in educational decisions about the child.

6. Contact between the Child Welfare Worker and the Child in Foster Care Placement

The child welfare worker shall have face-to-face contact with the child at least once within the first week of initial and subsequent placements. However, a telephone call or visit to the placement provider the day after placement provides reassurance to the child and the placement provider. Prompt contact after placement also allows the child welfare worker to answer any early questions about the care of the child. The placement provider and the child should know as early as possible when the next face-to-face contact with the child welfare worker will be and when the first visit for the child with the birth parents and/or siblings will be.

The child welfare worker shall have face-to-face contact with the child at least monthly, unless otherwise indicated in the Out of Home Family Services Agreement. The majority (4 out of every 6) of these visits should be in the child's residence. The child welfare worker shall also have face-to-face contact with the placement providers (including both spouses and caretakers, if two are in the home) at least monthly.

7. Documentation

These first weeks of placement are so crucial in the child and family's life, therefore, it is most important that accurate and timely documentation be kept. Documentation provides a record of the events and processes in the agency's work with the family as well as a record of the interaction with the agency.

From this documentation, plans can be drawn and the risk that the child will stay too long in care will be minimized. In addition, pictures of the child and the family during this period help the child's adjustment to foster care placement. With the proper foundation laid in the first weeks of placement, the next phase of work with the family can begin.

The DSS-5094 and IV-E eligibility determination forms should be completed and data entered within 24 hours of placement.

Documentation regarding missing parents and relatives should be reviewed and supplemented. The Court will ask about **the whereabouts of absent and/or non-custodial parents**, including legal and biological fathers, at the seven day non-secure custody hearing, as well as at subsequent hearings. Available information should have been recorded during the child protective assessment phase, but unknown or unresearched information should be updated. The Child Support Enforcement Unit, the Federal Parent Locator Service, and the Internet White Pages are three useful sources to locate the addresses of missing persons.

Refer to 1201 – Child Placement, Record Keeping and Documentation, for further information on record keeping requirements (<http://info.dhhs.state.nc.us/olm/manuals/dss/csm-10/man/CSs1201c10.pdf>).

D. Required Services for Children

- The agency shall evaluate and supervise the placement of children to ensure that they are receiving proper care.
- The child welfare worker shall make frequent visits with children in foster care placement. Face-to-face visits shall be conducted at least once during the first week of initial and subsequent placements in order to assess the child's adjustment, or there shall be documentation to reflect diligent efforts. The child welfare worker shall have face to face contact with the child at least monthly. The majority (4 out of 6) of these visits shall be in the child's residence. The child welfare worker shall have more frequent contact when indicated by the child's needs. The need for less frequent contact must be documented in writing and the documentation should include the level of contact expected.
- Within one week of placement, a visitation plan for siblings to visit each other shall be developed and placed in the record. A signed sibling visitation plan shall be current at all times. Whenever circumstances warrant a change in visitation, a new visitation plan will be developed within 7 days. The agency shall review at least

- quarterly the ability to place siblings together if availability of a placement for all is the reason they are separated.
- The child welfare worker shall make contact at least twice a month with a person or persons significant to a child's case other than the placement providers, such as family members, collaterals, or other service providers. The agency shall have more frequent contact when indicated by the child's needs. The need for less frequent contact must be documented in writing.
 - Children in foster care placements shall have physical examinations within seven (7) days of the date of their placement.
 - Children shall have visits with their parent(s), siblings, and family unless otherwise ordered by the Court or there is written documentation that visitation would be harmful to the child.
 - Children receiving foster care services shall have individualized, written Out of Home Family Services Agreements, which state the permanency goal for their future and a target date for completion.
 - Children who have obtained the age of 14, shall be consulted and allowed to participate in the development of his or her case plan via the Out of Home Family Services Agreement, and at the option of the child, to include two members of the case planning team who are not the child welfare worker or foster parent, in the development of the plan. This pertains to the initial plan and any revisions or additions thereafter.
 - Children in foster care placement shall receive services designed to assure their emotional and developmental needs are met. Children shall also receive services that help mitigate the feelings of grief and loss that result from removal from the home.
 - The agency shall ensure that the child receives all needed evaluations, medical care and psychological treatment services needed through referral to other agencies and providers.
 - All children in foster care shall participate in activities or receive services that are age and developmentally appropriate. Per federal and state law (P.L. 113-183) this means activities or items that are generally accepted as suitable for children of the same chronological age or level of maturity or that are determined to be developmentally-appropriate for a child, based on the development of cognitive, emotional, physical and behavioral capacities that are typical for age or age group; and in the case of a specific child, activities or items that are suitable for the child based on the developmental stages attained by the child with respect to the cognitive, emotional, physical and behavioral capacities of the child.
 - It is an IV-E requirement for youth 16 and 17 to be assessed to determine their needs for services to prepare them for making the transition from foster care to independent living. Specific areas of need, as listed on the Out of Home Family Services Agreement (dss-5240), must be assessed including education, vocation/job

