



201 East Washington Avenue, Room E200
P.O. Box 8916
Madison, WI 53708-8916
Telephone: 608-266-8787
Fax: 608-266-5547

Governor Scott Walker
Secretary Eloise Anderson

Division of Safety and Permanence

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Child Welfare Licensing Memo Series 2014-01L

To: Residential Care Center Providers

From: Ron Hermes 
Bureau Director

RE: **Assessing Risk and Use of Restrictive Measures for Runaways at Residential Care Centers**

This memo provides guidance to Residential Care Centers for Children and Youth (RCC's) regarding children who leave an RCC or leave staff supervision while off premises on an RCC-sponsored activity. It does not otherwise change the policy or procedures that apply to children in an RCC's care. While it is critical for RCCs to consider the most appropriate action for each child on a case-by-case basis, this memo outlines pre-emptive risk screen that should be completed with each child placed in an RCC facility provides guidance on when restrictive measures *may be* appropriate.

1. Assessing Risk:

Chapter 52 of the Wisconsin Administrative Code requires RCCs to prepare admission screening reports as well as assessment and treatment plans for each child in care. In order for staff to best manage circumstances when a child leaves a facility or leaves staff supervision while off premises on an RCC-sponsored activity, the RCC should include a history of runaway behavior for each child prior to admission. This history should be incorporated into the preadmission review included in the Admission Screening Report required under Wis. Admin. Code § DCF 52.21(2).

A child with identified runaway risks admitted to an RCC must have an assessment and treatment plan for the identified runaway risk included in the treatment plan under Wis. Admin. Code § DCF 52.22(2). The runaway behavior section of the treatment plan shall be child specific. The child's risk of running should be reassessed during the quarterly treatment plan reviews to determine whether the risk of running has been reduced or if new treatment interventions need to be considered.

Facilities should review the Child and Adolescent Needs and Strengths (CANS) tool assessment for each child prior to admission to determine whether any runaway behaviors exist. The RCCs should request a copy of the CANS from the Wisconsin placing agency prior to each child's

admission into the RCC. The RCC should request similar information from out-of-state placing agencies if the placing state does not use the CANS.

The CANS tool has a specific item and subcategories related to children who run away and may provide critical information for the Admission Screening Report, the child's assessment and treatment plan, and emergency intervention planning. The Child/Youth Risk Behaviors Domain contains the runaway item. If there are issues with runaway behavior, then additional subcategories are rated. The subcategories are: frequency of running, consistency of destination, safety of destination, involvement in illegal acts, likelihood of return on own, involvement of others, and realistic expectations. Other CANS domains related to the vulnerability of the child or the risk behaviors may also be important to consider in developing a plan of response.

All staff who work with a child should be made aware of the child's treatment plan and the steps to take if the child leaves the facility or leaves staff supervision when off premises.

2. Use of Restrictive Measures with Runaway Youth:

Emergency safety intervention [Wis. Admin. Code § DCF 52.42(1)(d)], physically enforced separation [Wis. Admin. Code § DCF 52.42(1)(e)] or physical hold restraint [Wis. Admin. Code § DCF 52.42(1)(f)] may be used to regain control or facilitate the return of a runaway child. When needed, interventions should be used for the shortest time possible in the individual circumstance and should be carried out in a manner that does not cause undue physical or emotional discomfort, harm or pain to the individual.

RCCs should assess each child on a case-by-case basis to determine whether use of restrictive measures when a child leaves the facility or leaves staff supervision while off premises at an RCC-sponsored activity is appropriate. The RCC must first consider the safety and well-being of the child and should ask the following:

- Is it appropriate to use restrictive measures to restrain the child to keep him or her and/or others safe?
- Can staff on the scene safely intervene or does the child's behavior warrant calling for law enforcement assistance?
- Does the staff-to-child ratio of the current situation allow for safe restrictive measures to be implemented given any other children staff are responsible for supervising at the time?

When a child leaves the facility or leaves staff supervision when off premises at an RCC-sponsored activity, staff may utilize specific emergency safety measures if:

- the child is putting himself/herself or others in actual immediate danger, or

- the child’s behavioral history, self-protective capacity or medical condition, indicate that the child is placing himself/herself or others in imminent danger; or
- environmental factors, such as location or weather condition, indicate that the child is placing himself/herself or others in imminent danger by leaving the control or protection of the RCC.

At no time shall the use of emergency safety intervention be used for the convenience of staff. All efforts must be made to prevent the use of restrictive measures. Restrictive measures shall only be used as a temporary emergency measure. Any use of a restrictive measure shall be in compliance with Memo Series 2009-05: Prohibited Practices in the Application of Emergency Safety Interventions with Children and Adolescents in Community Based Programs and Facilities which can be found here: <https://dcf.wisconsin.gov/cwportal/policy>

Resources exist for minimizing runaway behavior. Some such resources are included in DCF Memo Series 2008-12: Definition of Missing from Out-of-Home Care and Documentation Requirements, which can be found here: <https://dcf.wisconsin.gov/cwportal/policy>

In order to properly track the effectiveness of this new policy memo, RCCs are required to include clear identification in the facility’s restraint log when staff use restrictive measures under this policy. Your licensor will periodically request this information so the Department can assess the effectiveness of the policy and determine if revisions or revocation of the policy are necessary.

Questions regarding this policy can be directed to the licensing specialist.

CHILD WELFARE LICENSING SECTION CONTACT:

Child Welfare Licensing Program Specialist
Division of Safety and Permanence
Bureau of Permanence and Out of Home Care
262-446-7856
DCFCWLR@wisconsin.gov