- preparation, basic living skills, and personal/social/emotional development.
- Youth 14 and older shall have a credit report run annually, while in the legal custody of the agency, from each of the three credit reporting bureaus (Equifax, Transunion and Experian). A copy of the information received, including the credit report, must be given to the youth and assistance provided to interpret and resolve any inaccuracies found in the report. A signed acknowledgement must be in case file indicating that the youth's was provided the right to an annual credit report and that the rights were explained in an age appropriate manner. To this end, the DSS-1516 *Understanding Foster Care Care- A Handbook for Youth* (<http://info.dhhs.state.nc.us/olm/forms/dss/dss-1516.pdf>) may be utilized to assist agencies in explaining this right and documenting the youth's receipt of the information.
 - Youth ages 14 and older shall receive services to help the youth transition to successful adulthood. These services shall be documented on the Transitional Living Plan portion of the DSS-5240 Out of Home Family Services Agreement (<http://info.dhhs.state.nc.us/olm/forms/dss/dss-5240.pdf>). If a youth will not be able to live independently due to profound developmental, physical, or mental disabilities, the basis for this determination must be documented, and a Transitional Living Plan is not required. Youth who are mildly or moderately disabled and who can benefit, shall be offered services appropriate to their needs, and a Transitional Living Plan is required. Refer to 1201 – Child Placement Services; Adolescent Services: NC LINKS (<http://info.dhhs.state.nc.us/olm/manuals/dss/csm-10/man/CSs1201c7.pdf>) for information on developing a Transitional Living Plan.

E. Agency Plan for Abducted or Runaway Foster Children

The mission of ensuring a safe, permanent nurturing family for children is supported by an agency's capacity to prevent and manage instances in which a child in its legal custody or placement authority may be missing or has runaway from a foster care placement. Missing foster children are defined as those who have either left care voluntarily (runaways) or involuntarily (abduction or lost), and cannot be accounted for by the agency responsible for their care and placement. Each local child welfare agency is required to follow the policy below for reporting, locating, and returning children missing, runaway, or abducted from foster care. The policy addresses both prevention and recovery-related strategies and issues.

Children who are missing are at great risk of victimization and exploitation. Many do not perceive inherent risks associated with running

away or see themselves as potential victims of exploitation or other harm. This is especially true for children who are identified as high-risk. Due to the potential dangers to a child or youth, the child welfare worker is to consider a missing or abducted child as a major event that requires intensive intervention.

Child welfare workers and their supervisors are required to notify the individuals, agencies and organizations described in this policy upon learning that a child is missing. Immediate notification to law enforcement is critical.

1. Definitions

Abduction of Children – Per N.C.G.S. § 14-41 any person who, without legal justification or defense, abducts or induces any minor child who is at least four years younger than the person, to leave any person, agency, or institution lawfully entitled to the child's custody, placement, or care.

High Risk Child – The missing child's safety is severely compromised for one or more of the following reasons:

- The child is believed to be or has been abducted;
- The child is believed to be in the company of adults who could endanger his or her safety;
- The child is younger than 13 years of age and/or is believed to be out of the zone of safety for his or her age or developmental stage;
- The child has one or more health conditions that, if not treated daily, will place the child at severe risk;
- The child is drug dependent, including prescribed medication and/or illegal substances, and the dependency is life-threatening;
- The child has severe emotional problems that, if not treated, will place the child at severe risk;
- The child has a developmental disability that impairs the child's ability to care for him/herself;
- The child is pregnant and/or parenting and the infant/child is believed to be with him or her;
- The child is missing more than 24 hours before being reported to law enforcement;
- The child is believed to be in a life-threatening situation;
- The child's absence is inconsistent with his or her established patterns of behavior and the deviation is not readily explained;
- The child is known or believed to be a victim of human trafficking (sex trafficking, labor trafficking, or both); and/or,

- Other circumstances involved in the disappearance that would cause a reasonable person to conclude that the child should be considered “at imminent risk”

Kidnapping – Per N.C.G.S. § 14-39 any person who shall unlawfully confine, restrain, or remove from one place to another, any other person 16 years of age or over without the consent of such person, or any other person under the age of 16 years without the consent of a parent or legal custodian of such person.

Missing Child – Per N.C.G.S. § 143B-1011, a juvenile as defined in N.C.G.S § 7B-101 whose location has not been determined, who has been reported as missing to a law enforcement agency, and whose parent’s, spouse’s, guardian’s or legal custodian’s temporary or permanent residence is in North Carolina or is believed to be in North Carolina.

Missing Foster Child – A child who has either left voluntarily (ran away) or involuntarily (abduction, kidnapped, or lost), and cannot be accounted for by the agency responsible for their care and placement.

Runaway – A child who has voluntarily left their placement provider or home and whose whereabouts are either unknown by the child’s parent, guardian, custodian, caretaker, foster parent or child welfare worker or whose whereabouts are unknown by the child’s parent, guardian, custodian, caretaker, foster parent or child welfare worker but whom maintains periodic contact with the child welfare worker or others.

2. Risk Factors and Risk Assessment

Factors that should be assessed to determine a child or youth’s risk of running away include, but are not limited to:

- History of running away;
- Demonstrating a desire to run (or stating a desire to run);
- Demonstrating independence, including an ability to survive on the streets;
- Demonstrating limited social skills and/or peer relationships;
- Have strong bonds with siblings, but siblings are not placed with siblings;
- Have a history of engaging in risky behavior;
- Have a history of out-of-home placements;
- Fall between the ages of 13 and 18 years old;
- Have a record of school absences;
- Have significant emotional issues;
- Abuse alcohol or other substances;

- Have an unstable family/home environment;
- Seem to accept placement/custody;
- Have history of juvenile referrals and/or arrests;
- Reported abuse or other victimization

Factors that should be assessed to determine the child's risk of being abducted by a parent of family member include, but are not limited to:

- Family members have threatened abduction (or there has been a prior incidence of abduction);
- Have limited ties to the area or have family/social support in another community;
- Have a history of mental illness;
- Feel alienated from the legal system;
- A history of child abuse/neglect;
- A history of alcohol/substance abuse;
- Have a history of unlawful behavior and/or arrests;
- Do not accept relevant court orders;
- Exhibit a desire to retaliate;
- Have a history of short-term employment or unemployment;
- Stability of relationship with other parent;

3. Preventing Children and Youth from Running Away

Youth who live on the streets are at high risk of developing serious, life-long health and behavioral problems (ACF, 2014 http://www.acf.hhs.gov/sites/default/files/fysb/info_memo_rhy_foster_care_20141104.pdf). The Administration for Children and Families (ACF) states that "compared to youth who have never run away, they suffer from high rates of depression, attention deficit hyperactivity disorder, and post-traumatic stress disorder" (2014). In addition, these youth tend to abuse drugs and alcohol and often are survivors of physical and sexual abuse (ACF, 2014). The longer they are exposed to the streets, the more likely they are to fall victim to commercial sexual exploitation and human trafficking [cite]. Local child welfare agencies must take steps to prevent children and youth in the custody or placement responsibility of the agency from running away.

Prevention efforts on the part of local child welfare agencies should include, at a minimum, the following activities:

- Maintaining administrative oversight of its program and practice to ensure agency compliance with laws and policies concerning case contacts, reviews and hearings;
- Maintaining photographs of foster children in the case record;

CHANGE# 02-2015

Out of Home Placement Services

September 2015

- Designing the work schedules of staff to be sufficiently flexible to meet the child's needs;
- Strictly enforce requirements regarding the frequency of direct contact with foster children;
- Assuring supervisory review and staffing of all foster care cases on a regular schedule;
- Recruiting and supporting foster homes in communities from which foster children come into care;
- Training foster parents regarding the dynamics of human trafficking cases and the specific needs of children and youth who have been trafficked;
- Educating individual foster parents and placement providers regarding the specific needs of the child or youth for whom they are providing care;
- Utilizing the child or youth's Permanency Planning Action Team (PPAT) meetings to facilitate community service provision and collaboration to meet individual needs;
- Maintaining close communication with foster parents, group home staff, and Guardians ad Litem (GALs) to assure that information is shared on a timely basis;

In addition to these agency-level runaway prevention efforts, local child welfare agencies should engage in individualized, case-by-case runaway prevention strategies. This is particularly important if the agency identifies that a child or youth is at risk of running away from their placement or have a history of running away from their placement or previous caregivers (including their biological families).

One strategy for prevention on an individual basis is by increasing protective factors for each child, including the use of the reasonable and prudent parent standard by foster parents to ensure that children and youth in foster care are provided with regular opportunities to engage in age or developmentally-appropriate activities.

Further, child welfare workers should provide a continuous relationship with children and youth in foster care placement through case planning, case management and frequent visits. Workers should assist children and youth in their personal, social, and emotional development while in foster care placement; in their continuing relationships with members of their own family and other persons; and in addressing problems facing them as a result of foster care placement. Child welfare workers should also provide referrals to counseling services for children, as needed. The frequency and intensity of contact should be determined by individual needs of the child, but no less than monthly face to face contact. More frequent contacts with children and youth should be considered if there is a history of prior runaway events or if the child or youth would be at high-risk if they were to leave placement.

Child welfare workers should help children understand why they cannot live with their own parents, so that they will be able to understand their foster care placement and make use of available services. It is important for a child in foster care placement to have a “part of his/her own family” with him/her, such as pictures of parents and favorite toys. If a child or youth has siblings and is not placed with their siblings, frequent contacts with siblings may assist in preventing the child or youth from running away from placement.

During the early stages of placement, the children and youth should have close contact with their child welfare worker, until the desired relationship with the foster care placement provider is established. Children and youth removed from their homes need special attention and frequent contacts at the time of placement in a new foster care facility, as well as any time a move from one living arrangement to another occurs.

Special attention should be given to changes affecting the relationship between the worker and the child or youth, such as changes in frequency of contact, vacation, transfer, or termination of contact through the worker leaving the agency. Changes of the child welfare worker may bring up the child or youth’s fears of separation and abandonment. These fears can lead to disturbances in behavior and subsequent consequences in their relationships with foster care placement providers, teachers, friends, and others.

Children need and deserve adequate preparation for changes in service delivery and need to understand why changes are taking place. Casework teams reduce the anxiety children and families experience when individual child welfare workers leave the agency.

Children who are old enough and of sufficient maturity shall be invited to participate in all case reviews. At any age, children should be aware of what the agency is planning for their future and, to the extent appropriate, they should be involved in the decision making.

Children, should be given an opportunity to discuss openly their feelings about a placement. This exchange should occur prior to a placement and during the placement. Often the child welfare worker is the only person the child feels he/she can talk to. Children in foster care placement must be treated with respect.

4. Reporting Requirements for Caregivers, Placement Providers, Workers, and Supervisors

a. Reporting Requirements for Caregivers and Placement Providers

Caregivers, including foster parents, relative caregivers, and staff of residential facilities shall immediately report any missing child or youth to:

- A local law enforcement agency; and,
- The child welfare agency;

Caregivers shall obtain the number of the missing person report from the law enforcement officer taking the report and provide the report number to the child welfare worker.

b. Reporting Requirements for Workers

When a child welfare worker learns that a child or youth for whom the agency is legally responsible is missing, the worker shall:

i. Provide **immediate verbal notification to the appropriate local law enforcement agency**, and follow-up by sending a subsequent **written notification within 48 hours**. Workers must obtain a copy of the law enforcement report for the case file.

Information to be shared with law enforcement includes:

- The child or youth's full name, aliases and nicknames, age and date of birth, social security number, driver's license number (if applicable), and other biographical information;
- A description of the child or youth (i.e. height, weight, hair color, eye color, skin color, braces, clothes worn, book bag, shoes, contact lenses or glasses, dentures, gold or silver teeth, any impairments [physical, hearing, speech, vision], moles, scars, body piercings or tattoos) and recent photographs;
- Physical or psychological conditions, developmental delays, or any condition that may affect the ability of the child or youth to respond to environmental dangers;
- Other factors of endangerment, such as young age, hazardous location, medical needs, disability, etcetera;
- Medications and/or history of suspected substance use/abuse;
- A copy of the most recent court order granting legal custody of the child or youth and other relevant facts about the child or youth's custody status;

- Type of missing episode (if known), including runaway, family abduction, non-family abduction, or other;
- When, where, and with whom the child or youth was last seen;
- Possible method of travel (i.e. car, bicycle, public transportation, or on foot);
- Names and addresses of friends, relatives, present and former foster parents and placement facilities/staff, and acquaintances;
- Locations the child or youth is known to frequent;
- Suspected destinations and accomplices; and,
- Prior disappearances and outcomes.

If a child or youth is identified as “high risk,” this must be communicated to law enforcement. It is important to inform law enforcement about any circumstances that could severely compromise the safety of a child or youth who is missing. These circumstances include, but are not limited to:

- The child is believed to be or has been abducted;
- The child is believed to be in the company of adults who could endanger his or her safety;
- The child is younger than 13 years of age and/or is believed to be out of the zone of safety for his or her age or developmental stage;
- The child has one or more health conditions that, if not treated daily, will place the child at severe risk;
- The child is drug dependent, including prescribed medication and/or illegal substances, and the dependency is life-threatening;
- The child has severe emotional problems that, if not treated, will place the child at severe risk;
- The child has a developmental disability that impairs the child’s ability to care for him/herself;
- The child is pregnant and/or parenting and the infant/child is believed to be with him or her;
- The child is missing more than 24 hours before being reported to law enforcement;
- The child is believed to be in a life-threatening situation;
- The child’s absence is inconsistent with his or her established patterns of behavior and the deviation is not readily explained;
- The child is known or believed to be a victim of human trafficking (sex trafficking, labor trafficking, or both); and/or,

- Other circumstances involved in the disappearance that would cause a reasonable person to conclude that the child should be considered “at imminent risk”

ii. Provide **immediate verbal notification to the child’s family (if the child is not believed to have been abducted by family members) and GAL** and discuss collaborative efforts that all parties can take to locate the child.

iii. Provide **immediate notification (no later than 24 hours) to the National Center for Missing and Exploited Children (NCMEC)** at 1-800-843-5678 or <https://cmfc.missingkids.org/reportit>. The child welfare worker must provide NCMEC with the missing person’s report number from the law enforcement report and a current photograph of the missing child.

NCMEC will fax the child welfare worker a questionnaire which includes an Information Release and Verification Form requiring the guardian’s signature. The child welfare worker may sign the form in lieu of the guardian, but must cross out the word “guardian” and write “caseworker”. This form is to be completed and faxed back to NCMEC.

Upon receipt of the release of information and the child’s photograph, NCMEC will publish the child’s photograph on its website and distribute posters of the child both locally and nationally. The child’s name and identifying information will be published with his/her photograph, but the child/youth will not be identified as a foster child in the legal custody or under the placement responsibility of the county child welfare agency.

Providing information to NCMEC, including the child’s photograph, DOES NOT violate North Carolina confidentiality laws and rules.

iv. File a motion with the court within 10 to 14 business days after the child was known to be missing to inform of the child or youth’s status and efforts being made towards locating the child or youth.

v. Document notification to the appropriate parties (law enforcement, parents and caretakers, NCMEC, GAL, and the court) and the agency’s continuing efforts to locate the child or youth and collaborate with law enforcement, GALs, family members, NCMEC, and other appropriate persons.

c. Requirements for Supervisors

These tasks are to be completed from the time of notification on the current business day; or if the worker is notified after hours, the tasks are to be completed from the next business day.

Upon notification that a child or youth is missing, the supervisor will:

i. Within 24 hours, confirm that the worker has completed all of the required reports and contacts as described under b. Reporting Requirements for Workers;

ii. Assist the worker in developing and implementing a plan that contains specific strategies to locate the missing child or youth and assure the child or youth's safety as quickly as possible. The plan must be documented in the case file. This plan will include daily and weekly activities to locate the child and should be revised, as needed, to ensure progress is made toward locating the child and establishing safety.

iii. After initial reporting requirements are completed, the supervisor will meet with the worker on a daily basis, if the child is high-risk, or otherwise on a weekly basis to:

- Review the ongoing strategies and efforts to determine the child or youth's whereabouts;
- Review contact with law enforcement and others;
- Determine what additional steps may be taken to assist in finding the child;
- Develop a placement plan for when the child is located; and,
- Confirm the worker completes appropriate changes to the DSS-5094 Child Placement and Payment Report (<http://info.dhhs.state.nc.us/olm/forms/dss/dss-5094.pdf>)

All supervisory meetings must be documented in the case record.

5. Searching for Missing Children and Youth

a. General Steps

Any time a child or youth is missing, regardless of whether the child has run away, was abducted, or is otherwise absent from care, the following steps should be followed in order to facilitate locating the child or youth:

- i. Develop a plan with specific strategies to locate the child;
- ii. Child welfare workers and supervisors meet, at a minimum, on a weekly basis to locate the child. If the child is high-risk, the worker should provide daily progress reports to the supervisor regarding efforts to locate the child or youth; and,
- iii. In consultation with the supervisor, workers should review and/or revise the plan, as needed, to ensure progress is made toward locating the child and establishing safety.

b. Special Considerations

In addition to the general steps described above, specialized interventions may be needed depending on whether the child has been abducted, is missing, or is missing with periodic contacts with the worker.

i. Abducted Children and Youth

If the child has been abducted or if believed to have been abducted, the agency's efforts to locate the child must focus on the abductor and the agency should work closely with law enforcement on location efforts. In addition, workers for children who have been abducted should do the following on a weekly basis:

- Contact law enforcement to both provide and obtain any new information regarding the alleged/suspected abductor;
- Contact the assigned NCMEC case manager; and,
- Contact relatives, previous caregivers, friends of the child or any other individuals in the child's family or social support network to obtain new information on the suspected/alleged abductor and the child or youth.

More frequent follow-up activities may be necessary for children considered high-risk as determined by the child welfare worker or required by the supervisor.

ii. Missing Children and Youth

When a child's whereabouts are unknown and/or the circumstances of the child's disappearance are unknown, the worker should make a sustained effort to locate the child by contacting the following individuals, agencies, or organizations each week:

- Local police, sheriff's office, or other law enforcement agency working to locate the child or youth;
- Local emergency shelters and homeless youth programs;
- Most recent caregiver and any other caregivers with whom the child or youth is known to have had a close or long-term relationship;
- Relatives, including the child's parents and siblings;
- Neighbors and landlord of the child's last known address;
- Close friends and classmates of the child, including any known boyfriends, girlfriends, or anyone else in the community with whom the child may have developed a significant relationship;
- Teachers, counselors, and other school personnel from the school that the child last attended or other schools the child attended if there is knowledge that the child had close relationships with persons at that school;
- Employees of the county child welfare agency, or placement agency who may have knowledge of the possible location of the child or youth;
- Probation officers, when appropriate; and,
- County juvenile or adult detention centers

iii. Missing Children and Youth with Periodic Contacts

The child welfare worker should make every effort to return the child to an authorized placement. In addition to completing contacts listed above, the following information should also be sought from the missing child or youth:

- The child's location at the time of the contacts;
- Any information about where he/she is staying for any period of time;
- Any information about the individuals that may be with the missing child/youth;
- Information about the health and safety of the child/youth (if parenting, also inquire about the health and safety of the infant or child);
- Whether he/she is attending school and where;
- Whether he/she is employed and where; and,
- Any contact he/she has made with family members, friends, probation or parole agents, and etcetera.

If the child or youth requires medical help (including being absent from care without prescribed medications or other medical needs), he or she should be encouraged to seek

prompt medical attention by going to the nearest hospital emergency room or urgent care facility.

The child welfare worker should request each person or agency listed under ii. Missing Children to contact the worker immediately if any information becomes available that could assist in locating the child or youth. If the worker obtains any information that may assist in locating the child, the worker shall immediately report the information to law enforcement. The worker should also keep the court informed of any changes in the child's status.

6. Placement Considerations

a. Current Placement

When a child is located, careful consideration should be given to their ongoing placement. When deciding whether to return the child or youth to the last placement he/she was in before being reported as runaway or missing, the child welfare worker should interview the caregiver and the child separately to determine why the child ran away or discuss factors associated with the child's absence from care. Workers should also discuss the reasons given by the caregiver and those given by the child with a supervisor to determine whether the caregiver's and child's reasons for the child running away are related to the placement itself or whether placement stabilization or other services would be beneficial.

If the child or youth was missing from care for another reason (i.e. they did not run away) child welfare workers should carefully assess the factors associated with the child or youth's disappearance and their experiences while absent from care in order to address possible safety and risk issues and plan for placement accordingly.

b. New or Alternate Placement

If the child or youth has a history of running away or indicates that he or she will not accept any placement selected by the agency, the worker should discuss with the child or youth where he or she wants to live or what type of placement the child or youth is willing to accept. Such alternate placements may include:

- A particular relative with whom the child is comfortable and has a relationship;

- A former caregiver or another adult with whom the child has formed a relationship and with whom the child expresses a desire to be placed;
- An independent transitional living arrangement, if appropriate; or
- Reunification with the child's parent(s)

Any or all of these placement options must be meet certain requirements, depending on the placement type, including any necessary approval by the court.

F. Required Services for Parents

Parents of children in foster care placement retain many of their rights, including the right to visit their child, unless the Court has ordered that visitation is not allowed. Parents also have the right to information regarding their child's circumstances and adjustment in the foster care facility and in school. County Departments of Social Services shall ensure that parents have the information to which they are entitled, including a copy of the Out of Home Family Services Agreement and the visitation plan, and should involve parents in making decisions regarding their child's placement whenever possible.

Services should also be offered to parents. Services should be appropriate to the needs of the individual and designed to best address the behavior or condition that necessitated removal of their child. Services should be supportive of the parents and the parents should be made aware of the behavioral changes expected as a result of the service. Efforts shall be made to involve parents in the development of the Out of Home Family Services Agreement.

1. Procedural Notice to Parents of a Plan to Change Placement of a Child

Parents shall be given written notice of any intended change in the placement of their child. The exceptions to the advance notice are:

- the child's health or well-being would be endangered by delaying the action; or
- the child would be endangered if prior notice were given.

To comply with the above requirement, the agency shall complete the following form:

a. Notice to Parent Regarding a Proposed Change in the Placement of the Child DSS-5189I

(<http://info.dhhs.state.nc.us/olm/forms/dss/dss-5189I-ia.pdf>)

- This form shall be completed by the agency when the decision is made to move the child.
- This notice specifies that the parent has 10 days within which to advise the agency of his/her desire to discuss with the child welfare worker or the Permanency Planning Action Team the plan for the proposed change.
- If the parent does not agree with the decision of the child welfare worker or the Permanency Planning Action Team, he/she has the right to request that the agency file with the Court a motion for review. Pending the hearing on the motion for review, the agency may move the child as planned; however, the court review will determine if the child shall continue in the new placement.
- If the parents of the child are not living together, each parent must be given this notice.

b. Notice to Parent Regarding a Change in Placement of the Child DSS-5189I

(<http://info.dhhs.state.nc.us/olm/forms/dss/dss-5189I-ia.pdf>)

- This form must be completed by the agency when a child has been moved without prior notice to the parent.
- This notice specifies that the parent has 10 days within which to advise the agency of his/her desire to discuss concerns about the change with the child welfare worker or the Permanency Planning Action Team.
- If the parent does not agree with the decision of the child welfare worker or the Permanency Planning Action Team, he/she has the right to request that the agency file with the Court a motion for review.

The court review will determine if the child shall continue in the new placement.

- If the parents of the child are not living together, each parent must be given this notice.

2. Participation in Case Review

Parents have the right to participate in every review of their child's case by the Permanency Planning Action Team. Parents must be provided adequate notice of team meetings. Refer to 1201 – Child Placement, Case Reviews

(<http://info.dhhs.state.nc.us/olm/manuals/dss/csm-10/man/CSs1201c8.pdf>) for more information).

Notice to parents regarding Permanency Planning Action Team meetings shall be in writing and every reasonable effort should be made to meet at a time and location that enables the parents' attendance. Parents shall also be given notice of the issues that will be discussed and shall be informed that they will be given an opportunity to present information to the team from their perspective. Parents should be encouraged to bring relatives, kin or any other support person that they would like to have present at the meeting. Parents shall also be informed of their right to have an attorney present.

3. Participation in Judicial Review

Parents shall be notified of their right to attend judicial review hearings and of their right to be represented by counsel.

4. Child Welfare Worker Contact with Parents

When reunification is the plan, there shall be at least one face-to-face contact with parent(s) per month.

G. Parent /Child Visitation

1. Visitation Plans

The agency shall develop a DSS-5242 Visitation and Contact Plan (<http://info.dhhs.state.nc.us/olm/forms/dss/dss-5242-ia.pdf>), as part of the Family Services Agreement, with each parent that specifies at least the frequency and location of visits. Visitation plans are required until the court orders termination of visitation or termination of parental rights. The Visitation Plan should be signed by the parents. If the parents refuse to sign, the child welfare worker shall document their refusal on the form.

Often, parent attorneys advise parents not to sign anything. In that case, it may be helpful to involve the parents' attorney in developing the visitation agreement.

If parents will not be visiting together, a separate Visitation and Contact Plan must be established with each parent. In any instance in which there are circumstances that necessitate a change in the Visitation Plan, the parents must be notified and a new agreement developed with them. Visitation Plans should be addressed in every court hearing and reflected in every court order, particularly when unsupervised visits are considered.

In addition to the frequency of visits, the Visitation Plan should address the following crucial elements:

- where visits will be held;
- length of time,
- transportation arrangements for the parents and the child;
- individuals, other than the parents, with whom the child may visit;
- whether visits will be supervised, by whom, and for what purpose;
- anticipated changes in the visiting arrangements as the case progresses;
- a clause requiring advance request for visits other than those regularly scheduled;
- explanation of possible consequences if the parties do not carry out their responsibilities; and
- whether other kinds of contacts are appropriate such as telephone calls, emails or letters and if monitoring of them is needed.

2. Benefits of Visitation

Visiting between parents and their children is an essential component of work with children in foster care and their families. It is also a right and a responsibility retained by parents. It has been demonstrated that children who have frequent, meaningful visits with their parents are more likely to return home.

Conditions supporting frequent and meaningful visitation include:

- Visits maintain and improve the parent/child relationship which facilitates return home. Visits enable children to see their parents realistically and rationally and can help to calm separation fears.

Visits show children that they are loved despite the physical separation. Visiting is the principal and often only means of maintaining, improving, or developing the child's relationship with his/her parents;

- Visits provide the opportunity for parents to improve their parenting skills and to demonstrate their ability to care for their child;
- Visits provide the child welfare worker the opportunity to observe and to evaluate the strengths and the weaknesses of the parent-child relationship. The child welfare worker can determine whether behavior is appropriate or inappropriate. Information about the level of commitment of the parent can be gathered. The reaction of the child can be observed. Such information can assist the agency in making decisions regarding the most appropriate permanent plan.
- Visits provide a good indicator of the possibility of reunification and they provide the court and other agencies with documentation of the parent's progress.
- Visits can be a motivator for parents who are making progress on the objectives of their Out of Home Family Services Agreement. When child welfare workers observe parents making progress, they can ask the Court to review the visitation plan and revise it to allow more frequent visits, longer visits, or unsupervised visits, as appropriate.

3. Restriction of Visitation

The physical separation that is created by foster care placements does not eliminate the attachment between the parent and the child. Separations will have a marked effect on both the child and the parents. The emotions created by separation and the grieving that results may be difficult and will be intensified during and after visits. As a result, parental behavior during visits may be unpredictable and disturbed and may have damaging effects on the child. When problems and negative reactions occur, they should be handled first by clarifying why the problems are occurring and what can be done about them. If this does not lessen the problems, limiting different aspects of the Visitation Plan should be tried before consideration is given to terminating visits completely.

Before visits can be sharply limited or terminated, the agency should:

- Identify specific parental behaviors which are upsetting to the child;

- Demonstrate that the child's difficulties are not a child's normal anxiety response to parent-child visits, and that they have destructive effects;
- Demonstrate that reasonable efforts have been made to explain to parents the implications of not working to improve visiting;
- Support the decision through consultation with medical, psychiatric, or other appropriate professionals;
- Petition for a court order limiting visitation, even if parents agree with this plan.

Visitation is the bridge to reunification. It is important to note that a positive drug screen is not in and of itself a reason to cease visitation.

4. Practice Guidelines for Visitation

Visitation is an opportunity to build a case toward a permanent resolution and to serve the best interests of the child. Parents who are given the opportunity for frequent visitation and who take advantage of this opportunity, are more likely to keep their attachments strong and to work to have their child returned. Parents who do not follow through on the chance to visit can be challenging and require creativity on the worker's part to engage the parent as to why they are not utilizing the opportunity to connect with their child. In addition, agencies have the obligation to preserve the child's relationship with the family until reunification is no longer the permanent plan and it is not in the best interest of the child. Workers still need to have contact with the parent even if visitation is no longer happening unless there has been a completion of termination of parental rights.

Children need visits to:

- Keep a connection to their family
- Mitigate their grief
- Have their worth reaffirmed
- Have the assurance that their parents "exist"
- Re-establish and strengthen a relationship with their parents

Parents Need Visits To:

- Remain attached to their children
- Stay motivated to work for reunification
- Practice what they have learned in treatment
- Understand the unique needs of their children

North Carolina Division of Social Services
Child Welfare Services
1201 - Child Placement Services

CHANGE# 02-2015	Out of Home Placement Services	September 2015
-----------------	--------------------------------	----------------

- Mitigate their grief
- Re-establish and strengthen a relationship with their child
- Demonstrate their attachment and abilities

Child welfare workers need visits to:

- Assess parents' ability to be responsive to their children's needs
- Prepare the child and parent for reunification
- Assist parents to understand the child's needs and behaviors
- Guide and observe parents' responses to child's behaviors
- Observe parents' relationship with their child
- Observe changes in parents' behavior over time
- Observe child's reactions and responses to parents
- Document all of the above and thus provide evidence to support the plan

Visitation should occur frequently and in a positive, natural setting. Child welfare workers should be creative in implementing visitation to assure frequent and positive visitation. Limiting visits to what is convenient for the agency limits the agency's knowledge of the parent's ability and limits the parents' opportunity to learn and demonstrate how to care for their children. Child welfare workers should think creatively about visitation to make visitation a real tool for assessing families and for mitigating the grief and loss experience of children who have been removed from their homes. Strategies for creative visitation include:

- **Ask the foster parents.** Visits in the foster home allow the parent to observe a positive approach to child care; allow the child to see all those who care for him/her as allies; and begin the building of a potential permanent resource for the future. This promotes a sense of partnership between the foster parents and birth parents.
- **Think about school and day care.** Most children would welcome lunch with their parents and most schools not only allow it but encourage this. Day care providers may also cooperate with encouragement. The parent can learn about this most important aspect of their child's life, and meet the teacher or day care provider.
- **Include the parents at the doctor or dentist appointments.** This provides the parent with the opportunity to take the responsibility for medical concerns when possible and keeps the parent informed. It can also reassure the child who may be fearful.

- **Take the visits outside the agency.** Parks, playgrounds, fast-food restaurants, and other places allow for visits that more closely resemble normal parent child interaction.
- **Recruit volunteers and make them visitation specialists.** Transportation and the need for supervision should not limit the opportunity for visits. Volunteers may also become role models and mentors.

Child welfare workers should observe and document the following during visits:

- Who participated?
- How long did the visit last?
- How did the parents greet the child?
- What was the child's response?
- What was the interaction between parents and child?
- What activities took place? How was the time spent?
- Did the parents set limits and/or discipline the child?
- Did the parents pay attention to the child's needs?
- Did the parents and child display affection?
- How did the child behave?
- Was the child welfare worker required to intervene?
- How did the parents and child separate?
- What happened after the visit?
- Did worker provide coaching or modeling for parent?

H. Required Services for Placement Providers

Good foster parents and are valuable assets to every aspect of Children's Services. They are resources for birth families learning to parent appropriately. They are resources for adoptive families learning to care for the child whose interests they share, or they themselves may become adoptive parents. They have the best access to teach children skills as they learn to be self-sufficient. Placement providers often hold more credibility as trainers for other placement providers and new child welfare workers than do professional trainers. Placement providers give their time, their energy, their creativity, their love, and their own resources to care for children in custody and placement responsibility of local child welfare agencies. All children who are in the custody and placement authority of a local child welfare agency must be in foster homes licensed by the state, or in another placement specifically approved by the Court. This includes placement with unlicensed relatives.

Placement providers need agency support. The licensing child welfare worker shall make a minimum of quarterly visits, with at least half of these visits occurring in the foster home. In addition, the child's child welfare worker shall make contact with the placement providers at least once during the first week of placement and at least monthly thereafter. The agency child welfare workers are responsible for monitoring the level of care offered in the placement, to work cooperatively with the placement provider in helping the child to overcome the trauma of placement, and to engage in discussions that are supportive of the placement provider/agency relationship. Placement providers need each other. The agency should help placement providers to meet by providing space and arranging childcare for meetings on a regular basis. The agency should participate in these meetings so that placement providers' concerns are communicated to the agency.

A key factor influencing the relationship between the agency and placement providers is the attitude of the agency as expressed by the child welfare workers. Placement providers are partners. They should be given all information known about a child, be given a quick and supportive response during crises, and when appropriate, be given an opportunity to help parents work toward reunification.

Foster parents are usually members of fostering families, each with its own set of dynamics. It is critically important that both the licensing child welfare worker and the children's child welfare workers be aware of the impact that fostering has on a family, as well as the impact that planned or unplanned changes can have on that family. In order to minimize foster family burnout, the agency should encourage their participation in local and state foster parent associations and should provide or arrange for services needed by the family.

Information on licensing, discipline, and the agency foster parent agreement, is in the Foster Home Licensing Manual, Section VII Standards and Procedures for Licensing (<http://info.dhhs.state.nc.us/olm/manuals/dss/csm-94/man/>).